Writt under the Great Seale of this Province Dated the 27th day of April 1713
for Correcting of Errors in the Record proces and Rendering of the Above Judgment
returnable the Second Tuesday in July next to be before the Majty of this Provincial
Court Upon which being read it was Ordered to be Argued Accordingly

Ll: Thomas Tasker

And Now here at this day to witt the 13th day of July Anno Dom 1713 ats Comes
said Andrew King into her Majtys prov Court by Wm Bladen his Attorny and Says that in
the Record and Proces as well as in the rendring the Judgmt aforesaid there is Manifest Error in this
(to witt) That by the record aforesaid it appears that the deed aforesaid and the Matter therein
Contained are not Suffic in Law to Maintain the Action by the Plff brought
It is Errd in that there is no Legall or Sufficient Consideration layd in the deed for the
Andrews presumption for and on behalf of a third person Benjamin Nobbs debt
to the Defendt Vincent Hemsley as by his declaration pretended—
The said Vincents writt of Capias ad respondend bears date before the Cause of Action the
demand being layd the Eleventh day of November One thousand seven hundred and ten
and the said writt dated the Twenty Sixth of Augt in the same year wch shews that
said Vincent had then no Cause of Action and therefore the Judgmt is Erroneous
This being an Action on the Case where damages are only recoverable It is Errd
in that the Jury have not assessed any Damages but the Court have taken that
Office on them—
It is Errd in this that the Judgmt is rendred for four thousand two hundred pounds
of Tobacco in the deed mencioned As also the Sume of One thousand Sixty and One
pounds of Tobacco Cost of Suit Severally and not Joyntly for whether it should
be said for the whole amounting to five thousand two hundred & Sixty One pounds
of Tobacco &c Wherefore the said Andrew prays the writt of our Lady the Queen
to admonish the said Vincent to Come hitherinto Court to hear the record and proces &c

Whereupon the said Vincent Hemsley by Thos Bordley his attorney
appears and says that in the record and proces aforesaid and the Error in rendring Judgt thereon
in nothing Errd and prays that the same Judgmt may in all things be affirmed &c

And thereupon as well the said Andrew King by his Attorney as the said Vincent
Hemsley by his Attorney afsd pray that the Court here of our Lady the Queen will
proceed as well to the examination of the record and proces aforesaid as of the Matters
above for Errors assigned &c Wherupon for that the said Court here is not advised
of their Judgmt of and upon the premisses a day is given to the Parties to hear
there Judgmt untill next Court for that the said Court yet are not &c

At which said next Court to witt the 13th day of October Anno Dom 1713
Come again the said parties plff and defendt by their attorneys afsd but for that the
said Court here as yet are not advised of their Judgment of and upon the premisses
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 witt the 13th day of April Anno Dom 1714 Come
again the said parties plff and defendt by their Attorneys afsd but for that the said Court
here as yet are not advised of their Judgmt of and upon the premisses day thereof
is further given to the said parties to hear there of their Judgmt untill next Court
for that the said Court yet are not &c

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At which said next Court to witt the 13th day of July Anno Dom 1714 Come again the said
parties plff and defendt by their Attys afsd but for that the Court here as yet are not
advised of their Judgmt of and upon the premisses day thereof is further given to the
said Parties to hear there of their Judgmt untill next Court for that the Court yet
are not &c

At which said next Court to witt the 21st day of Sept Anno Dom 1714
Come again the said parties plff and defendt by their Attorneys afsd but for that the
said Court here as yet are not advised of their Judgmt of and upon the premisses
day thereof is further given to the said parties to hear there of their Judgmt untill
next Court for that the said Court yet are not &c

At which said next Court to witt the 12th day of April Anno Dom 1715 Come
again the said parties plff and defendt by their Attorneys afsd But for that the
said Court here as yet are not advised of their Judgmt of and upon the premisses
day thereof is further given to the said parties to hear there of their Judgmt
untill next Court for that the said Court yet are not &c

At which said next Court to witt the 16th day of Sept Anno Dom
1715 Come again the said parties plff and defendt by their Attorneys afsd But
for that the said Court here as yet are not advised of their Judgmt and
upon the premisses day thereof is further given to the said parties to
hear there of their Judgmt untill next Court for that the said Court yet are
not &c

At which said next Court to witt the 1st day of May Anno Dom 1716 Come again the said
parties plff and defendt by their attorneys afsd But for that the Court here as yet are not
advised of their Judgment of and upon the premisses 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 witt the 3d day of July Anno Dom
1716 Come again the said parties plff and defendt by their Attorneys afsd But for that
the said Court here as yet are not advised of their Judgmt of and upon the premisses
day thereof is further given to the said parties to hear there of their Judgmt untill
next Court for that the said Court yet are not &c

At which said next Court to witt the 11th day of September Anno Dom 1716 Come
again the said parties plff and defendt by their Attorneys afsd Bill for that the
said Court here as yet are not advised of their Judgmt of and upon the premisses
day thereof is further given to the said parties to hear there of their Judgmt untill
next Court for that the said Court yet are not &c

At which said next Court to witt the 9th day of April Anno Dom 1717 Come
again the said parties plff and defendt by their Attorneys afsd But for that the said
Court here as yet are not advised of their Judgmt of and upon the premisses day
thereof is further given to the said parties to hear there of their Judgmt untill
next Court for that the said Court yet are not &c

At which said next Court to witt the 10th day of September Anno Dom 1717 Come
again the said parties plff and defendt by their Attys afsd Bill for that the said Court

(here)