Hood that he was intrusted with by his said Lordships Governor & other his Officers within this Province to receive and Collect And his Account to his said Lordship & Governor for the time being for the fines and forfeitures & other Dues belonging to his said Lordship Governor & also his Account of Food Dued and Sums of Money or Tobacco for Food or Food to any of his Lordships Officers & other good People within this Province that Shd require the same Shd pass an Account of before the fourth Day of May in the Condition of the same Writing mentioned (to wit) on the Ninth Day of May Anno Dom Seventeen hundred & twenty three at Ann Arundell County aforesd And the said William further saith that the said Henry in all other things as Sheriff of the County aforesd did well & honestly behaves himself towards all persons according to the best of his Power skill and knowledge (to wit) at Ann Arundell County aforesd And this he is ready to verify wherefore he prays Judgement if the said Lord Propry his said Action against him to have or maintain ought &c——

And the aforesd Attorney Generall saith that by any thing pro alledged from maintaining his Action aforesd he ought not to be barred because protesting that the said Henry Hazenby in his life time hath not observed performed fulfilled or kept any of the Articles Conditions Clauses or things in the Condition aforesd specifyed for Plea saith that the aforesd Henry Hazenby continued Sheriff of Ann Arundell County from the aforesd twenty Eighth Day of May Anno Dom Seventeen hundred and twenty two until the fifth Day of May Anno Dom Seventeen hundred & twenty three (to wit) at Ann Arundell County aforesd that the same Henry afterwards (to wit) the same Day & year at the same County & Ann Arundell County aforesd that the same Henry afterwards (to wit) the same Day & year at the same County & Sheriff aforesd And that a certain Thomas Hammond lately (Viz.t) the twenty fourth Day of September Anno Dom Seventeen hundred & twenty and two at the City of Annapolis in Ann Arundell County aforesd by the Name of Thomas Hammond of Talbot County in the Province of Maryland by his Certain Writing Obligatory with the Seal of the aforesd Thomas Sealed & bearing Date the same Day and Year had become held and bound unto the said John King in the Indorsement on the Writt in this Cause mentioned by the Name of John King of Talbot County in the Sum of five hundred Pounds thirteen Shillings and ten Pounds Current Silver Money of Maryland to be paid unto the same John King when thereof afterwards he should be required as by the Writing Obligatory aforesd more fully appeareth And the aforesd Attorney Generall further saith that the aforesd Thomas Hammond altho often required hath not yet paid unto the said John King the aforesd Sum of five hundred Pounds thirteen Shillings and ten pounds according to the form and effect of the Writing Obligatory aforesd And that the same John King for the Recovery of his Debt aforesd in the Writing Obligatory aforesd above specifyed & mentioned afterward (to wit) the twenty third Day of October Anno Dom One thousand Seven hundred twenty and two had prosecuted out of the said Lord Propry his Provl Court here (to wit) at the City of Annapolis in Ann Arundell County aforesd A certain Writt of the same Lord Propry of Capias ad respondendum bearing Test the twenty fifth Day of the aforesd Month of September against the said Thomas Hammond unto the aforesd Henry Hazenby then Sheriff of Ann Arundell County aforesd directed By which said Writt the said Lord Propry did Command the said Henry Hazenby that he should take the aforesd Thomas if he should be found in his Bailywick and him safe keep so that he should have his Body before his said Lordships Justices of the said Provl Court (to wit) at the City of Annapolis aforesd in Ann Arundell County aforesd the second Tuesday of April then next ensuing to answer unto the same John of a Plea that he should render unto him the aforesd Sum of five hundred Pounds thirteen Shillings and ten Pence Current Money which unto him he owed and unjustly detained and that the same Sheriff should have then there that Writt and the aforesd Attorney Genll further saith that the aforesd John King the Writ aforesd aforesd and before the return of the same Writ (to wit) the third Day of November Anno Dom One thousand Seven hundred and twenty two at the said City of Annapolis in Ann Arundell County aforesd unto the aforesd Henry Hazenby did deliver in form of Law to be executed with that indorsement that the aforesd Thomas by Virtue thereof should be taken and arrested and on the Day of the Return thereof in the same Court here according to the Custom of that Court from time whereof the memory of man is not used and approved by Virtue of that Writt should be committed or otherwise