

And the said Gerrard Slye by Robert Ridgely his Attorney Cometh and defendeth the force and injury when &c And the said Gerrard sayth That the aforesaid Joshua his accōn aforesaid against the said Gerrard in this Court cannot mainteyne Because hee sayth that the same is not within the Jurisdicōn of this Court nor Can this Court hold plea thereof, and this hee is ready to averre. and thereupon demands Judgment of the Court if the aforesaid Joshua his accōn aforesaid in the Court aforesaid Can Maintaine

Liber W. C.

Ridgely p Deft

And the plaintiffe alsoe—Rob: Carville

Whereupon Itt was the Judgment of the Court that the accōn is wthin the Jurisdicōn of the Court

Now here att this day to witt the Twentyeth day of Novemb^r in the fourth yeare of the Dominion of Charles &c Annoq̄ Dominj 1679 Came the said Joshua Doyne by his Attorney aforesaid and Offered himselfe against the said Gerrard Slye in the plea aforesaid but the said Gerrard slye Came not but made default, Therefore Itt is Considered by the Court here that the said Joshua Doyne Recover against the said Gerrard Slye aswell the sume of One thousand sixty nine pounds of Tobacco Damages occasioned by the Trespas aforesaid As also the sume of Two hundred seaventy seven pounds of Tobacco Costs of suite

Coppied from the Records this third day of september 1680

p Thomas Grunwyn Clke

Subscribed and sealed by us und^rwritten

Comission^{rs} of S^t Maryes County Viz

Richard ILoyd (: sealed) Thomas Mudd (sealed)

Clement Hill (. sealed) John Dent (sealed)

And the said Gerrard Slye sayth That in the Record and processe aforesaid as in the Rendring of Judgment aforesaid Itt is Erred in this, In that the Comission from the Right hono^{ble} the Lord Prop^{ty} to the said Justices of the said County Court of St Maryes County Did give them noe other Power then to heare and determine all Cawses and accōns of debt whether by Bond bill or account or Trespasse upon the case ariseing from an account Whereas the said accōn of the said Joshua Doyne against the Said Gerrard Slye was an accōn of Trespasse upon the case against the said Gerrard Slye late sheriffe of S^t Maryes County for a Misfeazance in his Office, viz, for the Escape of one Nathanael ffisher, and was not within the said Justices Comission to try Nor Could that Court hold plea thereof, and the Overruleing the said Gerrard Slyes plea to the Jurisdicōn of the said Court in the said proceedings recited, and the Judgment given in the said Cawse being Coram non Indice is manifest Erro^r:

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And the said Gerrard Slye Prayeth That the Judgment aforesaid for those Erro^{rs} and others in the Record and Processe aforesaid be