

Liber FF thowsand pounds sterling, whereupon the s^d Marmaduke Snow sued out Execu^on by way of Leuari facias to leuy by way of Execu^on the said sume of 1000th sterling which was accordingly executed upon your pet^{rs} Goods and Chattles to the uallue of Two hundred ninety nine pounds Eleauen shillings and three pence halfe penny the said Marmaduke making further Complaint to the Court that the sherriffe had leauyed but 299th: 11^s: 3^d ob: and not finding any more p^rsonall estate to perfect th^t Execu^on the Court passed further Ord^r the first of March 1664 that the lands of yo^r pet^r should be Extended and Apprayed unless yo^r pet^r did produce personall Estate to Compleate th^e remaind^r of the 1000th sterling whereupon an Extent issued out ags^t yo^r pet^{rs} lands and was by the sherriffe executed in which Ord^r Ex post facto and the proceedings to grant Extent the writt of Extent there is manifest Error as allsoe in the sherriffs returne of the Execu^on thercof

[p. 169] Yo^r pet^r humbly prayeth yo^r Honno^{rs} the premisses Considered to grant him Liberty to Assigne Errors in the next Assembly and to grant him a writt of Error that hee may thereby bee releiued against the illegall and Erroneous proceedings of the said Snow ags^t him And yo^r pet^r shall pray &^c:

Vppon the suggestion of the foresaid petⁿ the said Thomas Gerrard is Granted by Ord^r of this Board to Assigne Errors, And put them fforthwith into this Court, to be determined next Assembly, Whereupon the said Attorneys wthdrew and a while after came & deliuered there Errors into Court which are as followeth—(uizt)

Errors assigned by Thomas Gerrard upon the proceedings to the Execu^on ags^t him by Marmaduke Snow

1st The Order of Court ex post facto to haue an extent, after Snow had made his Elec^on to haue Execu^on by Leuari ffacias is Error
 2 The Order of Court ex post facto is generall to haue Extent ags^t his lands whereas the Extent should be speciall ags^t the lands hee had att the time of the acknowledging the Recognizance is Error
 3 The writt of Extent uaryeth from the Ord^r being misrecited in the writt the Order being the Ground of the writt it ought not to uary from the Order but agree therewith in forme and in terminis is Error.

[p. 170] 4 The returne of the sherriffe of the Execu^on of the Extent is defectiue in a materiall poynt for it doth not Express that the Extent was by the Oath of twelue men it not men^oning that they were sworne

Then Came M^{rs} Mary Bateman into Court and acknowledgeth Judgm^t unto M^r Thomas Nottley for the sume of Eight hundred and sixty pounds of tobaccoe—