

practice and presidents of yo^r predecessors in this
province and the failure of Justice if otherwise
Dile petitioner or Supplicavit to yo^r Excellency in Chancery
by the wife on such reasons as to your Honor shall
seem meet may also for maintenance and
Establishment -

First by approved English Authority -

Your Excellency power in the Court of Chancery is
extraordinary and unlimited in Cases of Equity
bound to nor rules certain then unto discretion
is the fountain by which Justice is conveyed to the
people on their necessity and Complaints. i. R.
398. and if any person supposes a wrong by the
Decree of the Court of Chancery his only way is
petition the King in parliament as in the Case
of Mr. Myles Finch and the Earle of Worcester -
as yo^r Excellency power being so great and
much of Equity in the present Case yo^r Excellency
Judicial Authority in allowing separate
maintenance seems to me unaccountable know
no reason why yo^r Excellency may not in the Court
Chancery here by decree force such allowance
well as the Court of Chancery in England which
Tollub fol: 93 94 97 treating of the Court of Chan
in England says the wife may alone sue the husband
therein and force him to give her Alimony and
the Chancery Book Registrance of such Case late
and plainly appears in the Case between Whors
and Wierswood Chan. Regs: 20: Vol: pag: - - - -
and to go to the Judgment of the Judges of the Common
Law in the Case of Marby and Scott in which
most of the Judges of England were of opinion
that the wife was not destitute of anybody in law
necessary for her maintenance of her husband
but might have it by the Common Law of England
in Chancery by Supplicavit as well as by the Common