

All which the said Gerrard is Ready to Avert and Therefore Prayes Judgment as aforesaid of the said writt and Information, and that the same may bee Quashed Liber W. C.

And the said Abraham who aswell for the Lord Prop^{ry} as for himselfe in this behalfe prosecuteth Sayth. That hee by any thing in the plea of the aforesaid Gerrard from haveing his Accon aforesaid against him the said Gerrard ought not bee barred, and by Protestacon, not acknowledgeing any thing in the plea of the aforesaid Gerrard by him before pleaded to bee true in manner and forme as the said Gerrard in the plea of him the said Gerrard, by him above pleaded hath pleaded, for Replicacon saith as formerly hee hath said, that the said Gerrard hath Received and Extorted from the said Abraham Blagg by Collo^r of his office of sheriffe of st Maryes County aforesaid, the said sume of two thousand six hundred & twenty pounds of Tobacco in manner & forme aforesaid & Contrary to the Act of Assembly aforesaid As in the Informacon afores^d is menconed And this hee prayeth may bee Enquired of by the Country.

And the said Gerrard Slye by his Attorney aforesaid saith as before in his Said plea hee hath said, & for the reasons in the said plea Contained That the said Information for the Incertaintyes Insuffeciencies and manifest Imperfecōns therein Contained Ought to bee quashed, and further that the p^ls Replication to the said plea, and the matter therein Contained is not Sufficient in Lawe to bee Answered unto, for that the Defend^t in his Said plea pleads the Insufficiency of the Information W^{ch} the Court ought to give Judgm^t upon, The Court being Judges of the Vallidity or Invalidity of the Information and not the Jury, And thereupon Demurres in Lawe p. 191

And the said Abraham Blagg who aswell &c Sayth) in that hee sufficient matter in Lawe for him the said Abraham of his Action aforesaid ag^t him the said Gerrard to bee had ought not to bee precluded, but that the Replication aforesaid is sufficient in Lawe, and this hee is ready to Verifie, & therefore hee Demands Judgment of the Court, And the Defend^t Likewise
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being Read and heard & by the Justices here fully Understood, Itt Seemeth to the same Justices here, That the informacon aforesaid is sufficient in Lawe to maintaine the Accon of the said Abraham who aswell &c Whereupon the aforesaid Gerrard by his Attorney aforesaid moved in arrest of Judgment W^{ch} not being allowed of by this Court, Therefore Itt is Considered That the Lord Proprietary of this Province, and the said Abraham Blagg who aswell for the said Lord Prop^{ry} as for himselfe followeth, may Recover against the said Gerrard Slye the Summe of six thousand pounds of Tobacco or forty pounds sterl being the forfeiture upon the breach of the act aforesaid Whereof the said Lord