during the Continuance of the said Edward in the said Office he the said Edward Byone other Act of Assembly of this Province made and Passed at a Sessions of Assembly begun and held at the City of Annapolis aforesd the seventh Day of July in the Year seventeen hundred and forty aforesd Entituled an Act for Raising and Issuing Money for maintaining his Majestys Troops to be Raised in this Province and for Transporting them to the Place of Rendezvous in the West Indies was as Sheriff of the said County at the County aforesd required and Obliged by Vertues of his said Office to Receive and Collect from the several Ordinary Keepers in the said County the Sum of Ten Pounds Current Money aforesd to be by them paid for Obtaining Licences to keep Ordinary in the County aforesd and the same to Pay to the Commissioners or Trustees aforesd for which Collecting and Paying the aforesd Edward was by the said Act Impowered to take and Receive a Commission after the Rate of five Pounds per Centum and no more as by the said last mentioned Act Relation thereunto being had may (amongst other things) more fully appear Which Sum of Ten Pounds Current Money aforesd he the said Edward afterwards to wit on the tenth Day of May in the Year of our Lord seventeen hundred and forty two aforesd at the County aforesd as Sheriff as aforesd of and from the several Ordinary Keepers in the said County did Receive and Collect and which last mentioned Sum the said Edward ought by the Duty of his said Office (after deducting Ten Shillings Current Money aforesd therout for his said Commission) to have Paid to the said Commissioners or Trustees Nevertheless the aforesd Edward the Sum of Seventy five Pounds Six Shillings and two Pence Current Money aforesd Residue of the aforesd Sum of Seventy nine Pounds one Shilling and Six Pence farthing or the Sum of nine Pounds ten Shillings like Money Residue of the aforesd Sum of Ten Pounds Current Money aforesd to the Commissioners or Trustees aforesd (although often required) hath not paid but the same to them to Pay hath always hitherto Refused and still doth Refuse Contrary to the true Intent and meaning of the Condition of the said Writing And this the said Attorney General is Ready to Verify &c And therefore Prays Judgment for the Debt aforesd together with the Damages Sustained by Occasion of the Detention of that Debt to the said Lord Proprietary to be Adjudged &c

And the aforesd Edward Protesting that the Replication aforesd and the matter therein Contained are altogether insufficient in Law and to which he has no need nor by the Law of the Land is he held to Answer yet for Plea by way of Rejoynder he saith that before the Impetration of the Original Writ in this Cause to wit the tenth Day of May in the Year of our Lord One Thousand seven hundred and forty two at the County aforesd he the said Edward did pay unto the Commissioners or Trustees aforesd the aforesd Sums of Seventy five Pounds Six Shillings and two Pence three farthings Current Money of Maryland and nine Pounds ten Shillings like Money and of this he puts himself upon the Country And Henry Darnall Esqr his Lordships Attorney General &c &c also

Whereupon the said Edwd Trippe by his Attorney aforesd Offers himself Ready for Tryal against the aforesd Henry Darnall Esqr his Lordships Attorney General who &c in the Plea aforesd But the said Henry Darnall Esqr his

(Lordships)

Lordships Attorney General who Wealths Solemnly called comes not but makes Default

Therefore it is Considered by the Justices here that the said Lord Proprietary take nothing by his Writ aforesd And that the said Edward Trippe go thereof without Day &c

Mem. Robert Gordon and George Steuart Esqrs withdrew from the Bench on Rendering the above Judgment

Test

R Burle Clk

Ld The Lord Proprietary
Cly Henry Trippes Admx } Maryland ss Elizabeth Trippe late of Dorchester County Widow Admx of all and Singular the Goods and Chattels Rights and Credits of Henry Trippe late of Dorchester County Gent Deced who Dyed Intestate as is said otherwise called Henry Trippe of Dorchester County in the Province aforesaid was Summoned to Answer unto the Right Honourable Charles Lord Baron of Baltimore Proprietary of the Province aforesd of a Plea that she render unto him the full Sum and Just Quantity of Two Hundred Thousand Pounds of Good Sound Merchantable Leaf Tobacco and Cask which from him she unjustly Detains &c

And thereupon Henry Darnall Esquire Attorney General of the said Lord Proprty who for the said Lord Proprietary in this Behalf followeth saith that Whereas the aforesd Henry Trippe in his lifetime to wit on the thirteenth Day of August seventeen hundred and forty one at Dorchester County aforesd by his certain Writing Obligatory acknowledged himself to be held and firmly Bound unto the said Lord Proprietary in the aforesd full Sum and Just Quantity of Two Hundred Thousand Pounds of Good Sound Merchantable Leaf Tobacco and Cask to be Paid unto the said Lord Proprietary when afterwards he should be thereunto required Nevertheless neither the aforesd Henry Trippe in his life time nor the aforesd Elizabeth since the Death of him the said Henry Trippe (to which said Elizabeth the Administration of all and Singular the Goods and Chattels which were of the aforesd Henry Trippe at the time of his Death was at the County aforesd after the Death of him the said Henry Trippe in due form of Law Committed) although often thereunto required the aforesd Sum of Two Hundred Thousand Pounds of Good Sound Merchantable Leaf Tobacco and Cask unto the said Lord Proprietary hath rendered or Paid but the same to the said Lord Proprietary to Render or Pay they have altogether Refused and the said Elizabeth the same to Render or Pay still doth Refuse to the Damage of the said Lord Proprietary five Hundred Pounds Current Money of Maryland and thereupon he brings Suit &c And the said Attorney General of the said Lord Proprietary brings here into Court the Writing Obligatory aforesd Sealed with the Seal of the aforesd Henry Trippe which the Debt aforesd in form aforesd Witnesseth whose Date is the Day and Year aforesd

H Darnall

And the said Elizabeth Trippe Admx of the said Henry Trippe by Charles Goldsborough her Attorney comes and defends the force and Injury when &c And Prays an hearing of the Writing Obligatory aforesd and it is read unto her she also prays an hearing of the Condition of the same Writing and it is read unto her in these words following Viz. The Condition of the above Obligation is such that if the above Bounden Edward Trippe do well and truly serve the Right Honourable the Lord Baron of Baltimore Proprietary of the Province aforementioned in the Office of High Sheriff of the County of Dorchester within the Province aforesd and in all things well and faithfully Execute the same Office and also shall Render unto

(his)