

therein and that dureing the whole time of this your Petitioners Confinement he has been destitute of Council Particularly of those to Whose Council and advise he believes he is Intituled to by Law and Oblidged [717] To Employ other Council who were Intirely Unacquainted with the Circumstances of your Petitioners Cause Wherefore he prays Minute may be thereof made and that your Excellency and honours will be pleased to give your Opinions in relation thereto. Your Petitioner Likewise Conceives it is Agreeable to reason and no wise repugnant to Law wherever a Judgment is unduly recovered or Judicial Process Unduely or Erroneously Issued The Court before Whome the Cause last was may Quash that Process and order the Party be Sett at Large and Vacate Such Judgment as af<sup>d</sup>

Your Petitioner therefore humbly prays your Excellency and Honours Consideration of the whole premisses and that he may be relieved therein According to Law and that if the Cause be as represented by your Petitioner that the Sherriff of Annarundell County may be directed to Set your Petitioner at Large

And Your Petitioner as in duty bound Shall pray etc.

July 19<sup>th</sup> 1726

This Day the Court having read and Considered the af<sup>d</sup> Petitions and the Severall Authoritys and Arguments offered on both Sides relating thereto and being Doubtfull whether the Appeale of the Petitioners be a Supersedeas to the Execution or not are not willing to Set aside the Execution Least it Should frustrat the Judgment but if the Petitioners have been Illegally Imprisoned referr them to their Remedy by an Action at Law

The Court Adjourns till Munday 8 of the Clock.

The Court meet According to Adjournment.

Present: His Excellency the Governour; The Honourable W<sup>m</sup> Holland Esq<sup>r</sup>; Tho<sup>s</sup> Addison; John Hall Esq<sup>r</sup>; James Bowles Esq<sup>r</sup>; Benj<sup>a</sup> Tasker Esq<sup>r</sup>; Philip Lee Esq<sup>r</sup>; Nich<sup>a</sup> Lowe Esq<sup>r</sup>.

On the Motion made by W<sup>m</sup> Beckingham on behalf of M<sup>r</sup> Bordley M<sup>r</sup> Dan<sup>l</sup> Mariarte and M<sup>r</sup> Vachel Denton for Cost on the Petitions Exhibitt by Cockey Gordon and Rogers Ag<sup>t</sup> them this Court refers them to their Action at Law for the Same if they Conceive they have any right thereto

On the Motion of M<sup>r</sup> Edward Foterell Attorney on behalf Cockey Gordon and Rogers Ordered that the Clk of the Prov<sup>l</sup> Court make out attested Copys of the Writts and all Endorsments thereon and titleings Bordley ag<sup>t</sup> Cockey Gordon and Rogers to be Lodged with the Clk here that they may have Copys thereof with the other proceedings which writts titleings and Endorsments are as follows —

Issue Ca sa's to the Sherr of Ann<sup>l</sup> County v Thomas Cockey W<sup>m</sup> Rogers and Robert Gordon Severally on the Judgments Obtained by me Ag<sup>t</sup> in the Prov<sup>l</sup> Court

May the 21<sup>st</sup> 1726

Th: Bordley pr Persona.