

2 In the Declaration it is Said that the Said James Bowling by Robert Carvill his Attorney Complaineth ag^t the Said Gerrard Slye etc. and afterwards it is Contained in the record af^d That the S^d Gerrard Slye by the Said Robert Carvill his Attorney Came and Defended the force and injury when etc. and Craved Liberty to Imparle untill the 19th day of October 1682 So that it plainly Appears by the Record here produced that the S^d Rob^t Carvill was Attorney for both pl^t and Defend^t and Consequently Judgm^t must goe att the discretion of the Attorney w^{ch} the Law Cannot allow of being Contrary to all the known Rules and Practice of the Common Law of England and of this Province for which reason he the Said Gerrard Slye prayeth that the Judgm^t af^d may be reversed and made Void.

3 The Body of the Declaration Setteth forth That the Said James Bowling did Order and Appoint the Said Gerrard Slye to Buy for him the Said James Bowling and to Send [147] in to him the Said James Bowling According to the Covenants and Agreements in the aforesaid Writing indented mentioned, the Severall Servants and Goods in the Schedule thereunto annext Mentioned but no Such Schedule as therein is Mentioned appears to be filed or Annext to the Declaration that the truth of the Matter might have plainly Appeared upon the Tryall to both Court and Jury but here is Judgment prayed by Robert Carvill Attorney for James Bowling and Judgment Given by the Same Robert Carvill Attorney for the Said Gerrard Sly[e] which is Manifest Error for which reason also and many other more Errors in the Record and Proceedings aforesaid as also in the rendring of the Judgment af^d ag^t him the Said Gerrard Slye he the Said Gerrard Slye Prayeth that the Judgm^t af^d ag^t him given may be made Void reversed and Sett on Side and that he to all Costs Damages and Interrests by him Suffered and Sustained by means of the premisses may be restored etc.

S. Watkins

May the 2^d 1700

It is Considered by his Ex^{cy} the Governo^r Col^o Henry Jowles Col^o Charles Hutchins, James Frisby Esq^r Col^o John Hammond and Francis Jenkins Esq^r of his Matys hon^{ble} Councill That this Cause for that the reasons af^d were not filed as it is directed in an Act of Assembly of this Province for that Case made and provided is Abated, and it is the Opinion of this Board that the Same be Abated for the reason af^d

W Bladen C^k Appeals etc.

[148] MARYLAND ss. William the third by the grace of God of England Scotland France and Ireland King Defender of the faith etc. To Richard Hill Esq^r and his Associates the Justices of our Prov^l Court Greeting Because That in the Record and process and rendring of Judgment upon a Prosecution of Perjury Lately brought before You in our Said Court att the Suite of