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 Intrusted during the time of his Shereilty 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 aforesd 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 and Vertue in Law

Which being read and heard the said Shipwith Coale by his Attorney aforesd prays further leave to Imparle hereunto untill next Court and he hath it and the same Day is given to the said Henry Darnall Esqr his Lordships Attorney General who Kea also

At which said next Court to wit the 14th Day of April anno Dom. 1747 comes again as well the said Henry Darnall Esqr his Lordships Attorney General who Kea as the said Shipwith Coale by his Attorney aforesd and the said Shipwith Coale by his said Attorney prays further leave to Imparle hereunto untill next Court and he hath it and the same Day is given to the said Henry Darnall Esqr his Lordships Attorney General who Kea also

At which said next Court to wit the 20th Day of October anno Dom. 1747 comes again as well the said Henry Darnall Esqr his Lordships Attorney General who Kea as the said Shipwith Cole by his Attorney aforesd and the said Shipwith Cole by his said Attorney prays further leave to Imparle hereunto untill next Court and he hath it and the same Day is given to the said Henry Darnall Esqr his Lordships Attorney General who Kea also

At which said next Court to wit the 17th Day of May anno Dom. 1748 comes again as well the said Henry Darnall Esqr his Lordships Attorney General who Kea as the said Shipwith Cole by his Attorney aforesd and the said Shipwith Cole by his said Attorney as before Defends the force and Injury when Kea 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 aforesd and before the Issuing of the Original writ in the Plea aforesd 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 Exercise the same Office and also did render unto his said Lordship and other 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 due to any of the good People within this Province for every Sum or Sums of Money or Tobacco wherewith he the said James was Intrusted during the time of 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 the Sheriff of the County aforesd did behave himself well and honestly to all persons according to the best of his Power Skill and knowledge to wit at Baltimore County aforesd and this he is ready to Verefy and therefore prays Judgment if the said Attorney General for the said Lord Propry the Action aforesd against him to have or maintain ought Kea

And the said Attorney General saith that by any thing above alledged the said Lord Propry from having and maintaining the Action aforesd ought not to be precluded because he saith that the said James Rigbie was and continued to be Sheriff of Baltimore County from

from the Date of the writing aforesd untill 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 and 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's 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 Tapable Inhabitants of the said Parish for the forty Pounds of Tobacco a Poll for each and every Tapable Person residing in the said Parish which appertained by Law to the said Benedict in his lifetime as Incumbant of the said Parish for the receipt and Collection whereof the said James was to have and receive to his own Use at the rate of five Pound of Tobacco for every hundred Pounds of Tobacco of the said Sixty one Thousand one hundred and Twenty Pound of Tobacco and the said Attorney General further 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 aforesd received 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 Yet the said James altho often required the said fifty eight Thousand Sixty four Pounds of Tobacco to the said Benedict in his lifetime or to the said Janette since his Death to whom administration of all and singular the Goods and Chattels Rights and Credits which were of the said Benedict at the time of his Death in due form of Law was committed by Thomas White Gent. Deputy Commissary of Baltimore County who was legally authorized to Grant the Letters of Administration aforesd the Twenty second Day of January in the Year of our Lord Seventeen hundred and forty four in the said County as by the Letters of Administration produced here in Court may appear but the same to the said Benedict in his lifetime refused to pay and to the said Janette since his Death to pay hath hitherto refused and still doth refuse and this the said Attorney General is ready to Verefy and therefore prays Judgment for the Debt aforesd together with the Damage Sustained by Occasion of the Detention of that Debt to the said Lord Propry to be adjudged with this that the said Attorney General will Verefy that Janette Bourdillon herein mentioned and Janette Bourdillon in the said Letters of Administration and the Indorsement on the writ aforesd in this Cause is one and the same Person and not others nor Dwers

And the said Shipwith saith that he the said James did by the Tenth Day of May next ensuing the Date of the writing Obligatory aforesd at Baltimore County aforesd pay to the said Benedict Bourdillon in his lifetime the Tobacco in the Replication aforesd supposed to be due from the said James to the said Benedict Bourdillon and this he is ready to Verefy Wherefore as before he prays Judgment and that the said Attorney General from having and maintaining his Action may be Precluded Kea

And the said Attorney General saith that the said James Rigbie did not pay the Tobacco mentioned in the Replication aforesd to the said Benedict Bourdillon in his lifetime as the said Shipwith by his Rejoynder hath above alledged and this the said Attorney General prays may be enquired by the Country and the Defendant also

Whereupon for Trying the Issue aforesd Command is given to the Sheriff of Baltimore County that he cause to come before the Justices of the Provincial Court at Annapolis the third Tuesday of October next or before the Justices appointed to take the Assizes in his County if they