

of Newfoundland, and on the Islands and Seas aforesaid, and on the Banks of Newfoundland; 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.

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, then that the Party who is to answer such Suit or Complaint may be caused to appear by Attachment of his or her Goods, Debts, or Effects, or by Arrest of the Person, and that the Execution of any Order, Judgement, or Decree may be enforced by Attachment of the Goods, Debts, or Credits of the Party, or by Arrest of the Person against whom such Order, Judgement, or Decree shall be made; and that it shall and may be lawful for the said Chief Justice and Surrogates respectively, to authorize some Person in his or their Absence

Mode of Proceedings in the Supreme and Surrogate Courts.

respectively,