

Britain called *England*, and also with full Power and Authority to hold Plea in a summary Way of all Suits and Complaints of a Civil Nature arising within the Island of *Newfoundland*, on the Islands of *Saint Pierre* and *Miquelon*, and on the Islands and Seas, aforesaid, and on the Banks of *Newfoundland*, and in *Great Britain* or *Ireland*; which Court shall determine such Suits and Complaints of a Civil Nature according to the Law of *England*, as far as the same can be applied to Suits and Complaints arising in the Islands and Places aforesaid; and the said Court shall be a Court of Record, and shall be holden by a Chief Justice to be appointed by His Majesty, who shall have full Power and Authority to enquire of, hear, and determine all Crimes and Misdemeanors, Suits and Complaints cognizable in the said Court, and such Court shall have such Clerks and Ministerial Officers as the Chief Justice shall think proper to appoint; and such Salary shall be paid to the said Chief Justice as His Majesty, His Heirs and Successors, shall approve and direct, and such Salaries be paid to the Clerks and Ministerial Officers aforesaid as shall be approved by the Chief Justice, with the Consent of the Governor of the Island of *Newfoundland*; which several Salaries shall respectively be in lieu of all other Profits and Emoluments whatsoever.

The Governor, with Advice of Chief Justice, may institute Surrogate Courts, &c.

II. And be it further enacted, That it shall be lawful for the Governor of the Island of *Newfoundland* from Time to Time to institute Courts of Civil Jurisdiction, to be called 'Surrogate Courts', in different Parts of the Island of *Newfoundland* and the Islands aforesaid, as Occasion shall require, with full Power and Authority to hear and determine, in the like summary way, all Suits and Complaints of a Civil Nature arising within the Island of *Newfoundland*, and on the Islands of *Saint Pierre* and *Miquelon*, and on the Islands and Seas aforesaid, and on the Banks of *Newfoundland*, and in *Great Britain* or *Ireland*, which Courts shall respectively be Courts of Record, and shall determine according to the Law of *England*, as far as the same can be applied to Suits and Complaints arising in the Islands and Places aforesaid; and the said Courts respectively shall be holden by a Surrogate to be appointed from Time to Time by the Governor of the said Island, and shall have full Power and Authority to hear and determine all Suits and Complaints cognizable in the said Court; and the said Court shall have such Clerks and Ministerial Officers, with such Salaries as the Governor shall appoint, which Salaries shall be in lieu of all Profits and Emoluments whatever.

Mode of Proceedings.

III. And be it further enacted, That it shall be lawful for the said Supreme Courts and Surrogate Courts respectively, when any Suit or Complaint shall be depending therein, to cause to appear from Day to Day all Persons interested in the Matter in Dispute, and to examine upon Oath such of them as it shall be deemed proper for better discovering the Truth, and thereupon and after due Consideration of all Circumstances to make such Order, Judgement or Decree therein, and award such Damages and Costs as the Case shall require; and that in all Cases where the Cause of any Suit or Complaint shall not exceed Five Pounds, the Party who is to answer such Suit or Complaint, shall be made to appear in Court by Summons; and in all Cases where such Summons shall be disobeyed, or where the Cause of any Suit or Complaint shall exceed Five Pounds, and shall be sworn to in an Affidavit made by the Plaintiff, then that the Party who is to answer such Suit or Complaint may be caused to appear, by
Attachment