should bee wrestfullie remoomded together,
wordes in steede of equalnesse worke effect deale
to the petient that should rotfwe theom:
for it requirothe the industrie and cognissio
art of a good pesitraw to make a right tur-
nostrow, distemmye and tongonige by mist
exortunb good from evill. In like
sort in affaires bote publique and private
Equitie doth strictlie bid vigorfullie
examine the tause, the times the circum-
stances, the sorts and differences of persons
and matters, and by former Judgem^t given
in like tasse gatepooth and framoth an
absolute and perfect determinige am^d deter-
minige the matter presentlie in question
and suite

How the Chauncerie is termes the Court of Conscience

Now forasmuche as the Court bridleth the
rigor of the Comon lawe by giveinge lawes
and exceptions for remedies where by lawe
none were, knowinge to equitie and conscience
to maintaine equum et bonum, the Comon proble
terme the Equitie the Court of Conscience.
Not eyerom conscience is so regarded, that
lawes bee not neglected for they must reigne
eandem in the moderation of extremitie. Nam
ipsae etiam Leges cupiunt vt iure regantur, id
est, vt leni, facili, ac benigna interpretatione
temperentur, verq; dicitur Nullus recedas
a Cancell: sine remedio 4. H. 7. 4.

Of Judgem^ts in Chauncerie

The great is the power sumtuous and ma^tie
of the Court, that Judgem^ts therein given
are not to bee controlled or reversed in anie
other Court, then the high Court of Parliam^t
with in the compasse of all other Courts in
the Realme Diuers: Cur: 105: 37: 51: 6: 14:

Of the power ordinarie of the Chauncerie

And this Court is armed with twofold power
that is to saie with power ordinarie and
absolute: 9: E: 4: 15:

By ordinarie power the Lord Chancellor proceedeth
as at the Comon lawe, as in processe upon
Recognizances before acknowledged; and tra-
verses of offices, in with cases are to pleade
and issue is had as at Comon lawe. And so
in suite aga^t or for Clerke of the Chancerie
and other persons privileged by attendaunce there
for matter of their owne remediables by the Comon
lawe the Writ were they bee at issue, the re-
cord must bee transmitted into the Kings
Courte, to bee tryed by Iurie. And when it
is so tryed it must bee remaunded into the
Chancerie, that Judgem^t maie bee there
given and construed vpon the same: 24:
E: 45: 14: E: 4: 7. 8: E: 4: 6:

Of the power absolute of the Chauncerie

The absolute power is not tyed to the rules
of the Comon lawe, but by that matters
maie bee examined omnibus viis et modis
quibus rei veritas melius sciri poterit and
iudged secdm allegata et probata, and not
by Iurie of 12 men as at the Comon lawe
but by examinatio of witnesses, as in the
Courts of Civill lawe Smith de Repub:
Anglor Li: 2: ca: 12: Diuers: Cur: 106: 9:
E: 4: 15: Neither is sure prise forme of
pleadinge vsed in the Chancerie, as at
the Comon lawe, nor aide advantage

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