

According to the Rule af<sup>d</sup> the Severall Motions following were made and Ordered to be Entered Viz<sup>t</sup> On the Motion of M<sup>r</sup> Dulany of Councill with the Complainant praying that an Entry be made that in February Court when the rule was made for an hearing of [704] This Cause upon Bill answer and Demurrer as by Consent of Both parties he was not in Court nor Consenting to that rule but was then rendered incapable of practising by an Act of Assembly made Last October Untill he Should have Taken An Oath perscribed by that Act Which Oath he the S<sup>d</sup> Dulany Taken he Declares that he believes it Would have Involved him in the Guilt of Perjury.

Edmond Jennings also of Councill for the Said Forward Was not in Court at the S<sup>d</sup> Motion nor Consenting to the S<sup>d</sup> Rule being rendered also Incapable to practise at That time

The Defendant Conceives that the aforegoing Rules tend to the Charging him with taking Some Advantage Ag<sup>t</sup> the Compl<sup>t</sup> on the Rule for hearing one Bill and answer and for Want of their Assistance at That time offers himself ready to prove any fact that is alledged In his answer that Shall be Denyed by them in the Course of the Arguments on this hearing if Such facts be Materiall in the Cause So as the Delay of a Court or Term be not Occasioned thereby and also to Allow of any Records to be produced in the Case

Thereupon the S<sup>d</sup> Cause Comeing to be heard and Argued as af<sup>d</sup> before his Honour Charles Calvert Esq<sup>r</sup> Chancellor and keeper of the great Seale in the presence of the Complainants Councill and of the Defendant in proper person the Complainants Bill and the Defendants answer and Demurrer thereto and the Whole proceedings thereon were Read and Appeared to be as before Set forth

Whereupon and upon a full hearing of the Bill Answer and Demurrer af<sup>d</sup> and of the allegations and Arguments of both parties and upon Mature Consideration Thereupon had by his Honour the Judge here It's Ordered Adjudged and Decreed that the Complainants S<sup>d</sup> Bill be Dismist and that the Complainant pay unto the S<sup>d</sup> Defend<sup>t</sup> all his Costs and Charges by him in the S<sup>d</sup> Cause Laid out and Expended

Whereupon M<sup>r</sup> Patrick Sympson Agent to the S<sup>d</sup> Complainant present here in Court at the giving the S<sup>d</sup> Decree on behalf of the Said Complainant appealed from the S<sup>d</sup> Decree to the Governour and Councill in Chancery. And Thereupon the Said Appeale is Accordingly granted upon giving good Security in One hundred pounds Sterling for the prosecution of the Said Appeale.

Copia Vera

Per R<sup>d</sup> Clagett Reg<sup>r</sup>

And Thereupon Afterw<sup>ds</sup> To witt on the Same Nineteenth Day of May Seventeen hundred and Twenty Six in the Same Court of Appeals here the Said Jonathan Forward appeared by Michael Macnemara his Council and the Said Thomas Bordley Likewise appeared in his proper person There-