

and say that what Jo' Snowe doth provide  
 is partly false and untrue for that the  
 Court was not surpris'd nor did they give  
 their Judgment really upon any Evidence produced  
 before them but upon the view of the Records  
 of the Province And the comparison of  
 Snowe's book of accounts with the Records made  
 by writing it did plainly testify  
 that that Acknowledgment was false  
 as by the Records of that Court may  
 appear the Copy of which is to be had  
 here to produce but grant it were for  
 in view of his Snowe by his mutual confession  
 submission to the Arbitration of the Board  
 hath concluded himselfe in private of Law  
 not sworn within this saye for the Rule  
 Cause for to let swears And Cook says  
 saye for 11. a. 343. by a. to this effect  
 Contra regnum principium non est disput  
 um Therefore the sayd saye that the Judge  
 of the Court as to the dispute is by the  
 falsity and maliciously suggested by him to  
 Burroughs upon all which he humbly craves  
 the Judgment of this honorable Assembly  
 praye to be dismissed as he is reasonable Cost  
 and Damages allowed him.

Tho. Motley Attorney  
 Thomas Gerard

Whereupon the house considered the two points  
 first that there was no  
 any Acknowledgment of the said Demand given in any  
 Court of Chancery in this Province relating to  
 Snowe or other from whom he pretends to  
 derive power

Secondly that the Snowe is not rightly layd because  
 the Court gave judgment upon the view of the  
 books of accounts and other papers which were  
 produced the Original Acknowledgment taken before  
 the Right honorable the Lord Proprietor in England  
 and the Record of it in the Court of Chancery  
 of this Province.

And putt to the Question

Whether the Acknowledgment taken before the  
 honorable the Lord Proprietor in England, is to be  
 taken as a bar to the Snowe's demand