

being fully debated by the Counsell on both sides and deliberately heard and Considered by the hon^{rble} the Justices of this Court they are of Opinion that the Cause does not Come properly before them in the way now brought, but that the Plaintiff ought to bring it hither; by way of Writt of Error.

At a Court before his Ex^{ney} the Gov^r and his Ma^{ts} Hon^{rble} Council for hearing Appeals and Writts of Error etc: Met and held at the Port of Annapolis, according to adjournment the 9th day of June in the Ninth Year of the Reign of our Sovereign Lord King William the Third etc: Annoque Domini 1697.

Present: His Ex^{ney} Francis Nicholson Esq Cap^t Gen^l etc; The hon^{rble} S^r Thomas Laurence Barron^t Secy^r; Cołł: Henry Jowles; Cołł: Nich^o Greenberry; Cołł: Charles Hutchins; Cołł: John Courts.

His Ma^{ty} ag^t Rich^d Swetnam in Appeal. It being Demanded by the Kings Counsell if they had anything to Offer in this Cause as a Reason for their Appeal. But making Answer that they could find no Errors in the proceedings, the s^d Cause is dismissed by the Court; His Ma^{ty} ag^t Elias King This Cause is also dismissed for the Reasons afores^d; His Ma^{ty} ag^t John Tench in Appeal. The Def^t moving that he was not ready for Tryall; this Cause is continued untill next Court; [63] Miles Borrough ag^t Gov^r Copley, Adm^r in Appeal, in which precept was Issued to the Prov^l Court to Trye Matter of fact, the Said Cause was Continued by Consent of both Partys untill the Next Court; Hen: Denton Qui tam v. The Sloop Rob^t and Ann Continued untill the Next Court; Thomas Tench Esq^r ag^t William Hopkins in Appeale. This Cause is Continued by Consent of Both Parties untill the next Court.

Att a Court Before his Excellency the Governo^r and his Matys honb^{le} Council for hearing Appeales and Writts of Error held att the house of the hon^{ble} S^r Thomas Laurence Barr^t Secretary within the Town and Porte of Annapolis the 21th Day of October 1697 in the Ninth Year of the Reigne of our Sov^{eigne} Lord William the third King of England etc.

Present: His Excellency Francis Nicholson Esq^r Cap^t Gen^l etc; S^r Thomas Lawrence Barr^t Secretary; Coł George Robotham; Coł Charles Hutchins; Thomas Brook Esq^r; James Frisby Esq^r.

Miles Burroughs ag^t Gov^r Copley Adm^r
In Appeale.

Precept Transmitted to the Provinciall Court to Try a Certain Matter of fact in one of the reasons in the Cause Assigned and Produced read with the Said Courts Judgm^t and proceedings herein had as followeth Viz^t:

MARYLAND ss. In the Records of the Provinciall Court among Other things is thus Contained.