

And So they pray Stay of the writt of Erro.^r till better Security and Peaca heard And in the mean time to proceed to taxing of Costs That his Hono.^r may know what Security to take if writt of Erro.^r issue
 Rob.^t Carville Liber C D

19^o June 1678

Let no writt of Erro.^r issue till Peca or his Attorney be heard for the Reasons Given Phillip Calvert

The Reason why Henry Stockett Craves his writt of Erro.^r returnable in the Assembly to Reverse the Judgm.^t of the Provinciaill Court in Correcting Erro.^r in the County Court Between him the Said Stockett and Rob.^t Peace as followeth

First that the writt of Erro.^r & Supersedeas was unduely obtained by Peca quite Contrary to an Act of Assembly in Such Cases made and provided Intituled an Act to prevent unnecessary delays of Execu^on That no Execution upon any Judgm.^t in any Court of Record in this Province Shall be Stayed or delayed by any writt of Erro.^r or any Supersedeas upon any Such writt of Erro.^r Shall be Sued out for the Reverseing of Such Judgements Given or to be Given in any Court of Record in this Province upon any Execution whatsoever unless Such person or persons in whose name or names Such Writt Shall be brought and obtained with Sufficient Security or Securitys Such as the Court where Such Judgm.^t Shall be Given Shall allow of Shall before Such Stay made By Writt of Erro.^r or Supersedeas awarded be bound unto the party for whom any Such Judgm.^t is or Shall be Given by Recognizance to be acknowledged in the Same Court in double the Su^me adjudged to be Recovered by the former Judgm.^t to prosecute the Said writt of Erro.^r with Effect &c notwithstanding w.^{ch} the S^d Robert Peca hath not put in Security in manner and form as the S.^d Act in that Case doth Require So that the proceedings upon the s^d Peca^s writt of Erro.^r & Supersedeas unrightly obtained as afores.^d are undue illegall and Erroneous therefore the Said Stockett humbly Craves his writt of Erro.^r and Supersedeas to Stay Execution in the s^d Cause Between Peca and him the Said Stockett, And that the s^d Stockett may have time to Sign his Erro.^r till next Court and that the Same may be assigned before the next Generall Assembly George Parker

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(fol. 278)

The Answer of Henry Stockett to the Objections put in by Robert Peaca against the Said Stocketts Security & Writt of Erro.^r by George Parker his Attorney as followeth (fol. 279)

1 First as to the Objection that there ought not to issue out a writt of Erro.^r returnable in the Assembly to reverse y.^e Judgm.^t of the Provinciaill Court in Correcting of Erro.^r in the County Court the Said Henry Stockett Saith that by a Certain Act of Parliam.^t for Redressing of Erroneous Judgments in the Court Commonly Called