

ment of the Upper house Yesterday and this house will forthwith Adjourn that the Upper house may have this Room as is desired—

Signed p^r Order C Boteler Cl of the Lower house of Assembly

The house Adjourned to the Lower house Room to hear the Errors.

The house Sat again
Present

The honourable

| | | | | |
|---|----------------------|---|----------------------------------|---|
| { | Coll Henry Coursey | } | Coll William Burges | } |
| | Coll Thomas Taylor | | M ^r Secretary Darnall | |
| | Coll Vincent Lowe | | M ^r Secretary Sewall | |
| | Coll Henry Darnall | | Major Thomas Trueman | |
| | Coll William Stevens | | | |

Collins—
ag^t
John Watkinson } Now here at this Day appeared before this
& Thomas Collins } house the said John Watkinson by Robert Car-
vile his Attorney and the said Thomas Collins
by Thomas Burford his Attorney, and then was read all the
proceedings Between the said Watkinson and Collins in the
Provincial Court of this Province as the same remained upon
file in this house and upon Record in the Provincial Court
aforesaid; The Errors Assigned in the said Proceedings are
as followeth

Thomas Collins } And the said Thomas Collins by Thomas
ag^t } Burford his Attorney saith that in the Records
John Watkinson } Proceedings and Judgment aforesaid so as afore-
said Given is Manifest Error and Assigneth for Error—

1st That whereas upon the issue aforesaid the Jury being to Trye the Matter in Controversy and having found the Matter in issue for the Defendant the Court hath given Judgment against the Defendant which said Judgment is Neither Warranted by the said Verdict nor by any Law or Authentick Precedent, No Judgment being to be given but upon Matter of issue found or Confessed—

2^{dly} That the reasons Offered by the said Watkinson in Stay of the Judgment which should have been Given for the said Collins were altogether insufficient to stay or Arrest the said Judgment because the said reasons and the Matter therein Contained were altogether nuge frivolous and debase the Record and had they been Material and Sufficient to Stay the Judgment (which they were not) yet by no Colour of Law or reason could they be Capable to produce a Contrary Judgment against the party for whom the issue was found, And therefore this Sandy Judgment having no foundation in Law or reason is altogether Erronious and Void—

3^{dly} The Judgment aforesaid is Manifestly Erronious because