And now at this day comes into the General Court here, as well the aforesaid James Latimer by John Campbell his Attorney aforesaid, as the said Thomas Hawkins by Thomas Buchanan his Attorney, And thereupon, on motion of the said Thomas Hawkins by his Attorney aforesaid, it is ruled by the Court here that the aforesaid James Latimer assign the Errors in the Record of proceedings of the Judgment aforesaid, brought before the Court here for correcting the Errors supposed to be therein or Judgment by the Court here will be entered against him in default thereof; Whereupon the aforesaid James Latimer by his Attorney aforesaid, prays that a day may be given him for the assignment of Errors of and upon the Record of proceedings of the Judgment until the second Tuesday of May next, and to him it is granted; the same day is given to the said Thomas Hawkins also.

At which said second Tuesday of May, being the twelfth day of the said month, in the year of our Lord one thousand eight hundred and one, which said day was given to the aforesaid James Latimer for the assignment of Errors of and upon the Record and proceedings of the Judgment aforesaid, comes again into the General Court here, as well the aforesaid James Latimer by his Attorney aforesaid, as the said Thomas Hawkins by his Attorney aforesaid; And the aforesaid James Latimer by his Attorney aforesaid, saith, that in the Record and proceedings aforesaid, and also in the giving of Judgment aforesaid there is manifest Error in this, to wit, that by the Record aforesaid it appears, that the Judgment aforesaid, in the plea aforesaid given, was given for the said Thomas Hawkins against the aforesaid James Latimer, when by the Law of the Land that Judgment ought to have been given for the aforesaid James Latimer against the said Thomas Hawkins therefore in that there is manifest error, and he prays that the Judgment aforesaid for that Error, and others, being in the Record and proceedings aforesaid may be reversed, annulled, and held entirely as void, and that he the said James Latimer may be restored to all that he has lost by occasion of the said Judgment, and that the said Thomas Hawkins may refair to the Errors aforesaid &c.

And the said Thomas Hawkins by his Attorney aforesaid, says (there)

there is no Error in the Record and proceedings aforesaid, or in the rendition of the Judgment aforesaid, and prays likewise that the Court here may proceed to the examination as well of the Record and proceedings aforesaid, as of the matters aforesaid, by the aforesaid James Latimer above for Errors assigned, and that the said Judgment may be in all things affirmed, &c. But because the Court here, are not advised to give their Judgment of and upon the premises, day therefore is given to the parties aforesaid before the Court here until the second Tuesday of October next, to hear their Judgment of and upon the premises, because the Court now here thereof are not yet advised &c

And now at this day, to wit, the said second Tuesday of October being the thirteenth day of the said month, in the year of our Lord one thousand eight hundred and one, comes again into the General Court here, as well the aforesaid James Latimer by his Attorney aforesaid, as the said Thomas Hawkins by his Attorney aforesaid; And the aforesaid James Latimer by his Attorney aforesaid, relinquishing his verification aforesaid, above by him pretended, says, that there is no Error either in the Record and proceedings aforesaid, or in giving the Judgment aforesaid; Therefore it is considered by the Court here, that the Judgment aforesaid given in form aforesaid, be in all things affirmed and ratified; And it is further considered by the Court here, that the said Thomas Hawkins have execution against the aforesaid James Latimer as well for his Debt, damages costs and charges aforesaid so as aforesaid adjudged unto him in the said County Court of Charles, as also the quantity of Eight hundred and ninety six pounds of Tobacco, adjudged unto him by the Court here on his absent, for his costs and charges, which he hath sustained by occasion of the delay of Execution of the Judgment aforesaid, by pretext of the prosecution of the said Appeal by the aforesaid James Latimer of and upon the premises as aforesaid prosecuted.

Memorandum, Judgment affirmed in this Cause, on this twenty second day of October in the year of our Lord one thousand eight hundred and one. with costs; And the Appellee agrees to stay Execution until the first day of January next.

2 fol.

Test. John Gwinn Clk.