

Supreme Court to be held by a Chief Judge and Two Assistant Judges appointed by His Majesty, who may remove them and appoint others.

Governor of Newfoundland may appoint Judges in certain Cases.

Issues of Fact to be tried at Saint John's by a Jury.

Appointment of Sessions.

Actions in breach of any Law relating to Trade of the British Colonies in America, to be tried according to Proceedings

II. And be it further enacted, That the said Supreme Court shall be holden by a Chief Judge and Two Assistant Judges, being respectively Barristers in *England* or *Ireland* of at least Three Years standing, or in some of His Majesty's Colonies or Plantations, who shall be appointed to such their Offices by His Majesty, His Heirs and Successors: Provided always, that it shall be lawful for His Majesty, His Heirs and Successors, from Time to Time as Occasion may require, to remove and displace any such Chief Judge or Assistant Judge as aforesaid, and in his Stead to appoint any other fit and proper Person, being a Barrister as aforesaid, to be the Chief Judge or Assistant Judge of the said Court, as the Case may be: And provided also, that in case any such Chief Judge or Assistant Judge shall be absent from *Newfoundland*, or die, or resign such his Office, or by reason of Sickness or otherwise shall become incapable of performing the Duties thereof, then and in every such Case it shall be lawful for the Governor or Acting Governor of *Newfoundland*, for the Time being, to nominate and appoint some fit and proper Person to act as Chief Judge or Assistant Judge, as the Case may be, in the Place or Stead of the Judge so being absent, dying, resigning his Office, or becoming incapable of performing the Duties thereof, until such Judge shall resume the Duties of his Office, or until a Successor shall be appointed by His Majesty, His Heirs and Successors; and the said Chief Judge and Assistant Judges shall respectively have and exercise such and the like Powers and Authorities in *Newfoundland*, and in all Places dependant upon the Government thereof, as any Judge of any of His Majesty's said Courts of King's Bench, Common Pleas, and Exchequer, or as the Lord High Chancellor of *Great Britain*, hath or exercises in *England*.

III. And be it further enacted, That all Issues of Fact which may be joined between the Parties in any Action at Law originally brought before the said Supreme Court of Record, or which may be joined upon any Criminal Information or Prosecution depending in that Court, shall be tried at the Town of *Saint John's* in the Island of *Newfoundland*, by a Jury of Twelve Men; and for the Purpose of hearing and trying all Suits, Actions, and all Informations, Prosecutions, and other Proceedings, of what Nature or Kind soever, which may be brought or commenced in the said Supreme Court, One or more Term or Terms, or Session or Sessions of the said Court, shall be held at the Town of *Saint John's* aforesaid, in each Year, by the said Chief Judge and Assistant Judges, at such Times as the Governor or Acting Governor of the said Colony shall from Time to Time, by any Proclamation to be by him for that Purpose issued, direct and appoint.

IV. And be it further enacted, That as often as any Information, Action, or Suit shall be brought or prosecuted before the said Supreme Court, for the Breach or Violation of any Law relating to the Trade or Revenue of the *British* Colonies or Plantations in *America*, such Information, Action, or Suit shall be heard and determined by the said Court, according to the Course of Proceeding in similar Cases in the Courts of Vice Admiralty in the said Colonies or Plantations; and that it shall and may be lawful for the Party or Parties