

or writs of error. In 1708 the commissions of the justices of the county courts extended their concurrent jurisdiction to include cases involving as much as 30,000 pounds of tobacco or £100, and four years later<sup>1</sup> the exclusive jurisdiction followed pace, attaining the maximum, to include cases involving not more than 5,000 pounds of tobacco or £20. These last limits were in force at the time of the discontinuing of the record. On the other hand, for minor cases, jurisdiction was divided between the county courts and justices of the peace sitting singly, the latter being given in 1699<sup>2</sup> exclusive jurisdiction of cases of debts of not more than 200 pounds of tobacco or 16s, 8d, and in 1715<sup>3</sup> of debts not exceeding double those amounts, 400 pounds of tobacco or 33s, 4d. The convertible figures of tobacco and sterling currency in these statutes, varying from 200 to 250 pounds of tobacco to the pound sterling, give the valuations of the staple and exhibit the fluctuating and unsatisfactory nature of it as a medium of exchange.

A chancery court was held by the acting governor until 1661, assisted by provincial court justices,<sup>4</sup> and after that year, and until 1689, Philip Calvert, one of the justices, and an uncle of the governor, presided as chancellor. Other justices sat with him. In fact, despite a disposition to observe the distinctions of the home country, the provincial court and the chancery court, having the same judges, conducted business for some time after 1660 without clear separation of the two jurisdictions. The judges are found taking one oath for service in both courts, and their sessions were opened and recorded as sessions of both together. Attorneys were admitted to both courts by one order, and business properly belonging to one court is found disposed of under captions of the other. In 1692, the new royal governor again set up a separate chancery court,<sup>5</sup> consisting of a chancellor assisted by several justices, and this endured until 1699, when royal instructions compelled a reunion of the office of chancellor with that of governor. In all appeals during the period covered by the present record after 1699, the chancery court appears as a court of the governor, assisted by some of the justices. The jurisdiction in chancery appears to have been without limits until 1704, when the court was forbidden to hear, try, determine, or give relief in causes wherein the amounts involved were under 1,201 pounds of tobacco or £5-0-1.<sup>6</sup>

Over matters of probate and administration of estates of deceased owners the governor and council as a court of appeals had no jurisdiction, and it had none over admiralty or maritime cases. The present volume is not, therefore, concerned with cases of either kind, or, indeed, with any

<sup>1</sup> Act 1712, ch. 1, *Archives*, XXXVIII, 143.

<sup>2</sup> Act 1699, ch. 24, *ibid.*, XXII, 500.

<sup>3</sup> Act 1715, ch. 41, *ibid.*, XXX, 320.

<sup>4</sup> Act 1638, ch. 9, *ibid.*, I, 49.

<sup>5</sup> *Archives*, XX, 137.

<sup>6</sup> Act 1704, ch. 31, *ibid.*, XXVI, 283.