

March 1707

draw to consider on the Premises and after some time doo againe return and being call'd  
over as also the Plff and Deft being Demandd who ther they find for the Plff or  
Deft doo say w<sup>ch</sup> the Jury find for the Defendant and by Thomas Carrington the  
Foreman also say -

UPON w<sup>ch</sup> the Said Plff moves the Court viz the fourth day of  
September in Stay of Judgment and time is given to him till the tenth day of Nov<sup>r</sup>  
next to file his reasons that the Deft may have time to answer at the next C<sup>t</sup>.

At w<sup>ch</sup> next C<sup>t</sup> viz the twenty 5<sup>th</sup> day of November the Said Cause was  
taken up until the next Court -

At w<sup>ch</sup> next C<sup>t</sup> viz the twenty seventh day of Jan<sup>y</sup> the Said Cause was  
taken up until the next C<sup>t</sup> -

At w<sup>ch</sup> next C<sup>t</sup> viz the twenty fifth day of March of Anno Dom 1708 cometh  
the parties ag<sup>d</sup> by their attys and the Reasons for Stay of Judgment on the verdict  
ag<sup>d</sup> by the ag<sup>d</sup> Plff filed are read as follows viz -

REASONS in Arrest of Judgment

- 1<sup>st</sup> If a Deed consist of two distinct Venue parts w<sup>ch</sup> will require two answers  
to a void Duplicity in the Plea, both parts must be separately tryed before  
Damages or any Judgment can be found & given for the whole matter in the  
Deed must be answered - but such is this Deed as by the same Record  
both appear Right.
- 2<sup>d</sup> - The Deft plea not going to the whole matter in the Deed and another  
Plea or Answer to the Residue of the Matter in the Said Deed not being there  
exhibited & filed nor other Answer upon Record upon w<sup>ch</sup> the Court may or can pro-  
ceed to trye Judgment hath rendered the former Issue void & immaterial &  
all proceedings thereon by void & void and the Issue is void in Law as the Plff  
is ready to verify Right this verdict is void, and no other Judgment can be given  
upon it but for a Repleader
- 3<sup>d</sup> It is evident from the Record that there is a Mistake of that part of the  
Deed w<sup>ch</sup> is void - And that for 3 Reasons - First for that the Plff  
evidences the Summons according to Law did not appear in C<sup>t</sup> in obed<sup>ce</sup>  
- due to the Queens Will as by Law they ought all Causes to be part and  
no person excepted - 2<sup>d</sup>ly this was limited by the Deft to appear according  
to the tenour of Said Will w<sup>ch</sup> is not only an void practice but to  
destroy the verdict as the Plff is ready to verify but as the Plff humbly  
considers it by Law indubitable - 3<sup>d</sup>ly w<sup>ch</sup> Submissio<sup>n</sup> to the Writs  
no C<sup>t</sup> can by Law be given a bates any writ as the Plff is ready to verify  
and warden in this Case nor dispense w<sup>th</sup> any such non appearance  
of Evidence in behalfe of the Subject - Neither can any Judge or  
Justice by Law be said to know the Law before it is pleaded Regularly -

and