In Causa M^{fici} Kaminski

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salvis etc. ac protestando etc. Quandoquidem A. R. Actor pro
repositione Decreti Judicij Terr. sub Die Veneris 12 9bris A° 1762
lati vigore petitionis ipsiusmet Partis [illegible] provocationem quod
M^{ficus} Hieronymus Sokolinski Bona Dolhinow possederit
demonstrantis agit, Rationemque assertam unicam pro simili
repositione infert, quia nempe M^{fici} Eva et Barbara de
Sokolinskie Bonorum Dolhinow Possessores et Heredes ex [illegible]
[illegible] A. R. Szymak ad Judicium Comitiale [illegible] praetensionum [illegible] adcitatae
existentes per multiplices in eodem Judicio suas Comparitio-
nes [illegible] Summarum [illegible] Bona Dolhinow [illegible]
[illegible] agnoverunt, et [illegible] in terminis [illegible]
[illegible] seu decisionis [illegible] ingesserunt, [illegible]
[illegible] vacent [illegible] cum [illegible]
[illegible] M^{ficarum} Eva et Barbara de [illegible] in [illegible]
[illegible] factae praetensa agnitio [illegible] DD. Summarum [illegible] Bona
Dolhinow [illegible] non patet, quinimo quod eadem M^{fica} Eva
et Barbara de Sokolinskie semper Bona Dolhinow "acquisita" ~~[illegible]~~
[illegible] Hieronymi Sokolinski [illegible] allegabant deducit [illegible]
[illegible] Dolhinow [illegible] Grato [illegible] A. R. Szymak tra-
[illegible] et [illegible] cujus et [illegible] in [illegible] Judicij Tribuna-
lis factum [1736] [illegible] Et deinde quia idemmet Actor post intenta-
tum M^{fici} Kaminski [et de novo [illegible]] de integro Processum, ut manifestum est
[illegible] sub Die 13. May 1761. Causa haec ex meritis simplici-
[illegible] remanet, dum idemmet M^{ficus} Citatus exceptionem pe-
[illegible] quia [illegible] Bona Dolhinow M^{ficus} Hieronymus Sokolinski non
[sub die [illegible] 12 9bris 1762]
[illegible] contra ejusmodi exceptionem quam [illegible]
[illegible] nunc [illegible] ~~[illegible]~~ excepit, ~~[illegible]~~ sed eandem
[illegible] eandem, ~~[illegible]~~ ad contrarium probandum
quia [illegible] Dolhinow M^{ficus} Hieronymus Sokolinski haereditabat
et [illegible] at [illegible] probationem [illegible] se admitti petit.
et [illegible] aperta [contra exceptionem Citati] [illegible] nunc
[illegible] nequaquam idem Actor
[illegible] Decreti [illegible] sub Die 12.

"ex praelectione et
[illegible] [illegible] bonam nullatenus potest, nam ejusmodi Decretum ad
tenorem petitionis ipsiusmet Ptis Actoreae subscriptum est, exindeq
~~[illegible]~~ nulliter ejusmodi Pars Actorea repositionem illius expetit, nam
juxta Regulam Juris: quod semel placuit amplius displicere nequit.
Necnon allegatio A. R. Actoris Gg. Mkci Antonius Skotnicki, et Barba-
ra de Sokolinskie Conjuges, "Bonorum Dothinow haeredes" Bona Merecz acti Mkci Hieronymi So-
kolinski haereditaria, Mko Joanni Nanwayski vendiderunt, et onera
quibus eadem haerentia in se assumpserunt, quidquam in Judicio pnti
evincere potest. Praeter enim quod A. R. Actor hucdum Bonorum Merecz
Mkum Hieronymum Sokolinski "haeredem" fuisse n[on] probat, nam idem Testamentum
Perillis A. R. Kleczkowski Canci et Officialis Vilnen ac Parochi Zupranen a Parte Actorea
nunc productum, in quo exprimit, quia Summa Ecclesiae Zupran. Odebita habet apud
Mkum Hieronymum Sokolinski in Bonis Merecz, nullam de eo constituere pt
probationem, hic enim Perillis Kleczkowski uti in re suae Ecclesiae testans
se judicare, et hac sua Scriptura ~~alter~~ in praejudicium alterius aliquid proba-
potest. Nec inferri potest quia praemissum Testamentum Mkcus Actus in [illegible]
distincta cum M. R. Szmatowicz produxit, ~~[illegible]~~ exindeq illud quidquam Actori praejudi-
calet eique certissimum esse quia Confessio alterius per tertium producta ad
probandum Confessum in quo confessus est non nocet producenti. Verum etiamsi
certo probaretur legitimis per Ptem Actoream probationibus quia Mkcus Hiero-
nymus Sokolinski Bona Merecz haereditabat // quod nunc ab Actore non ~~fit~~ /
tunc adhuc Onera Hieronymiana Sokolinsciana ad Bona Dothinow se extendi
non possent, in fundamento ~~[illegible]~~ praedicti Documenti Bonorum Merecz venditorii:
Etenim in Ducatu hoc Lithvaniae aliquot reperiuntur Bona in distinctis
Districtibus sita sub hac Nomenclatura by: Merecz, quod si ab adverso negaret, [illegible]
Ptis paratus est probare, unde ~~[illegible]~~ incumberet ~~[illegible]~~ semper specifica probatio Actori
~~[illegible]~~ super eo quae Bona Merecz et in quo Districtu sita Mkcus Hieronymus
Sokolinski haereditabat, et nunc [illegible] contra Possessorem praemissorum Bonorum
competeret ipsi Actio rone asserti Debiti Hieronymiani. Ad extremum dato non
concesso quod Mkcus Hieronymus Sokolinski horum Bonorum Merecz in Pa-
[illegible] [illegible], quae Mkci Antonius et Barbara Skotnicki Mko Nanwayski
[illegible] [illegible] extiterat, sic adhuc rebus stantibus, nullatenus [illegible]
pet Actio contra Mkum Citum, sed Possessores Bonorum Merecz
[illegible] non esse locum repositioni, juxta Decreti Judicii Grodn. [illegible]
ac ea quae sunis "ipotentiae" decernit, salvis omnibus.