

In the year 1707 Lib<sup>o</sup> P: H: 233 patents issued to each Judge Empowering them to hold pleas before her then Ma<sup>tye</sup> & all other pleas theretofore by virtue of her Ma<sup>tyes</sup> Commission to her Justices of her Provinciaall Court by them held. Sign'd Jo: Seymour L. H. J.

Which Patents we find much vary from the form<sup>r</sup> Commissions and appointed the Judges as if they were King's Bench Judges, Whereas the Courts on those same Patents always proceeded in the Common plea Form in all Civil Cases and according to the same method and Rules of Judicature as they used to do, by virtue of the form<sup>r</sup> Commission. p. 150

We find that in some years after the forms were again Changed and the Judges appointed by Commission as usually and in Lib<sup>o</sup> P. H: N<sup>o</sup> 4 fo: 91 a Commission at large is Entred dated in 1718 which besides severall Mistranslations or other mistakes hath some Variation from the words resolved to be necessary in such Commissions relateing to the Laws of England Viz. by the s<sup>d</sup> Commission the Judges are Empowered and required to keep or Cause to be kept all & Singular the reasonable good Laws, Statutes & ordinances of that part of the Kingdom of Great Brittain called England and all Laws Statutes & Ordinances of this province

Also we find in a Commission of the tenth day of Aprill Anno Dmi 1722 to the Provinciaall Court that such like words are used which words we are of opinion are not so agreeable to the Constitution as the words in the Resolve.

We also find that in the Commission to the Judges of assize and Goal Delivery there is some Variation from those words Viz.

That the Judges are by those Commissions to Determine according to the Laws and Customs of that part of Great Brittain lately called England and of this our province,

Whereas we humbly offer the words in the said Resolves [as] more agreeable to the constitution, for that the word (Statute) is omitted and also that by the words (of that part of the kingdom of Great Brittain lately called England) It seems as if it were only intended to relate to such Laws and Statutes as were made before the Union; and if the words were more generally, according to the Laws and Statutes of Great Brittain, It might seem only to relate to such Statutes as were made since the Union, and might also relate to some Laws of North Brittain

Wherefore your Committee humbly offers the words in the said Resolves as most fit to be observed in all such Commissions