

Explanation of that part of it which Says (before any appeale was prayed to the King and Council I believe the appeale from the Judgment at Law were prayed before I had the bills Endorst me but the bills were not detained from Powlson by any proceeding at Law for the Judgments at Law were Executed by those bills given in Satisfaction [646] of part of those Judgments which Execution and Satisfaction Powlson was Denied the Benefitt of; by an Extraordinary order of the then Chancellor in favour of Forward till the Matters Should be heard in Equity The matter was heard in Equity and Given Ag^t Forward who appealed from the Chancery Court to your Honour and high Court of Appeals in Chancery where Forward Dismist his own Appeale this was prayed before those bills were paid me which I think was in June 1723, And the dismissall was Sometime afterwards what I desire you to Understand of the above Expression is that they (the Bills) were payed me before any appeale prayed from those Chancery proceedings to his Majesty and Council which were the only proceedings that Stoped Powlson from the Immediat use of the Bills when first given; and if there be yet any Appeale prayed in that Case its what is unknown or not Remembred by

Your Honours obedient Servant.

Tho^s Bordley Feb^y 20th 1724.

To his Honour the Governour.

This Day his Honour the Governour desired that his opinion in relation to the bills by Captain Cockey on Jonathan Forward payable to Gilbert Powlson and purchast by M^r Bordley of Powlson in June 1723 be entered on the proceedings of this Court which is Accordingly ordered to be entered.

I am of Opinion As I was before in this Court when the Cause Was depending between Forward and Powlson that Powlson could have no Just right to the Bills while the appeale before the King and Council was Depending and that whoever purchases can purchase no more Right than the Seller has to give him therefore I think those Bills Ought to be restored Since the King in Council has reverst the Judgments of the Courts here.

February 20th 1724

Cha. Calvert.

[D D:] Kenclm Skillington v [TB] William Turner Appeale; [J:G: D:D:] Hicks v Seward — petition and Appeale proceedings Lodged. Scire facias ad audiendum Errores issued no return. Sc fa ordered to be renewed unless return this Court, The aforegoing two Causes Continued untill next Court.

The Court adjourns till the third tuesday of May next.

Test William Cumming Clk Court App^{ts}

At a Court of appeals held before his Excy the Governour and his Lordships Honourable Council for hearing Appeals and Writts of Error at the Port of Annapolis on the third Tuesday of May being the Eighteenth Day of the Same Month Anno Dom 1725

[647] Present: His Honour Charles Calvert Esq^r Governour; The Honble William Holland Esq^r; John Hall Esq^r; Philemon Loyd Esq^r; Co^t Mathew