

and complaints of a civil nature arising within the island 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, with the approbation of such chief justice, 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 chief justice shall appoint, which salaries shall be in lieu of all profits and emoluments whatever.

Mode of proceedings in the supreme and surrogate courts.

3. 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