find in the aforesd Court here according to the Custom of that Court from all the time aforesd used and approved sufficient Mainpriors to answer unto the aforesd John of the Plea and Writt aforesd and the same Attorney Genll in fact saith that after the Delivery of the Writ aforesd in form aforesd and before the return of the same Writ (to wit) the third Day of November Anno Dom One thousand Seven hundred twenty and two at the aforesd City of Annapolis in Ann Arundell County aforesd the same Henry the aforesd Thomas by Virtue of the Writ aforesd at the Suit of the aforesd John did take and arrest and him the said Thomas by Virtue of the Writ aforesd after then & there had and detained Nevertheless the aforesd Henry not ignorant of the Premisses but the Duty of his Office of High Sheriff of Ann Arundell County aforesd little regarding and minding and fraudulently intending the same John of the said five hundred pounds thirteen Shillings and ten pence and of his remedy thereof altogether to deprive afterwards (to wit) the fourth Day of November Anno Dom One thousand Seven hundred twenty and two at the City of Annapolis in Ann Arundell County aforesd the aforesd Thomas so in the Custody of him the said Henry at large where he would to go and escape did permitt the aforesd John of the aforesd five hundred pounds thirteen Shillings and ten pence or any part thereof then or yet in no sort being satisfyed and upon the Writ aforesd at the aforesd second Tuesday of April next after the Date of the same Writ in the aforesd Court here at Annapolis aforesd in Ann Arundell County falsly and fraudulently did return that he had taken the Body of the aforesd Thomas & that he had his Body ready before his said Lordships Justices of the said Provl Court at the Day and place Contained in the Writ aforesd as by the same Writ he was Commanded Whereas in truth the aforesd Henry Hazenby the Body of the aforesd Thomas before the aforesd Justices at the aforesd Day & place in the same Writ Contained had not ready Whereby the aforesd John of the aforesd five hundred Pounds thirteen Shillings and ten pence and of his remedy for the recovery thereof is wholly deprived And this the said Attorney Generall is ready to verify wherefore for the said Lord Propry he prayeth Judgement for the Debt aforesd and the Damages by occasion of detaining of the same Debt to the same Lord Propry to be adjudged &c With this that the same Attorney Generall doth verify that the aforesd John King always from the time of his Nativity hath been a Commorant Resident & Inhabitant of the said Province to wit at the City aforesd in this County aforesd.

(and)

And the said William protesting that the replication for the said Lord Propry so as aforesd pleaded & the matter therein Contained are not sufficient in Law for the said Attorney Generall on behalf of his said Lordship this Action aforesd to have or maintain prosecuting likewise that the Bond aforesd of the aforesd Thomas Hammond payable to the aforesd John King if any thing were was for the payment of two hundred and fifty pounds Current Money And not more for Plea he saith that at the Parliament of the Lord Henry late King of England the sixth Since the Conquest held at Westminster in this County of Middlesex the twenty fifth Day of February in the twenty third Year of his Reign the same King considering the great Perjury Extortion and Oppression which then was & had been in the said Realm by his Sheriffs Undersheriffs and their Clerks Coroners Stewards of Franchises Bailiffs and keepers of Prisons & other Officers in divers Counties of the said Kingdom amongst other things Ordained by Authority of the same Parliament for hindering of all such Extortion Perjury and Oppression that no Sheriff should Let to Farm in any manner his County nor any of his Bailywicks Hundreds or Wapentakes nor that the said Sheriffs Undersheriffs Bailiffs of Franchises nor any other Bailiff should return upon any Writ or Precept to them directed to be returned any Inquest in any Panell thereupon to be made any Bailiffs Officers or Servants to any of the Officers aforesd in any Panell by them so to be made Nor that any of the said Officers and Ministers by Occasion or under Colour of their Office should take any other thing by them nor by any other Person to their use profit or avail of any person by them or any of them to be arrested or attached nor of no other of them for the omitting of any Arrest or Attachment to be made by their Body or from any person by them or any of them by force or Colour of their Office arrested or attached for fine for suit of Prison Mainprise letting to bail or shewing any Face of favour to any such person so arrested or to be arrested for their reward or profitt But such as follows (that is to say) for the Sheriff twenty Pence the Bailiff which