

Lib. H. D. The Same was by Ord^r indorsed as followes Viz^t

By his Ex^{ncy} the Govern^r & Councill &^{ca}

June the Second 1697.

Sr Tho: Laurence's Case Referred to the Kings Lawyers to make Answer thereto. Ordered that the within Matter be Referred to the Kings Lawy^{rs} together with the petition and rest of the proceedings for them to inspect and Examine the Same and make Report whether the s^d dispute can be Ended and tryed in this Countrey; for that there Seems to be a failure of Justice in the thing; which report they are to make with all possible Speed, unto this Board.

Signed p Ord^r Hen: Denton Cl Councill

Mr Gouldesboroughs Opinion vpon Sr T: L: Case Referred. May it please yo^r Ex^{ncy} In Obedience to the Comand of yo^r Ex^{ncy} & the hon^{ble} his Ma^{ty} Councill Iv'e Considered the Case between Sr Thomas Laurence & Coll: Nich^o Greenberry, and with humble Submission it Seemeth to me that the whole Charge (except the ha Cor) Charged upon his Hon^r Coll Greenberry is not his Act but the Act of the Councill & therefore not Cognisable in any Court of Common Law within this Province nor is a Privy Councillor any more Subject to any Mans Suit for things done in Councill than a Judge of the Common Law is for giving an Erronious Judgm^t And the Rule of Law is that if an Offence be Comitted in any Court punishable by th^t Court, it must be done Criminally in the Same Court or in a higher and not in an Inferiour Court, and there is no Court in this Province of a higher Jurisdiction than the Govern^r & Councill. And upon consideracōn of the whole it seemeth to me that this matter is Cognizable before the King and Councill and not else where. All w^{ch} is humbly Submitted by

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Yo^r Ex^{ncys} humble Serv^t
R Gouldesborough

By his Ex^{ncy} the Govern^r &^{ca} May the 16th 1697.

Capt Hans Order'd to make inquiry abt Amos Nichols's Report about the Indian Traders &^{ca} Whereas it is generally Reported how that Amos Nichols should give out (a little before the murder Committed in Cæcill County) this following Expression, Viz^t That he was afraid there would be Some Mischief done to the Indian Traders (this Sumer) by the Indians by which Expression it is not a little Suspected that he might have a hand in