

pounds of Tobacco for his Costs and Charges in this behalfe laid out and expended.

Copy per Henry Wriothesley Cłk.

[28] Then was Read the Errors upon the afore Said proceedings filed, as followes, Viz^t,

Henry Hawkins ag^t Philip Lynes
In a Writt of Error in the Assembly.

(1) It is Error in the Justices of the Provst Court in Reversing the Attachm^t granted in the County Court because the Record did not Show upon what Principalls or wherefore the Court did grant the Same and although it was made appear that the Law was Comply'd with of Attachm^{ts} in all points and that the Debt for which the Attachm^t was granted was a due debt under the hand and Seal of Lynes owned to be due yet because the Record did not hold forth every particular Circumstance of the Cause and doe more then Records of Common Law proceedings Ever doe or of their own Nature or by Law Obligated to doe or any other Records of this Province, in Causes of Attachm^t have formerly done (That is to Show fourth a Copy of Decl^t: to be left at the last house) Therefore the Said Provst Court Contrary to the Opinion of the Cheif Judge and Some others reversed the Said Judgm^t which was Error in the Said Provst Court, and ag^t Law and renders the Office of a Judge inferior to that of a Jury etc:

(2) Nor is all or any the other Err^{rs} assigned ag^t the Said County Court Judm^t for the Attachm^t Sufficient in Law to Reverse the Same and therefore the Plant^{ff} prayeth that the Said Judgm^t of the County Court may be affirmed etc: and he to all things Restored etc:

W^m Dent

Whereupon the Err^{rs} afores^d being fully argued and Debated upon by the Attorneys on both Sides, And the Same by the Court here fully heard and Understood Do Adjudg that the Same are altogether insufficient for Reversall of the afores^d Jugm^t of the Provst Cort; it is therefore considered by the hon^{tbl}e the Judges of this Court here (to witt) the 19th Day of August in the 7th Year of the Reign of our Sovereign Lord King William the Third etc: Annoque Domini 1695 that the Judgm^t of the provst Court afores^d (upon the Writt of Error ag^t the proceedings and Judgm^t of Charles County Court afores^d there brought) be affirmed and that procedendo hence issue directed to the Justices of the Said Court accordingly: And it is further Considered that the Said Philip Lynes Recover ag^t the Said Henry Hawkins the Summe of two thousand and twenty pounds of Tob^o by the Court here adjudged for his Costs and Charges in this behalfe laid out and expended and that the Said Philip Lynes may have thereof Execution.)