1st The Summons is to the Attorny of Anderson, the proceedings and Judgment is against Anderson but the Plt Hudson hath put in no declaration against Anderson to ground the Proceedings & Judgmt upon for he declareth against Carver & prayeth Order agt Carver's Attorny but doth not proceed against Anderson as Carvers Attorny but as in his own Capacity & that is Error. U. H. Journal 1659–98

2. Secondly the Court saith for a Friggott & doth not say how called or of what Burthen. Every Declaration should & ought to Contain Certainty but in that there is Jncertainty. That is Error p. 84

3. Hudson prayeth Order against Carver's Attorny but nameth him not in the Declaration therefore that is Error for the incertainty of the Person—

4. The Record saith Hudson Plt & Anderson Deft when his Declaration was against Carver & it cannot appear by any Record extant that Anderson is Deft in any Declaration ever Entered in relation to the Suit & therefore that is Error

5. The Summons was directed to Thomas Notley the Attry of Anderson in which Capacity he never was & that is Error

6. Abraham Rowse served the Summons which the Sherriff ought to have done & that is Error

7. The Order of Court of the 22d Decemr 1664 was that Bedloe or his Attorney should be summoned but the Summons was awarded agt the Attorney of Anderson & therefore that is Error

8. The Testimony of Hawkins is insufficient to prove the Title of the Friggott sued for by Hudson for he speaks generally of a Vessel & saith only that he himself reputed the Vessel Hudsons but doth not say that he knew her Hudsons or that she was positively the Goods of Hudson

9. The Testimony of Staplefort insufficient. he swears positively the Vessel was Hudsons four Years & an half ago but speaketh nothing of his Knowledge but that the Carpenter that built her told him so, which is but hearsay & at Random, he speakes of a Vessell the Court saith a Friggott All which is very Uncertain & therefore Error

The Jury finds a Vessel Called the Expedition did belong to Hodson, but Hudson sues for a Friggott not distinguished by any name Nor are these Words a Vessel Called the Expedition ever named in any of the Proceedings upon Record in the said Case & therefore the Verdict of the Jury is erroneous. But admitt all the precedent Allegations of Error insufficient the which the said Bedloe doth not Grant Yet nevertheless the Error Ensuing he humbly supposeth will evidently appear.

The Friggott was in the Custody Possession & Charge of Goodrick as Servant of Hudson Goodrick sells the Vessel after