

Resolved that the Recognizance before specified is a Recognizance
given in the Court of Chancery in this Province

But to the Question whether the Error be rightly laid? you or not
resolved in the negative

Because the Court as appeareth by the Record did give judgment upon
view of the Record

There was taken into consideration the second Error viz. The power of
the Chancellors and the Defendant & waived.

There was taken into consideration the third & last Error
stated Error

And resolved first by what appeareth upon Record the ground
of the demurrer of a certain Cause 25th of February was the testimony
of a Woman & a Maning Hugh & Massey W^m Holloway the R^t Hon^{ble}
Francis Justice & others & the Record sayth & the issue of
M^{rs} of Justice & Francis & the Quorum thereupon granted

Resolved that the Quorum not being found upon better view of the
Record of a certain Cause to bear date the first of April also
could not properly be in Justice confined to discharge a Debt acknow-
ledged 10th June 1660 which was near three months after

namely that a Recognizance upon Record cannot be entered but
upon a Justice upon Record

Resolved that although the Clerk hath by misapprehension made the
said Recognition the Court did not sit as Arbitrators but as Judges as
appears by the Record following viz. a decree judgment of the Court
upon Friday 20th February. And did therefore Wednesday 23rd February
judicially enter the assignment of the Cause as appears by the Record
Court thought & it is resolved &

There was this following Paper from the Lower House viz
Thursday the 20th September 1664

Capt Thomas Woodall informeth the House that there is a certain Charge
concerning a Justice in this County the Charge of Justice & imprisonment
with a great waste etc is brought in, not knowing how long he may
continue. Prayers there. This which humbly requesteth the upper House
to consider of it to the end the future Charge concerning that Justice
& imprisonment
W^m Boston etc

The upper House will desire you that the Justice be sent for
to answer to all charges he is charged with
John Jull etc

There was a Member from the Lower House with the Pet for
prosecution of Justice with the aforesaid Justice

Upon which was intended & returned to the Lower House
viz. that the upper House desire to have three sides drawn out of
the said viz. that the Government generally should be governed