

a Council, and are therefore Sorry your Honours give your selves the Trouble to mention it now. But as it was, and yet is evident to this House, that there is another ample Provision made for defraying the Councillors Charge of Attendance, we hope your Honours will give us no further Trouble about the *One Hundred and Fifty Pounds of Tobacco per Day.*

Signed per Order, M. J. Cl. La. Ho.

Which was sent to the Upper House by Col. W. and Mr. C. They return, and say, they delivered it.

Mr. T. from the Committee of Courts of Justice, returns the following Report, viz.

By the Committee of Courts of Justice, *October the 19th, 1724.*

YOUR Committee observes, That in the Commissions to the Justices of the Provincial Court, made out in the Year 1692, (being the first Year that the Crown took the Government of this Province upon them, L. C. Esq; being Governour) Recorded in *Lib. D. S. page 49, 50.* the said therein Justices are required to Hear and Determine all the matters in the Commission before recited, doing therein what to Justice appertaineth, according to the Laws and Customs of (our) Kingdom of *England*, and of our said Province.

Report about the forms of Commissions to the Courts.

Also, in the Commission granted to the Justices of the same Court, the second day of *May, 1694.* Recorded in *Lib. T. L. No. 1. page the first,* the Justices are required to Hear and Determine, Perform and Fulfil all and singular [the same] doing therein what to Justice appertaineth, according to the Laws and Customs of our Kingdom of *England*, and of our said Province.
Signed E. A.

Also, the like Words in the like Commission, dated the 16th of *October, 1694.* *Signed, F. N.* Recorded in *Lib. T, K. No. 1. fol. 120.*

Also, the like Words in the like Commission, dated the 3d day of *April, 1699.* *Signed, N. B.* Recorded in *Lib. W. T. No. 3. page 258.*

In the Year 1707, *P. L. 233,* Patents Issued to each Judge empowering them to hold Pleas before her then Majesty, and all other Pleas theretofore, by Virtue of her Majesty's Commission to her Justices of her Provincial Court by them held. *Signed, J. S.*

Which Patents, we find, much vary from the former 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 former Commission.

We find, that in some Years after the Forms were again Changed, and the Judges appointed by Commission, as usually and in *Lib. P. L. No. 4. fol. 91.* a Commission at large is entred, dated in 1718, which besides several Mis-Translations, or other Mistakes, hath some Variation from the Words resolved to be necessary in such Commissions relating to the Laws of *England*, viz. by the said Commission the Judges are empowered and Required to keep, or cause to be kept, all and singular the Reasonable and Good Laws, Statutes and Ordinances of that part of the Kingdom of *Great Britain*, called *England*, and all Laws, Statutes and Ordinances of this Province.

Also, we find in a Commission of the 10th day of *April, Anno Domini 1722.*