

Liber W. C. of the said Thomas Harris &c: Whereupon brings his action &c. All w^{ch} is manifestly vitious & Erronious

(6) The said Cause is Coram Non Judice, ffor the Comission^{rs} or Justices of the County Court of Kent County have noe Power authority or Jurisdicōn whatsoever To heare Trye or otherwise to determine any accon of detinue as this Case is, for any Legacy or other Cause whatsoever, Nor ought the said Lewis and Mary to have been sued there for the Same, and soe for that Reason the said proceedings ought to bee Quashed and set aside

p. 273 And therefore the Said Lewis and Mary pray the said pceedings in the said County Court of Kent County may bee Set aside and Quashed & the rather for that the said Lewis and Mary have not now nor had not at the time of the purchasing of the said Originall writt of the said Thomas & susanna, of the Estate of the said Desborow Bennet w^{ch} was of the sd Desborow at the time of the decease of the said Desborow to pay the Legacyes aforesaid had they beene duely or in a due place Sued or impleaded for the same, and that they to all things that they have Suffered by Occasion of the p^rmisses may bee restored

Which Reasons aforesaid being Read heard and Argued and by the Justices here fully Understood and dilligently Examined It seemeth unto the same Justices that the Error in the ffirst Reason is sufficient in Lawe to Reverse the aforesaid Judgment of the County Court of Kent County aforesaid, Therefore It is Considered that the Judgment afores^d for the Erro^{rs} in the first reason aforesaid as also in the Record and processe aforesaid, Bee Revoaked Adnulled and altogether held for Nothing, & That the said Lewis Blangey and Mary his wife unto all things w^{ch} by occasion of the Judgment aforesaid they ~~hath~~ have Lost bee Restored, and that The said Lewis Blangey and Mary his wife Recover against the said Thomas Harris & susanna his wife the sume of Twelve hundred fifty six pounds of Tobacco for his Costs and Charges in this behalf Expended

To the hono^{ble} The Justices of the Justices of y^e Prov^{ll} Court Arthur Sawyer } **Whereas** Edward Gibbs late of Somerset County
ag^t }
Edward Gibbs } Marchant was Sumoned to answeere unto Arthur
Edward Gibbs } Sawyer of Bristoll Marchant of a plea that hee Render unto him his reasonable account for the time hee was receiv^r of the goods wares Marchandizes and Tobaccoes of him the said Arthur to the pfit of him the said Arthur w^{ch} to him to Rend^r hee ought, and for that the said partyes have pceeded before Yo^r Hono^{rs} in the Provinciaall Court of this Province of and upon the p^rmisses Soe farr that Judgm^t was by yo^r hono^{rs} in the said Court Awarded that the said Edward Gibbs ought to acco^t wth the said Arthur Sawyer for the time hee was Receiv^r of the goods wares Marchandizes and Tobaccoes of him the said Arthur to the Vallue