

Liber W. C. to be overcharged Itt is the folly of ye Debto<sup>r</sup> if hee pay more then his due to any person w<sup>th</sup>out Execution, and for the said Gerrard to Collect 988<sup>lb</sup> of Tobacco for the ffees of any Lawfull officer by order or Consent of the same officer is in him noe breach of the Act for Limitacon of officers ffees.

p. 190 (3) Itt is not mentioned in the said Information for what those fees were p<sup>r</sup>tended to bee due which are Alleged to amount to 988 pounds of tobacco, and soe Itt Cannot possibly bee Judged by any thing that appeares, Whether the same doe Exceed fall short or agree with the Limitacon of the said Act, & by Reason of that Uncertainty noe Conclusion or Judgment Can bee given or grounded thereupon And soe the said Informa<sup>o</sup>n of the breach of the said Act of Limita<sup>o</sup>n of offices fees is Vitius imperfect and uncertaine

(4) The said Informer in his said Informa<sup>o</sup>n Chargeth the said Gerrard to have Received for sumoning of Evidences 720<sup>lb</sup> of Tobacco, but doth not Expresse how many Evidences Were pretended to bee Sumoned or in What actions or Causes or by whome the same were sumoned or p<sup>r</sup>tended to be sumoned, and soe if any such sume Were Received for sumoning Evidences Itt might bee due to y<sup>e</sup> Coroner or Coroners &c And If itt were supposed to be due to the Sheriffe, Yet the said 724<sup>lb</sup> of Tobacco may as Possibly bee Lesse as more then is allowed by the Limitacon of the said Act for officers ffees, and the same ought by Lawe to bee Intended to bee according to the Limitacon of the Act for officers fees since the Contrary appeares not, And all pleas ought to bee taken most strictly against the pleader, Therefore the s<sup>d</sup> Information is uncertaine and Insufficient

(5) For that the said Informer doth not sett forth in his said Informacon in what suite or suites Ac<sup>o</sup>n or ac<sup>o</sup>ns or betweene What persons or in what Court or Courts of this Province the same suite or suites Accon or ac<sup>o</sup>ns were or are Depending for w<sup>ch</sup> the ffees aforesaid or any of them for y<sup>e</sup> p<sup>o</sup>ceedings aforesaid are Supposed to bee p<sup>r</sup>tended to bee due, Whereby the said Gerrard Slye the Defend<sup>t</sup> is disabled to have Recourse to the Records of the same Court or Courts if any such there Were for his Ayde or Justificacon If the Case soe required, and Without such shewing forth the defend<sup>t</sup> shall bee Lyable by any other person to bee againe Informed against for the same matter Wch would bee against Lawe, Therefore the said Information is Vitious Imperfect & Insufficient

(6) Itt is not att all Expressed or Declared and sett downe in the said Information in what place or in What hundred or in What County of this Province The s<sup>d</sup> pretended breach of the said Act of Limitation of officers ffees was by the said Gerrard Slye Comitted as by the Lawe Itt ought to have beene done, The not doing whereof being directly Contrary to the forme of the Statute of the 31<sup>th</sup> of Elizabeth Chapt<sup>r</sup> the 5<sup>th</sup> Section the 2<sup>d</sup>, Therefore the said Informa<sup>o</sup>n is Utterly Voyd and Insufficient