render unto him the full Sum and just Quantity of two Hundred Thousand Pounds of good Sound Merchantable Leaf Tobacco and Cask which to him he owes and unjustly detains &c.

And Whereupon Henry Darnall Esquire Attorney General of the said Lord Propry who for the said Lord Propry in this behalf followeth saith that Whereas the afs. Nathan Rigbie on the Sixth Day of November Seventeen hundred and forty two at Baltimore County afs. by his certain Writing Obligatory Acknowledged himself to be held and firmly Bound unto the said Lord Propry in the afs. full Sum and just Quantity of two hundred Thousand Pounds of good Sound Merchantable Leaf Tobacco and Cask to be paid to the said Lord Propry when afterwards he should be thereunto required Nevertheless the said Nathan altho often thereunto required the said two hundred Thousand Pounds of good Sound Merchantable Leaf Tobacco and Cask or any part thereof to the said Lord Propry hath not rendered but the same to the said Lord Propry to render hath hitherto refused and still doth refuse to the Damage of the said Lord Propry in Eighty Thousand Pounds of Tobacco aforesaid and thereupon he brings Suit &c. and the said Attorney General of the said Lord Propry brings here into Court the Writing Obligatory afs. Sealed with the Seal of the afs. Nathan Rigbie whereof the Debt afs. in form afs. Witnesseth whose Date is the Day and Year aforesaid.

And the afs. Nathan Rigbie by Edward Dorsey his Attorney comes and Defends the Force and Injury when &c. and prays an hearing of the Writing Obligatory afs. and it is read unto him he also prays an hearing of the Condition of the same Writing and it is read unto him in these Words following Viz. The Condition of the above Obligation is such That if the above Bound James Rigbie do well and truly serve his Lordship his Heirs and Successors in the Office of High Sheriff of the County afs. within the Province afs. and in all things well and Faithfully Execute the same Office and also shall render unto his Lordship and other his Officers a True faithfull and perfect Account of all and singular his said Lordships Rights and Dues and to his Officers a True and just Account of their Fees that he shall and may be entrusted with by his said Lordships Governor and other his Officers within this Province to receive and Collect and his accompt to his said Lordship his Heirs and Successors and to his and their Governor here for the time being for the fines and forfeitures and other Dues belonging to his said Lordships Governor as also his Account of all Fees Dues and Sums of Money or Tobacco due to any of the good People of this Province for any Sum or Sums of Money or Tobacco wherewith the said Sheriff shall be Entrusted during the time of his Shrievalty for this present or to such of them as shall require the same shall pass and render by the Tenth of May next ensuing the Date hereof and all other things as Sheriff of the County afsd shall behave himself well and Honestly to all persons according to the best of his Power Skill and Knowledge then the above Obligation to be Void otherwise to stand and remain in full force & Vertue in Law

Which being read and heard the said Nathan Rigbie by his said Attorney prays leave to Imparle hereunto until next Court and he hath it and the same Day is given to the said Henry Darnall Esq. his Lordships Attorney General who &c. also

At which said next Court to wit the 14th Day of April Anno Dom. 1747 comes again as well the said Henry Darnall Esquire his Lordships Attorney General who &c. as the said Nathan Rigbie by his Attorney afs. and the said Nathan Rigbie by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it and the same Day is given to the said Henry Darnall Esquire his Lordships Attorney General who &c. also

At which said next Court to wit the 20th Day of October Anno Dom. 1747 comes again as well the said Henry Darnall Esquire his Lordships Attorney General who &c. as the said Nathan Rigbie by his Attorney afs. and the said Nathan Rigbie by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it and the same Day is given to the said Henry Darnall Esq. his Lordships Attorney General who &c. also

(At)

At which said next Court to wit the 17th Day of May Anno Dom. 1748 comes again as well the said Henry Darnall Esq. his Lordships Attorney General who &c. as the said Nathan Rigbie by his Attorney afs. and the said Nathan Rigbie by his said Attorney as before defends the Force and Injury when &c. and saith that the said Attorney General in behalf of the said Lord Propry his Action against him to have and maintain ought not because he saith that after the making the Writing Obligatory aforesaid and before the Issuing of the Original Writ in the Plea afs. he the said James did well and truly serve his Lordship the said Lord Propry in the Office of High Sheriff of the County of Baltimore within the Province aforesd and in all things well and faithfully did Execute the same Office and also did render unto his said Lordship and other his Officers a True faithfull and perfect Account of all and Singular his said Lordships Rights and Dues and to his Officers a true and just Account of their Fees that he was Intrusted with by his said Lordships Governor and other his Officers within this Province to receive and Collect and his Account to his said Lordship and his Governor for the Fines and Forfeitures and other Dues belonging to his said Lordships Governor as also his Account of all Fees Dues and Sums of Money or Tobacco wherewith he the said James was Intrusted during the time of his Shrievalty for that present and to such of them as did require the same did pass and render by the Tenth Day of May next ensuing the Date of the said Obligation and in all other things as Sheriff of the County afsd did behave himself well and Honestly to all Persons according to the best of his power skill and knowledge to wit at Baltimore County afsd and this he is ready to Verify and therefore prays Judgment if the said Attorney General for the said Lord Propry the Action afs. against him to have or maintain ought &c.

And the said Attorney General saith that by any thing above alledged the said Lord Propry from having and maintaining the Action afs. ought not to be Precluded because he saith that the said James Rigbie was and continued to be Sheriff of Baltimore County from the Date of the Writing afsd until the Sixth Day of November in the Year of our Lord Seventeen hundred and forty three to wit in the same County and that the said James Rigbie during his Continuance in the said Office to wit the twentieth Day of November in the Year Seventeen hundred Forty two was Intrusted by the said Benedict Bourdillon in his lifetime the said Benedict then being one of the Good People of this Province and Rector and Incumbent of St Paul Parish in the said County to Collect and Receive to the Use of the said Benedict in his lifetime Sixty one Thousand one hundred and twenty Pounds of Tobacco which arose and became due to the said Benedict in his lifetime from the Taxable Inhabitants of the said Parish for the forty Pounds of Tobacco & Poll for each and every Taxable Person residing in the said Parish which appertained by Law to the said Benedict in his lifetime as Incumbent of the said Parish for the receipt and Collection where of the said James was to have and receive to his own Use at the Rate of five Pounds of Tobacco for every hundred Pounds of Tobacco of the said Sixty one Thousand one hundred and twenty Pounds of Tobacco and the said Attorney General in Fact saith that the said James Rigbie on the Tenth Day of May in the Year of our Lord Seventeen hundred and forty three in the County afsd Recieved the said Sixty one Thousand one hundred and Twenty Pounds of Tobacco of which according to the Condition of the said Writing he ought to have paid to the said Benedict Bourdillon in his lifetime fifty eight Thousand and sixty four Pounds of Tobacco which remained due and Payable to the said Benedict in his lifetime after Deduction of three Thousand and fifty six Pounds of Tobacco for the Receipt and Collection of the said Sixty one Thousand one hundred and Twenty Pounds of Tobacco

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