maketh the Arrest or attachment four Pence And the Gaoler if the Prisoner be committed to his Ward four pence And that the Sheriff Undersheriffs Sheriffs Clerk Steward or Bailiff of Franchise Servant or Bailiff of Coroner should not take any thing by Colour of his Office by him nor by any other Person to his use of any person for the making of any return or Panell And for the Copy of any Panell but four pence And that the said Sheriffs And all other Officers and Ministers aforesd should Let out of Prison all manner of persons by them or any of them arrested or being in their Custody by force of any Writ Bill or Warrant in any Action personall or by Cause of Indictment by trespass upon reasonable Surtie of sufficient persons having sufficient within the Counties where such persons be so Let to Bail or Mainprise to keep their Days in such place as the said Writts Bills or Warrants should require such Person or Persons which were or should be in their Ward by Condemnation Execution Capias Ultegatum or Excommunicatum Surety of the Peace gaol such persons which were or should be committed to Ward by special Commandment of any Justices and Vagabonds refusing to serve according to the Statute of Labourers only except And that no Sheriff nor any of the Officers or Ministers aforesd should take or cause to be taken or make any Obligation for any Cause aforesd or by Colour of their Office but only to themselves of any person nor by any person which should be in their Ward by the Name of their Office and upon Condition written that the said Prisoners should appear at the Day Contained in the said Writt Bill or Warrant And in such place as the said Writts Bills or Warrants should require And if any of the said Sheriffs or other Officers or Ministers aforesd take any Obligation in other form by Colour of their Office that it should be void And if the said Sheriffs return upon any person Capi Corpus or Reddidit so that they should be chargeable to have the Bodies of such persons at the Days of the return of the said Writts Bills or Warrants in such form as they were before the making of the Act aforesd As by the same Act amongst other things more fully appears And the said William in fact saith that after the making of the Act aforesd And after the Suing out the Writ aforesd of him the said John King against the said Thomas Hammond above specifyed (to wit) the second Day of November Anno Dom Seventeen hundred and twenty two aforesd the Writ aforesd of the said John King to a certain Thomas Jobson of Ann Arundell County Gentleman then & long after Undersheriff and Gaoler of the said County in due form of Law deputed Sworn & admitted to the said Office of Under Sheriff and Gaoler for the County aforesd at the County aforesd was delivered And the said Thomas Jobson afterwards & before the Return of the same Writ (to wit) the second Day of November Anno Domini Seventeen hundred and twenty two at Ann Arundell County aforesd by Virtue of the same Writ and of his Office aforesd him the said Thomas Hammond did take & arrest And him the said Thomas Hammond did detain and safe keep in his Custody And the said Thomas Hammond so being in Custody of the said Thomas Jobson then being Undersheriff and Gaoler as aforesd for the Cause aforesd He the said Thomas Hammond by the Name of Thomas Hammond Junr and a certain Thomas Hammond Junr then being Security for the said Thomas Hammond Junr in pursuance & performance of the aforesd Clause of this Act of Parliament aforesd afterwards & before the return of the same Writ (to wit) the same Day and Year and place last mentioned at Ann Arundell County aforesd by their Writing Obligatory Sealed with their Seals bearing Date the same Day & Year last mentioned became bound Jointly and severally to the same Henry Hazenby then being Sheriff of the County aforesd by the Name of Henry Hazenby of Ann Arundell County Sheriff in the Sum of five hundred Pounds Current Money with Condition to the same Writing Obligatory subscribed that if the above mentioned Thomas Hammond Junr should make his personall Appearance before the Justices of the Provincial Court the second Tuesday of April then next to be holden at the City of Annapolis to answer unto John King of a Plea of Debt That then the said Obligation should be void & of no effect otherwise to stand & remain in full force & virtue in Law to all intents as by the said Writing Obligatory so by the said Thomas Hammond Junr & Thomas Hammond Senr made to the same Henry Hazenby then Sheriff of the County aforesd being in form aforesd and for the Cause aforesd at the time of the making the same Writing Obligatory was reasonable Security of Sufficient Persons (the said Thomas Hammond Junr and Thomas Hammond Senr having them (to wit) at the time of the making the same Writing Obligatory ——

(Sufficient)