And now here this day to wit the 8th day of April Anno Domi 1712 aft Comes the
said Enock Spinks into her majtys prov Court by Thomas Bradley his attny and
says that in the record and process aft and also in the rendering the Judgmt aft
is Manifestly Erred Viz.

1st In that it appears by the record that the writt of Capias in the plea aft remembered
was ffirst returnable Imediately to Sept Court 1706 aft the said Enock who appeared
then in his proper person & Imparled till next Court wch was held the Nov following
and yet there appears not any appearance of the parties further Imparlances
dies datus or other regular Continuance from the said Nov Court to any Court
following altho the Judgmt was not rendered till Aug Court 1707 ---

2d In that the decd of the said Francis is wholly Insufficient to maintain Dwants form
and Expresse not any Convcon of the said Enocks Assumpsit ---

3d In that there is an Issue in fact put upon the Court who have taken upon them
selves the office of Jurors as well as Judges & proceeded to hear the pleadings
and Allegations &c but yet as Jurors they have given no Verdict and as Judges
they shew no other reason or grounds for their Judgmt but that because
the pleadings and allegations on both sides were heard &c It was therefore
Considered that the said Francis should recover &c all wch appearing in the
Law of the record is Manifest Error ---

4th It is Erred in that the Court has given Judgmt aft the Decd Enock for the debt aft
and damages by Occasion of the detaining of that debt whereas the said
Dottalinde, as appears by the record, sued him only for damages and not for
detaining a debt he Never claimed any debt from him by his writt ---
For all which Errors and many more in the record and process aft being that
Enock prays that the Jud aft may be reversed annulled and Allogeather
held for Nought and that he be at all things that thereby he hath lost may be
restored &c ---

And thereupon the said Francis Dottalinde by William Bladen his attny
appears and says that in the record and process aft and also in rendering
Judgmt thereon it is in Nothing Erred and prays that the same Judgment
may in all things be affirmed &c ---

And thereupon as well the said Enock Spinks by his attny aft as the said Francis
Dottalinde by his attny aft pray that the Court here of our Lady the Queen may
Proceed as well to the Examination of the record and process aft as of the
Matters above for Errors assigned &c ---

Whereupon for that the said Court here is not advised of their Judgmt of and
upon the premises day is given to the said parties to hear thereof their Judgmt
until next Court for that the said Court yet are not &c ---

At which said next Court to wit the 15th day of July Anno Domi 1712 Come
again the said parties pltff and deftd by their attnys aft but for that
the said Court here as yet are not advised of their Judgmt of and upon the
premises day thereof is further given to the said parties to hear thereof their
Judgmt until next Court for that the said Court yet are not &c ---

At which said next Court to wit the 13th day of October Anno Domi 1712
Come again the said parties pltff and deftd by their attnys aft but for that the

the said Court here as yet are not advised of their Judgment of and upon the premises
day thereof is further given to the said parties to hear thereof their Judgment until next
Court for that the said Court yet are not &c ---

At which said next Court to wit the 14th day of April Anno Domi 1713
Come again the said parties pltff and deftd by their attnys aft and but for that the said
Court here as yet are not advised of their Judgment of and upon the premises day
thereof is further given to the said parties to hear thereof their Judgmt until next
Court for that the said Court yet are not &c ---

At which said next Court to wit the 13th day of July Anno Domi 1713 Come again
the said parties pltff and deftd by their attnys aft but for that the said Court here
as yet are not advised of their Judgmt of and upon the premises day thereof is
further given to the said parties to hear thereof their Judgmt until next Court
for that the said Court yet are not &c ---

At which said next Court to wit the 13th day of October Anno Domi 1713 Come
again the said parties pltff and deftd by their attnys aft but for that the said
Court here as yet are not advised of their Judgmt of and upon the premises
day thereof is further given to the said parties to hear thereof their Judgmt until next Court
for that the said Court yet are not &c ---

At which said next Court to wit the 13th day of April Anno Domi 1714 Come
again the said parties pltff and deftd by their attnys aft but for that the
said Court here as yet are not advised of their Judgmt of and upon the
premises day thereof is further given to the said parties to hear thereof
their Judgmt until next Court for that the said Court yet are not &c ---

At which said next Court to wit the 13th day of July Anno Domi 1714 ---
Come again the said pltff Enock Spinks by his attny aft as the said Francis
Dottalinde by his attny aft, And whereupon all and singular the premises
being by the Court here fully seen and understood and mature deliberation
being thereupon had - It is therefore Considered by the Justices here the 13th
day of July Anno Domi 1714 aft that the Judgmt aft for the Errors aft and
others in the record and process aft being to be reversed annulled and allogeather
held for none And that the said Enock Spinks to all things that thereby
he hath lost may be restored &c - And also it is Considered by the Justices
here the same day & year that the said Enock Spinks recover dgts the said Francis
Dottalinde the sum of 1629 pds of Tobacco
to the said Enock Spinks by the Court here adjudged for his costs and Charges by him
in the prosecution of the said
writt of Error laid out & expended and that the said Enock Spinks have
thereof his Execution &c ---

NB: Wt: Jno Wittington Gent Sheriff
admrs of Dud Ballard ---
NB: Christd Bateman ---

Md the said John Wittington & Tom Sheriff named
as aft filed out her majtys writt of Error the tenor of
wch follows in these words viz

Maryland ss: ANNE by the grace of God of Great Britain France and
Ireland