

September 6<sup>th</sup> 1664

In the house of Assembly according to the Adjournment October 3<sup>rd</sup> 1663 came Charles Calvert Esq. Lieutenant General Philip Calvert Esq. Maurice and Baker Brooke Esq. Henry Small Esq. being called to be returned absent in England  
 Thomas White Esq. being called to be returned absent through sickness  
 Robt. Clarke Esq. returned deceased  
 Edward Lloyd returned absent by Cross winds  
 John Bateman Esq. returned dead  
 Henry Coursey Esq. returned Cross winds

Upon Consideration of the absence of the above mentioned persons the Lieutenant General adjourned the house till Tuesday next 13<sup>th</sup> Instant

10<sup>th</sup> day of Sept To the Right hon<sup>ble</sup> the Lieutenant General of Maryland

The humble petition of Luke Barbier

Sheweth That at a Provinciall Court held February 9<sup>th</sup> 1663 in a case depending between Henry Spinks et ux<sup>or</sup> p<sup>er</sup> et ad p<sup>ro</sup>pt<sup>er</sup> def<sup>endant</sup> in the proceedings of which suit in divers parts there of p<sup>er</sup> et ad p<sup>ro</sup>pt<sup>er</sup> humbly sheweth there is Error & therefore humbly praye

The petitioners Considered y<sup>e</sup> would be pleased to grant him leave to shew the Error & to order a Rehearing upon the same And he shal pray

Errors Assigned

1<sup>st</sup> The writ of the declaration of any Defendant doth differ and this is error. *Quia de la ley*  
 2<sup>dy</sup> The writ hath nothing in it of the declaration why it ought to have all but only by name & place of the is Error. fo: 20.

3<sup>dy</sup> And more briefly even in the substantial form of any Defendants declaration it is most