

The 1st of June he alledged that the difference
 between the writ and declaration is not con-
 siderable it was only matter of form & he
 alledged the Law of the Country but could not
 produce any Law of the Country to prove his
 Allegation. The 2d he sayes it is matter of
 Substance and not of form only & therefore
 Error. And the vote of the house
 remaine Contradictorie was that the error
 was substantial & not in form of the declaration
 only and therefore that the Judgment
 should stand. That they both pay their own
 Charges.

Mr Jerome White's plea

When was taken into Consideration of Articles
 of peace with the Sasquesa hannah Indians
 dated 5th of July 1672
 upon reading of which Articles made with
 Sasquesa hannah Indians as also the Articles
 made 21. May 1671 the house thought fit
 to Communicate the said Articles with the lower
 house to desire them to Consider
 first whether they should be made with
 made good to the Sasquesa hannah
 secondly the danger that may arise from
 the breach or delay of the performance
 of the said Articles
 thirdly whether the Articles be sent to the lower
 house to desire their answer to the lower house
 of if they think fit to have a Conference
 with them some time this Afternoon

Mr White about

Upon Consideration of the petition of Wm. Dun-
 ston praying the Prayer of the lower house
 Assembly ordered that it be referred to the
 Consideration of the lower house.
 The house adjourned till Afternoon
 The house met againe & adjourned till