

Tho<sup>s</sup> Macnemara his Attorney and Sayth, that in the Record aforesaid as also in rendering the Said Judgment it is manifestly Erred in that Viz<sup>t</sup>.

1<sup>st</sup> That the Jury was not charged by the Court to Enquire into the damages in Case Judgment should be given for the plft

2<sup>dly</sup> That the Court gave Judgment for the defendant whereas Judgment ought to have been given for the plft

Whereupon The said John prays that the Judgm<sup>t</sup> aforesaid for those Errors and others in the Record afores<sup>d</sup> being may be reversed Annulled and altogether held for none and that he to those things which by occasion of the Judgment afores<sup>d</sup> has lost may be restored and that the aforesaid James to the Err<sup>rs</sup> aforesaid may rejoyne etc. and that the Court of the Lord Proprietary here may proceed to the examination as well of the Record aforesaid as the matter aforesaid above for Error Assigned.

Whereupon the said James Croke by Thomas Bordley his Attorney prays and Says That in the Record and proceedings and also in rendering Judgment therein it is in nothing Erred and prays that the same Judgment may in all things be affirmed etc. And thereupon the said John Hyde by Thomas Macnemara his Attorney aforesaid as the Same James Cooke [sic] by Tho<sup>s</sup> Bordley his Attorney pray that the Court aforesaid etc. of Appeales etc. will proceed as well to examination of the Record and [341] process aforesaid as of the matter above for Errors assigned.

Whereupon for that the said Court here is not advised of its Judgment of and upon the premisses day is given to the said parties to hear thereof its Judgmt untill next Court for that the s<sup>d</sup> Court Yet is not etc. Att which next Court To witt the Second day of October Anno Domini one thousand Seven hundred and Sixteen Comes again the Said parties by their Attorneys aforesaid, And for that the said Court is not advised of its Judgment of and upon the premisses day is given to the said parties to hear thereof the Judgment till next Court for that the Court as yet is not etc.

At which said next Court To witt the fifth day of October Anno Dom 1716 Comes again the s<sup>d</sup> Parties by their Att'y aforesaid, And for that the said Court is not advised of the Judgment of and upon the premisses day is given to the Said parties to hear thereof the Judgment till next Court for that the Court as yet is not etc. (Whereupon the Court Stood adj untill the 21<sup>st</sup> Oct<sup>r</sup> 1719)

At which said next Court To witt the Twenty first day of October one thousand Seven hundred and nineteen Comes again the said parties by their Attorneys afores<sup>d</sup> And for that the said Court is not advised of the Judgment of and upon the premisses day is given to the said parties to hear thereof the Judgment till next Court for that the Court as yet is not etc.

At which Said next Court To witt the Sixteenth day of April Anno Dom 1720 Comes the said James Croke by Tho<sup>s</sup> Bordley his Attorney aforesaid but the said John Hyde altho' Solemnly called comes not nor doth