

Court passed further order the 1st March 1664 that the Lands of your Petitioner should be extended & appraised unless your Petitioner did produce personal estate to compleat the remainder of the 1000 Sterling whereupon an Extent issued out against your Petitioner's Lands & was by the Sherriff executed, in which Order ex post facto & the proceedings to Grant Extent, the Writt of Extent there is manifest Error as also in the Sherriff's return of the Execution thereof Your Petitioner humbly prayeth your Honours the Premises Considered to grant him Liberty to Assign Error in the Assembly & to grant him a Writt of Error that he may thereby be relieved against the illegal & Erroneous proceedings of the S^r. Snowe against him

And your Petitioner shall pray &c.

After reading of which petition the said Tho^s. Nolley & Jⁿ Morcraft presented these following errors

Errors Assigned by Thomas Gerrard upon the Proceedings to the Execution ag^t him by Marmaduke Snowe

- 1st The Order of Court ex post facto to have an Extent after Snowe had made his Election to have Execution by Levam facias is Error
- 2^d The Order of Court ex post facto is General to have Extent ag^t his Lands Whereas the Extent should be special against the Lands he had at the Time of the acknowledging the Recognizance is Error.
- 3^d The Writt of Extent varyeth from the Order being misrecited in the Writt the Order being the Ground of the writt. It ought not to vary from the Order but agree therewith in form & in terminis is Error
- 4th The Return of the Sherriff of the Execution of the Extent is defective in a material point for it doth not express that the Extent was by the oath of twelve men It not mentioning that they were Sworn

Signed { Tho^s. Nolley
John Morcraft.

Errors assigned also by W^m Calvert Esq^r John Morcraft & Thomas Nolley the Attorneys of Isaac Bedle the attorney of David Anderson in the Suit between Henry Hudson Pl^t & David Anderson Def^t at a Provincial Court held the 12th day of October 1665 & now last past

- 1st The Summons is to the attorney of Anderson, the proceedings and judgment is against Anderson but the Pl^t Hudson hathg. a declaration against Anderson to ground the proceedings & judgment for he declareth against Carver & prayeth order ag^t Carvers attorney but doth not proceed against Anderson as Carvers Attorney but as in his own Capacity & that is Error.
- 2^d Secondly the Court saith for a Fr. 720^{ls} & doth not