

Councill. whether it is (Ne pay to Compose any Law to regulate the
Chancery proceedings held at the Court of Annapolis the Seventh day of July
Anno Dom: 1699.

Present

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| Cott: Henry Jones Esq ^r | } of the Honble Councill. |
| Robert Smith Esq ^r | |
| May: Tho: Smith | } of the House
of Delegates. |
| Capt: Philip Haskins | |
| Cott: Jo: Thompson | |

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| Mr. James Saunders |
| Mr. Walter Smith |
| Mr. Wm: Harris |

The Committee being mett made choice of Maj: Tho: Smith for Chair
The Committee having considered and maturely deliberated the premises
they have thought it absolutely necessary to Compose a Law to regulate
the High Court of Chancery for these reasons.

1. That his Majesty by his Royall Commission to his Ex^{ty} having enjoyned
him to be Keeper of the Seal of this Province is thereby Chanceller and
that by virtue of a former Law is a peculiar and Distinct Court and
that the Gov: and Councill for hearing of writts of Error and appeals from
the Provinciaall Court is another Distinct Court soe that the Gov: and
Councill will be one and the same Judges in both Courts.

That by the former Law if any person upon the Chancellors decree
or Declaration of any matter thought himself aggrieved he shall pray to
the Gov: and Councill for Receiving and Rehearing the same soe that
they are still the same Judges.

To prevent which inconvenience we humbly offer our opinions
to this Honble House that they will make some Law or prescribe
other means as they shall think most necessary.

Signed for us

Thomas Ckr: Comr.

By the house of Delegates July 8th 1699.

May it please your Ex^{ty} we have received the report of the Committee
appointed to consider of the composing of a Law for regulating of Chancery
proceedings and this House concurs in opinion that all the Inconveni-
encies mentioned in the said Report will fall upon us by the same
individuell persons being Judges in Chancery and appeals and in Reviewes
we are not willing to offer your Ex^{ty} any Temporary act being contrary
to his Matys Inclinations and Instructions, nor are we willing to be
bound by a perpetuall act to Inconveniency which we cannot discern
but make our addresses to your Ex^{ty} that you will see dispence of our
Commission with the advise of his Matys Honble Councill that the three
Differing Authorities mentioned in the said Report may not interfere
one with another nor that the same Individuell persons may not be
Judges in the same Causes. Signed for us C: Gregory Ckr. House of Delegates.