

colonists in America;" in which, among other things, *the late extension of the jurisdiction of the vice-admiralty courts*, was enu-

Whereupon the committee appointed a time and place for the hearing, of which they gave notice to the parties personally or by publication; after which and upon making up their opinion they reported accordingly. But the course of proceeding before the king in council; the judgment of that tribunal, and its *mandate* with which the case was sent back to the colonial court may be better understood by a perusal of the following extract from the records of the High Court of Chancery of Maryland, in the case of *POWLSON v. FORWOOD*.

"*Memorandum*.—This 22d day of February 1725, his Honour the Chancellor acknowledges to have received of Mr. Plater by order of his Honour the Governor copies of several orders of the king and council, to wit, one of the 11th of August 1720; one other of the 30th of April 1724; and one other of the 4th of July 1724; and ordered the same to be entered in the proceedings of this court to avail so far as they ought; which orders are in the words following, viz:

"At the Council Chamber, Whitehall, the 11th August 1720, present their excellencies the Lords Justices, &c. (Here follow the names of the members of the council.)

"Upon reading this day at the board a report from the Right Honourable the Lords of the committee for hearing appeals and complaints, &c., from the plantations, dated the 4th of this instant in the words following, viz: Whereas by an order in council of the 26th instant referring to this committee the humble petition of *Jonathan Forwood*, complaining of several unjust proceedings against him, and his agents in the courts of judicature in the Province of Maryland at the suit of one *Gilbert Powlson* master of the ship *Dolphin*, touching an agreement entered into between them, for the said *Powlson* to transport from England to the said Province and to Virginia, one hundred and thirty-one servants; on account whereof, the petitioner alleges, the said *Powlson* has obtained two attachments against his effects there, one of them for one hundred and sixty pounds which he actually received, and the other for seven hundred pounds for which he has sold good part of the petitioner's effects in his hands; and humbly praying to be relieved in the premises.

"Their Lordships this day took the same into consideration, and having heard the petitioner by his counsel therein, do agree humbly to report their opinion, that upon *Mr. Forwood's* giving such security as the Governor and Council of Maryland shall think sufficient to answer the said *Powlson's* demands, his goods in specie shall be restored to him, or, in case they are sold, he shall be paid the money arising from the sale thereof; and that thereupon the Provincial Court do proceed to hear and determine the cause or causes with liberty for either party to appeal therefrom.

"Their excellencies the Lords Justices in Council taking the said report into consideration are pleased to approve thereof, and to order as it is hereby ordered, that upon *Mr. Forwood's* giving such security as the Governor and Council of Maryland shall think sufficient to answer the said *Powlson's* demands, his goods in specie shall be restored to him, or in case they are sold he shall be paid the money arising from the sale thereof; and that thereupon the Provincial Court do proceed to hear and determine the cause or causes with liberty for either party to appeal from such determination; whereof the deputy governor, or commander in chief for the time being of the Province of Maryland, and all others whom it may concern are to take notice, and govern themselves accordingly."

"At the court of St. James's, the 30th day of April 1724. Present, the King's most Excellent Majesty, &c. (here follow the names of the members of the council.) Upon reading this day at the board a report from the Lords of the committee for hearing appeals, complaints, &c. from the plantations, &c. (here follows the report