Deliverie of the Comission in Court

The Commissioners subscribinge their names also to the said Answere, And when this or any other Comission returnable in this Court is executed and returned, it must bee brought into the same Court either by one or moe of the Commissioners thereof, or by some other credible person: but yf any other then some of the Commissioners doe put it into the Court, he must make oate that he receiued the same Comission at the hands of some of the Commissioners thereof, and that by his consent present or knowledge it came not but opened or altered, since he so received the same.

And yet sometymes upon good cause a writt of supersedeas is awarded to staie the execution of suche other Comission

Of imperfect answere

But yf the defendant appeare personallie or by Attorney, and make an imperfect Answere, then upon demurrer tendred, and motion made in Court by the plts Counsell, shewinge the imperfection of suche Answere, an order will be made that the defendt shall make a better answere by some certaine tyme, and thereupon ysshute a subpe ad faciend melius respons:

Receivinge and joyninge in Comission ad examinand testes.

And when the defendt hath made a perfect Answere, the pltiffe of his own accord, or by order in Court must replie or bee dismissed for want of a Replication and ordered to pay to the defendt costs for his wrongfull vexation, but upon Replication put in by the pltiffe the pltiffe is to take out a subpe ad requirend et inuirend in Comissione ad examinand testes

And thereupon the defendt must put in his Joinder to the pltiffes Replication. And yf any other matter bee in the defendts Joinder then was in his Answere, then maie the pltiffe put in a Surrejoinder, and therebye answere the same, and so proceede to perfect issue. And the pties bringe so at yssue may, either examine theire witnesses before the Examiner of the Chamber in Court or doe praie a Comission ad examinand testes to certaine persons of good credit directed.

The returne of wch Comission is commonlie indorsed upon the same tend.