

L. H. J. or may be Determined and Corrected by a Justice of the peace in England Any thing in this Act notwithstanding

The same sessions in an Act made Entituled An Act for Rule of Judicature is Contained as followeth.

Right and Justice in all Civill Causes shall be Determined according to the Law or most Gen^t useage of the Province since its plantation to be Determined by the Judge and in Defect of such Law and Useage their Right and Justice shall be Determined according To Equity and Good Conscience not neglecting (so far as the Judge shall be Informed thereof and shall find no Inconveniency in the application to this province) the Rules by which Right and Justice useth and ought to be Determined in England in the same or the like Cases.

The same sessions In An Act made Entituled an Act for the forms of Proceedings in Causes is Contained as followeth

The Chief Judge in Commission of Every Court shall and may Have and use all necessary and sufficient power for the
p. 95 Administration of Justice and Doeing or Causeing Right to be done to all persons in all Causes within Cogniz^a of the Court and appointing the forms and means of it and Awarding all necessary process to that End in such form and unto such Effects as the Judge shall think fitt guideing them selves as near as Conveniently they may to the former precedents and useages of the Co^t and in Defect thereof to the formes in England in the same or the Like Cases Except where any thing is Especially Provided for by the Law of the Province.

The same sessions In an Act Entituled an Act ordering some things touching the Tryall and Judgeing of Causes is Contained as followeth

The Def^t in any Cause Civill or Criminall may put himself for Tryall upon the Judge or Co^t or upon his Countrey or may wage his Law in Cases allowable by the Law of England

The same Sessions in An Act made Entituled An Act made Touching Succession to Land is Contained as followeth.

Where any one Dyeth Seized of Land in fee not Disposeing of it otherwise by his Last will the next heir shall succeed as hath Right by the Law of England.

The same Sessions In An Act Intituled An Act ordaining punishm^t for Certain greater Capital offences is Contained as followeth