

Liber B B

Att the same Court allsoe then held

Idem Plaintiffe } The p<sup>t</sup> sues the def<sup>t</sup> for 2000<sup>th</sup> tob: but not prou-  
 Idem defendant } ing his power sufficiently (uiz) a letter of Attor-  
 ney from James Scapes Imployers he Craues an Appeale to the Pro-  
 uide pet<sup>n</sup> 326 uinciall Court, because his lett<sup>r</sup> Attorney would not weigh here—

True Copie p̄ me  
 James Thompson Cl<sup>r</sup>ke

Richard Smyth the Attorney of } The appealants proceedings att  
 Walter Senserff & Henry Sewell } the County Court of Caluert be-  
 Administrators of James Scapes } ing read ut supra and assertione  
 plaintiffe } made by the Clarke of the said  
 Mary Bateman th<sup>e</sup> Ex<sup>trix</sup> of } Co<sup>rt</sup> und<sup>r</sup> his hand—the def<sup>t</sup> by  
 Jn<sup>o</sup> Bateman Esq<sup>r</sup> dec<sup>d</sup> defend<sup>t</sup> } her Attorney Cap<sup>t</sup> Tho: Man-  
 ning still put's him to the proofe of that power by which he sues the  
 defend<sup>t</sup> The which power was Confirm'd by the Judgm<sup>t</sup> of the Board,  
 there appearing upon record seuerall accōns Comēced by the p<sup>t</sup>:  
 as Attorney aforesaid The defend<sup>t</sup> then alleadg'd that they are not  
 bound to answe're the suite this Prouinciall Co<sup>rt</sup> till they bee lawfully  
 arrested denying that the p<sup>t</sup> appeal'd for a tryall att this Court but  
 only to proue that power denied him att the County Court.

Whereupon Ordered that the p<sup>t</sup> be admitted as Attorney to Walter  
 Senserff and Henry Sewell Administrato<sup>rs</sup> to James Scapes and that  
 the whole Cause be tryed att the County Court of Caluert w<sup>th</sup>out any  
 further arrest—

[p. 346] Att the County Court of Caluert held 16<sup>th</sup> Aug<sup>o</sup> 1664 ut p̄ Contra  
 Richard Smyth Attorney of Walter Dunch Assigne of John Harrice  
 plaintiffe

Mary Bateman the Executrix of John Bateman Esq<sup>r</sup> deceased  
 defendant

The P<sup>t</sup>: sues the def<sup>t</sup> for 1049<sup>th</sup> tob: p̄ accompt but not prouing  
 his power sufficiently (uizt) a letter of Attorney from Walter  
 Dunch's imployers he Craues an Appeale to the Prouinciall Court  
 because his letter of Attorney would not weigh here

True Copie p̄ me—  
 James Thompson Clarke

Richard Smyth the Attorney of } the proceedings att the County  
 Walter Dunch the Assigne of } Court being read ut supra, and  
 John Harrice plaintiffe } Certifyed und<sup>r</sup> the Clarks hand  
 Mary Bateman the Executrix of } of that Court the Appealant de-  
 John Bateman Esq<sup>r</sup> dec<sup>d</sup> def<sup>t</sup> } nyes it was an appeale granted  
 but a respite in the said Cause } The def<sup>t</sup> by her Attorney Cap<sup>t</sup>  
 Thomas Manning, alleadging that ther it is Confirm'd und<sup>r</sup> the Clarke  
 of that Court his hand therefore Craues a nonsuite—