and Jurors as shall appear against him and his Prayer May be Enquired of
by the Country and the said Justices for our Soveraigne Lord the King Jointly
and severally and severally upon the Country Whereupon Jurors were
given to the Sheriff of Amarandale County of which Jurors the Names
of which follow viz: William Wallace Esq. and of
Mr Maxfield returned Jurors of Wheat Hair Jurors ready to answer
he was Commanded viz: Edward Carter Esq. Philip Jones Henry Millward
William Webster Thomas Robinson Edward Mason John Lewis Robert Sprightnell
Roger Roberts Nicholas Thorne and William Pennington who being duly
Sworn to say the truth the premises upon their oaths
do say we of the Jury find the Defendant Guilty of killing the Dogg
Thereupon the said Christopher Jones for our Soveraigne Lord the King as well
as the said Anthony Millburne by William Bladen his Atty and of the said William
Bladen Moved in arrest of Judg.t and for reason thereof showeth
1. That it is not said in the indictment of what County the Store in which
was at that time
2. There is no Certaine place exp.d County named where the Vicinage
should arrise
3. It is not shewed for what Reg 4: the Endorsement of the Grand Jury
is Ignoramus insufficient & Manifaunce the Finding the Bill 5
John Lewis one of the Jurors was no freeholder qualified by Act of
Assembly of this province to be a Juror 6: The Indictment is insufficient
to prove a place of Felony and prayed his Quashe indictment

For all which Errors and many More which he prays he may
have Crediten he prays that the Judg.t of this Court against him
may be reversed set aside and held for Nought as if the same
had never been Which reasons aft being read and heard and the Argument
on both sides being by the Court fully understood and Maturely deliberated
It is considered by the Court this day that the reasons aft are not Sufficient
in Law to Quash and set aside the Verdict of the Jury and of Judg.t ought to be
given thereon Whereupon it is Considered by the Court here this day Court
the Eleventh day of November Anno Dni 1701 that Matthias Parks Worthy gaoler
recover against the said Anthony Parks Anthony Millborne at suit the
Sum of two hundred pounds of tobacco being Judged by the Court
for Debt of the Fourth part the said Debt by the Court being valued at Three
hundred pounds of tobacco as also of William Anthony Millborne Standing
Gaoler for whose Fourth part of the Debt he is at Liberty
And the Defendant in Mercy &c. Whereupon came the said Anthony by his Atty aft

and

Then produced here his Writ Writt for Executing of Error and his said Writ of Error
Superseded for the Stay of Execution upon the Judg.t aft for a Year after given as Stands and
by the Court now allowed of

In Testimony Whereof we have Caused the Seale of our said Court
Together to Seale these Presents to be Subscribed Dated Witness Wm Haylard Clk

Then the said Anthony Millborne by William Bladen his Attorney Comes and Exhibits to the
Court here this Writ of Error upon the Judgment and Proceedings aft mentioned

Errors assigned upon a Judgment Judg.t given against Anthony Millborne
upon an Indictment of Felony Being the in Amarandale County Court the Eleventh
of Nov.r Anno Dni 1701 at the Suit of our late Soveraigne Lord King William the 3d

The said Anthony by William Bladen his Atty Exhibits in the Record
Proceedings and also in the ensuing Judg.t it is Manifestly Erred

1: First for that The said Anthony upon ensuing Judg.t by the Worshipfull
The Justices of Amarandale County Court in the Plea of Felony Did Plead
Record. Whereas a Capitular Should have been Entered against them
Which is altogether erroneous and not aided by the Statutes of Jeofailes

2: Secondly Being one of the Jurors who Passed upon the said Anthony one
Joyale was no freeholder which was erroneous and Contrary to the Act
of Assembly of this Province in ye Case made and provided to have Force to
prevent ye Judg.t of this Same Court ye Judg.t aft May be set aside
Held for Good Law and ye Law &c.

Which said Errors and Proceedings Thereupon and all and singular
the Proceedings being read and heard the said Anthony Millborne as well
by his Atty aft as William Dent Atty Factor he &c. appears and the said
William Dent Atty aft prays Leave to Imparle Whereunto until next
Court and he hath it the same day given the said Anthony Leave
Att Which said next Court to wit the Sixth day of October Anno Dni 1702
Comes the said Atty aft and further day is given them until next Court
Att Which said next Court to wit this Twenty Seventh day of April Anno Dni
1703 comes as well the said Anthony by his Atty aft and the said William Dent
Atty aft who &c. likewise Comes and Saith ye Errors in the Record and Proceed-
ings aft and also in ye ensuing Judg.t aft It is Mutually Erred and hereof
prays the Judg.t of this Court &c.

And this day to wit the same day and year There Record
and Proceedings aft and the Errors Thereupon being by the Court here fully heard
and ye Arguments and Allegations on both sides being fully weighed and understood