

America, that are under his immediate government, to wit, by a governour, council, and assembly of the freeholders and planters of the same, and in the mean time, shall enjoy the benefit of the laws of England ;—fourthly, the commission of captain-general and governour in chief of the said province under the great seal of Great-Britain, given to major-general Murray in November, 1764, empowering him, amongst other things, to call an assembly of protestants in the said province, as soon as he shall find it practicable, and, with the consent of such assembly and of the council of the province, to make laws and ordinances for the benefit of the said province, but not giving him any power to make any laws, or ordinances, whatsoever by the advice and consent of the council of the province only ; and empowering him likewise to collate persons (protestant priests, as it is supposed) to all the ecclesiastical benefices in the said province ;—and fifthly, the ordinances made by the said governour of that province, with the consent of the council of the same only, by virtue of an instruction for that purpose under the King's signet and sign manual (purporting to empower him to make rules and regulations in the said province, by the advice and consent of the council of the said province only, provided that the said rules and regulations do not tend to affect either the life, or limb, or liberty of the subject, or to the raising any duties or taxes) for erecting courts of justice in the said province ; in which ordinances the chief justice of the said province, who is the only judge of the court of King's Bench thereby erected, is directed to determine all matters, criminal and civil, according to the laws of England ;