

Clerk of the said Commissioners, do transmit to his Lordship's Agent, an Account of all Lots taken up, pursuant to the Directions of this Act. Session
Laws

An Act for the Trial of all Matters of Fact in the several Counties where they have arisen, or shall arise, the Continuance of Causes in the Provincial Court, and Adjournment of that Court. Chap. I
[Expired in
1740, having
been con-
tinued by
1736, ch. 22]
p. 8

Whereas, the Trial of Facts in the Neighbourhood where they arise, is the greatest Security of the Lives, Liberties, Fortunes, and Estates of the Subjects most agreeable to the British Constitution, and a very great Ease to all persons concerned: And that the Increase of Business in the Provincial Court, renders the Decision of Causes there, without very great Delay and Expence, impracticable;

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Two Justices of the Provincial Court, on each Side of the Bay, (such as the Governor, for the Time being, shall think fit to appoint,) shall be Justices of Assize Nisi Prius, and Justices of Oyer and Terminer, and Gaol Delivery; and that the said Two Justices or either of them, (in Case of Sickness, or other Inability,) shall and may, at the respective Times in this Act mentioned, hear and try all Matters of Fact in all Actions Real, Personal, and Mixt, and all Actions Popular, for the Breach of any Law that is now depending, or that shall be commenced, in the Provincial Court, in the several Counties where the Facts have arisen, or shall arise, and not elsewhere; except in any Special Case, where it shall appear, that Justice cannot in all Probability be so equally administred to the Parties, as if the Trial should be appointed in some other Place, as fully and amply as any Justices of Assizes and Nisi Prius in England used, or by Law, ought or may try, hear, and determine. And that all Treasons, Murthers, Felonies, and other Crimes, Offences, and Misdemeanours, of what Nature or Quality soever, that have been, or by Law might be, tried in the Provincial Court, shall be heard, and tried, and determined, by the said Justices, in the several Counties where they shall be committed, as fully and amply as the said Offences, or any of them, might have been tried, heard, and determined, by the Provincial Court, or any Court of Oyer and Terminer, and Gaol-Delivery, according to the Laws of England, and this Province.

Provided always, That nothing in this Act shall be construed to divest the County Courts of any Jurisdiction they have; and that they may hear and determine all Matters and Things within their Cognizances, as they have heretofore done; any thing in this Act to the contrary, notwithstanding.