

1679 b. for the Hon. Charles the Secy Baker Brook Esq. and Benjamin Rorer Esq. by the said Baker Brook Esq. of Benjamin Rorer Esq. required to sit and give any Judgment therein, being that point in question had been debated before them in the Court of D. C. and the Hon. Mr. Chauncel. had also had a hearing thereof and they had returned their severall Opinions therein already, so that there is not a sufficient Number to make a Court, whereby there is a failure of Justice for want of a Court, and no way left for yo. Petitioner to recover the said D. C. to be reimbursd. him. And making him capable to perform the Obedience according to his Bond and Oath.

Yo. Petitioner humbly prays yo. Lpp: Consideration of the premises, and that yo. Lpp: would be graciously pleas'd to grant to yo. Petitioner a special Commission of Oyer and Terminer to some persons unconcerned such as to yo. Lpp: shall seeme fitt may issue to hear and determine the Cause and all other the matters aforesaid

~~And yo. Lpp: as in Duty bound shall pray for yo. Lpp: &c.~~

This Lpp: the Lord Prop: having advised with his Council and duly weighed and considered the prayer of the Petitioners and pruned the Statute of the 25th Hen: 8: cap: 19: and other Law: Books touching the Jurisdiction of such Courts as is last pray'd, doth not conceive that he hath power to grant any such Commission.

At a Council held at St. Pauls the 9th Day of Feb: in the 5th year: of the Dominion of the R: Hon: Charles 1st: over this Province Amoyg Donims 1679:

The R: Hon: the Lord Prop:
 Philip Calvert Esq: Chauncel:
 The Hon: Vincent Lowe Esq: Surveyor:
 Benjamin Rorer Esq:

Georg: Talbot Esq: sworne Privy Councello: to his Lpp: and took his place accordingly at the board
 William Digg: Esq: also sworne of the Privy Councell and took his place likewise at the board

Certain fees fitted and allowed to the Clerk of the Council for the time being and at all times hereafter being as on the other side vis

Fees.