ust paid the Same Whereas he ought to have Averd in fact that he did
Provide &c—

2. In that he hath not avard in fact that he provided &c upon the Issues of the Court that being the Chief Cause of the Assumpsit and Traversable

3. In that the Imparlances given are all the usual Course without Apportioning the day

4. In that the Sheriff makes return that he has ready to check &c but Says not as by his said he was Commanded So that it does not Appear he Summond them by that writ as for that it is Contained in the said Record that the Jurors were duly Elected

5. In that the Evidence on behalf of said Newman appears to be insufficient to maintain the Issues and therefore to Overrule the Demurer thereupon is Error

6. In that upon overruling said Keechs Demurer the Court took upon them the Office of the Jury and assessed damages —

Whereupon the said James Gray that the Judgment aforesaid for those Errors and others in the Record and proceedings being may be reversed annulled and altogether held for none and that he be to those things which he by Reason of the Judgment aforesaid hath Lost may be restored and the aforesaid to the Errors aforesaid may be open to the And that the Court of the Lady the Queen here may proceed to the Examination aswell of the record and proceedings aforesaid as the Matters aforesaid above for Error assigned &c

(Bordley)

Whereupon the said Wm Newman by Connol Hunt his attorney appears and says that in the record and proceedings aforesaid and also in rendring Judgment aforesaid there is no thing Erred and prays that the Same Judgment may in all things be affirmed &c—

And thereupon as well the said James Keech by his Attorney aforesaid as the said Wm Newman by his Attorney aforesaid pray that the Court here of our Lady the Queen will proceed as well to the Examination of the record and proceedings aforesaid 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 aforesaid day is given to the Parties to hear there of their Judgment untill next Court for that the said Court yet are not &c—

At which said next Court to wit the 14th day of April Anno Dom 1713 Come again the said parties aforesaid and defendant by their Attorneys aforesaid 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 there of their Judgment untill next Court for that the said Court yet are not &c—

At which said next Court to wit the 13th day of July Anno Dom 1713 Come again the said parties aforesaid and defendant by their Attorneys aforesaid 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 there of their Judgment untill next Court for that the said Court yet are not &c

(Abbott)

At which said next Court to wit the 13th day of October Anno Dom 1713 Come again the said parties aforesaid and defendant by their Attorneys aforesaid 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 there of their Judgment untill next Court for that the said Court yet are not &c—

At which said next Court to wit the 13th day of April Anno Dom 1714 Come again the said James Keech by his Attorney aforesaid and the said Wm Newman by his Attorney aforesaid and it is Ordered that Writts of Venire Facias issue against the said Wm Newman returnable next Court and the same day is given to the said James Keech also —

At which said next Court to wit the 13th day of July Anno Dom 1714 Comes again the said James Keech by his Attorney aforesaid but the Sheriff of Charles County to which writ of Venire Facias was directed returns no return thereof Whereupon at the prayer of the said James Keech by his Attorney aforesaid it is Ordered that the said Writ of Venire Facias be renewed returnable next Court and the same day is given to the said James Keech also —

At which said next Court to wit the 21st day of Sept Anno Dom 1714 Comes again the said James Keech by his Attorney aforesaid and the Sheriff of Charles County to which writ of Venire Facias was directed Returns the same and makes return thereof to the Court here Indorst in these words &c— As I am Commanded I certifie to the Justices within mentioned that I have made known to the within named Mary Newman &c the Contents within mentioned that she be and Appear before the aforesaid Justices at the Provincial Court to be held at the day and place in the same Contained to hear the Errors therein Mentioned before Mallard Stone & Francis Parker Good and Lawfull men of my Bailywick —

Jo Addison Thos Bordley

Whereupon the said Mary Newman &c as aforesaid by Connole Hunt her Attorney appears and says that in the record and proceedings aforesaid and also in rendring Judgment thereof &c is in nothing Erred and prays that the same Judgment may in all things be affirmed &c—

And thereupon as well the said James Keech by his Attorney aforesaid as the said Mary Newman &c as aforesaid by her Attorney aforesaid pray that the Court here of our Lord the King will proceed as well to the Examination of the record and proceedings aforesaid 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 aforesaid day is given to the Parties to hear there of their Judgment untill next Court for that the said Court yet are not &c—

At which said next Court to wit the 12th day of April Anno Dom 1715 Come again the said parties aforesaid and defendant by their Attorneys aforesaid 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 there of their Judgment untill next Court for that the said Court yet are not &c—

At which said next Court to wit the 13th day of September Anno Dom 1715 Come again the said parties aforesaid and defendant by their Attorneys aforesaid 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 there of their Judgements untill next Court for that the said Court yet are not &c

At which said next Court to wit the first day of may Anno Dom 1716 Come again the said parties aforesaid and defendant by their Attorneys aforesaid 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)