And now here this day to wit the 1st day of October Anno Dom. 1711 as well the
said John Coluttington and Wm Sweatnam Admrs as aforesaid by their
Court by Wanck Hunt their attny and say that in the record and process aforesd
also in rendring the Judgmt aforesd he Manifestly Erred &c.
That the deed of the said Chrisr Baleman is wholy uncertain & insufft in law
and wants forme &c.
2. That it doth not appear by the face of the record that the Dispensation to lack of y
parties was granted Curiam
3 That the said Chrisr Balemanhath not set forth y admr of all and singular
y goods & Chattells &c wch were of y. Dd at y time of his death was in due
form of law Committed to y aforesd John Coluttington & Wm Sweatnam
4 That y Court adjudged damages on a quantum Meruit to the said Chrisr
by reason of the Non performance of the Assumpt of the said Dds (as before sett forth)
twenty Pounds eighteen shill & Six pence Curr money without awarding —
a writt of Enquiry and first having a Verdict thereon to Ascertain y damages —
5 That the entry of the Judgmt for such damages by the record aforesd to be Erroneous —
& unjust & wants forme —
6 That there is no regular Continuance of the said action till the time of the Judt
rendered —
7 That the att of the said Chrisr is wholly Uncertain & Insufft — and
And therefore the said Jno & Wm pray that by all things that they
by Occasion of the Judgment aforesd have lost may be restored and that the said
Chrisr to the Errors aforesaid may reply & that the Court of our Sovereign
Lady the Queen now here may proceed as well to the Examinacon of the record
and process aforesd as to the Matters above for Errors Assigned &c. Whereupon
Pray the writt of our said Lady the Queen to shew unto the said Chrisr Baleman of
being here before her Majtys Justices at the next Court to hear the Errors —
Assigned upon the Judgmt aforesd &c and further &c. Which is granted & thereon
And thereupon Command is given to the Sheriff of Kent County that by good
and lawfull men of his Bailiwick he make known unto the said Chrisr that he
that he be and appear before the Justices of her Matys prov. Court to be holden
at Annapolis the second tuesday of April then next to hear the Errors assigned
upon the Judgmt aforesd &c and further &c —
At which said second tuesday of April to wit the 8th day of the same
Month Anno Dom. 1712 being the day of the return of the said writt Comes y
said Sheriff and makes return thereof to the Court here Endorsed in these words
Viz. Nihil per Ja Harris Sher Kt Cty —
Ye 8th Rob. tho' notwithstanding the said Chrisr Baleman by William Bladen his attorney
Appears and Says that in the record and Process aforesd and also in rendering Judgmt
thereon it is in nothing Erred and prays that the same Judgmt may stand
things be affirmed &c —

(And)

And thereupon as well the said John Coluttington and William Sweatnam admrs as aforesd by
their attny aforesd as the said Chrisr Baleman by his attny aforesd pray that the Court here of our
Lady the Queen will proceed as well to the Examination of the record and proces aforesd
as of the matters above for Errors Assigned &c. Whereupon for that the said Court here
is not Advised of their Judgment of and upon the premises day is given to the said parties
to hear thereof their Judgment until next Court for that the said Court yet are not &c.
All which said next Court to wit the 15th day of July Anno Dom. 1713 Come again
the said parties pltff and defend by their attnys aforesd, 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 their Judgmt until next Court for that the said Court yet are not &c.
All which said next Court to wit the 14th day of July Anno Dom. 1713 Come again
the said parties pltff and defend by their attnys aforesd, 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 their Judgmt until next Court for that the said Court yet are not &c.
All which said next Court to wit the 13th day of July Anno Dom. 1713 Come
again the said parties pltff and defend by their attnys aforesd 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 their Judgmt
until next Court for that the said Court yet are not &c.
All which said next Court to wit the 13th day of October Anno Dom. 1713
Come again the said parties pltff and defd by their attnys aforesd 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.
All which said next Court to wit the 13th day of April Anno Dom. 1714
Come again the said parties pltff and defts by their attnys aforesd 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.
All which said next Court to wit the 13th day of July Anno Dom. 1714
Come again the said John Coluttington & Wm Sweatnam admrs as aforesd by
their attny aforesd as the said Chrisr Baldman by his attny aforesd. 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
Dom. 1714 that the Judgmt aforesd for the Errors aforesd and others in the record
& proces aforesd being be reversed Annulled and altogether holden for none
and that the said John Coluttington and William Sweatnam admrs as aforesd take

things