

Lib. H. D. cill are Sufficiently Authorized and Empowered by Yo^r Com̄ission from their Maj^{ties} to hear and determine all Matters in Law coming before You either by Appeale or Writt of Error from the prov^l Court wth out any further or other Com̄ission
 Whitehall or Authority for the same but Wee conceive it Necessary for information of the people that You Signifie by proclamation how often in the year you will Sit to hear & determine such matters.

2: What will be the best Methode or Manner for constituting a Court of Chancery or Equity in this province according to the constitutions of the same.

Wee Say that because you have power & Authority to constitute Erect and establish such & so many Courts of Judicature & publick Justice &c^a as to you shall seem convenient &c^a You may constitute a particular Court of Equity in this province. But then for the Hon^r of the Gover^r & Council it would be Necessary to declare by a Law that any person expecting to be relieved by Equity shall lay hold of the same by Injunction or otherwise before the Matter in Law by Appeale or Eror be laid before the sd Gover^r & Council and
 p. 58 not after or else you may procure a Law to be made declaring the Gover^r & Council to be Judges in Equity wthin this province when the matter shall in a regular equitable way be brought before them by Subpⁿ Injunction or Petition and not otherwise And this wee say because wee are not Unanimously Agreed w^{ch} of the Two is most Agreeable to the Current of Law and constitution of this province And wee humbly Signyfie that Wee take it to be Against the Current and the Meaning of the Law and incongruous of it Self to have the Same persons Judges in the Prov^l Court as also Judges in Council for the Motion of Appealing or Writts of Error is to except Against the Judgm^{ts} of these Judges that gives Judgm^t & Appeale to other Judges in a Superiour Court w^{ch} plainly Supposes different p^{sons} this is our present Opinion of the Matters abovesaid to w^{ch} wth Submission to better Judgments wee Subscribe

Yo^r Exce^{ncy} most humbly & faithfull Servants
 Sept^r the 26th 1694

Rob: Smith
 Kenelem Cheseldyn
 Geo: Plater
 Edw^d Boothby
 Will^m Dent
 Phil: Clarke.