And Ninety One pounds of Tobacco yet Remaines wholly unpaid to the Said Phillemon Lloyd Esq.r or order And the Said Attorney Generall further Saith that Afterwards To wit the tenth Day of December Anno Domini Seventeen hundred and thirteen he the Said Phillemon Lloyd at Charles County aforesaid did Intrust the Said Thomas Dent as Sheriff &c with Sundry other fees due unto him the Said Phillemon by Occation of his Said Office of Deputy Secretary &c. from Sundry Other Persons Living in Charles County aforesaid to be by him y.e said Thomas Dent Sheriff as &c. Collected for Accoreding to his the Said Thomas Dents Duty of Sheriff and the Condition aforesaid Amounting to the Sume of Twenty Thousand Seven hundred and Two pounds of Tobacco And the Said Attorney further Saith that the Said Thomas Dent hath not Past any Account of the said fees to the Said Phillemon Lloyd Esq.r nor Paide him the Said Phillemon the Tobacco that Arose due on the Said List According to the Duty of his Office aforesaid and the forme of the Condition &c. but as well the Said Twenty Thousand Seven hundred and Two pounds of Tobacco Last Mentioned as the aforemencoond nineteen Thousand Eight Hundred Ninety One pounds of Tobacco in the whole Amounting To Forty Thousand five hundred and Ninety three pounds of Tobacco yet remain Due and wholly unpaid To the Said Phillemon or Order, and this the Said Attorney Generall is ready to Verefie wherefore for the Said Lord the King he prays Judgment for the Debt &c. and the Damage by Occation of Detaining the Same Debt to the Said Lord the King to be Adjudged &c.a —

And the Said William Stone as to the Severall Fees and Dues in the Plea aforesaid Mentioned Amounting to the Sume of Nineteen Thousand Eight Hundred and Ninety One pounds of Tobacco Saith that the Said Phillemon Lloyd Esq.r in the Plea &c. Mentioned did not Intrust the Said Thomas Dent with the Collection thereof and of this he Puts himself upon y.e Country and the Plaintiff Likewise —

And as to the Residue of the Plea &c. by Replication above Pleaded the Said William Sayth that the same is not Sufficient in Law for the Said Attorney Generall the action aforesaid against him to Have or maintain and that he to the Residue of that Plea hath no-

(Need)

Need nor by the Law of the Land is held to Answer and this he is ready to Verifye And therefore for Want of a Sufficient Plea in this Part he prays Judgment that y.e Said Attorney Generall from having and Maintaining the action &c. against him be Precluded &c.a —

And the Said Attorney Generall of the Said Lord Proprietor for the Said Lord the King for that he hath above Alledged Sufficient Matter in Law in the Replication &c. to have and Maintain the action &c. which he is ready to Verifie which Matter the Same William Stone hath not gainsayed nor thereunto any ways Answered, but the Same Averment To admitt doth altogether refuse, the Same Attorney Generall as before prays Judgment for the Debt aforesaid and the Damage by Occation of Detaining the Same Debt to the Said Lord the King to be Adjudged &c.a —

Whereupon all and Singular the Premisses being by the Court here Seen Heard and fully understood and Mature Deliberation being thereupon had for that it Seems to the Court here That the Replication &c. by the &c. Attorney Generall for the Lord Proprietor who for his Majesty Prosecuteth above in Replying Pleaded his Good as to the first Breach Assigned therein which the Court Adjudges to be within the Bond — And that the Demurrer by the &c. William Stone above in Barr Pleaded is good as to the Other Breach Assigned in the Replication &c. which the Court here Adjudges to be without the Bond — And for that it further Seems to y.e Court here That the Residue of the Plea &c. by Replication above Pleaded is not Sufficient in Law for the Said Attorney Generall the Action aforesaid against him the Said William Stone To have or Maintain &c.a —

Therefore it is Considered by the Justices here the 10 day of April Anno Domini 1722 &c. That the Said Thomas Bordley Esq.r his Lordships Attorney Generall who for his Majesty in this Behalf Prosecuteth take nothing by the Writt &c. and that the Said William Stone go thereof without Day — And Also it is Considered by the Justices here that the Said William Stone Recover against Phillemon Lloyd Esq.r (at whose request the action was brought) the Sume of Nine hundred and Ninety Seven pounds of Tobacco by y.e Court here Adjudged unto him for his Costs and Charges by him the Said William Stone about his Defence in this behalf Laid out and Expended according to the forme of the Statute in that Case Made and Provided &c. (Aftenwards)