to the place of Rendezvous in the West Indies was as Sheriff of the said County at the County afs. required and Obliged by Virtue of his said Office to Receive and Collect from the several Ordinary Keepers in the said County the Sum of Seventeen Pounds ten Shillings Current Money to be by them paid for Obtaining Licences to keep Ordinary in the County afs. And the same to Pay to the Commissioners or Trustees afs. for which Collecting and Paying the afs. Richard 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 Act Relation being thereunto had may (amongst other things) more fully appear which Sum of Seventeen Pounds ten Shillings Current Money afs. he the said Richard afterwards to wit on the tenth Day of May in the Year of our Lord seventeen hundred and forty four at the County afs. as Sheriff afs. of and from the several Ordinary Keepers in the said County did Receive and Collect and which Sum the said Richard ought by the Duty of his said Office (after Deducting seventeen Shillings and six Pence Current Money afs. thereout for his said Commission) to have paid to the said Commissioners or Trustees Nevertheless the afs. Richard the Sum of Sixteen Pounds twelve Shillings and six Pence Current Money afs. Residue of the afs. Sum of Seventeen Pounds ten Shillings like Money to the Commissioners or Trustees afs. (altho' 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 afs. together with the Damages Sustained by Occasion of the Detention of the Debt to the said Lord Propry to be Adjudged &c.

And the afs. John Howard Protesting that the Replication afs. of the said Lord Propry and the matter therein Contained are insufficient in Law and to which he hath no need nor by the Law of the Land is he in any sort held to Answer for Rejoinder saith that he the same Richard before the Impetration of the Original Writ of the said Lord Propry in this Cause to wit on the ninth Day of June in the Year of our Lord One Thousand seven hundred and forty four did pay and Satisfy unto the Commissioners or Trustees afs. the said Sum of Sixteen Pounds twelve Shillings and Six pence in the said Replication mentioned to wit at the County afs. And of this he puts himself upon the County And Henry Darnall Esquire his Lordships Attorney General who &c. also

Whereupon the said John Howard by his Attorney afs. Offers himself Ready for Trial against the afs. Henry Darnall his Lordships Attorney General who &c. in the Plea afs. But the said Henry Darnall Esq.r his Lordships Attorney General who &c. altho. Solemnly called comes not but makes Default

Therefore it is Considered by the Justices here that the said Lord Propry take nothing by his Writ afs. And that the said John Howard go thereof without Day &c.

Mem.d Robert Gordon and George Steuart Esq.rs withdrew from the Bench on Rendering the above Judgment. Test R Burdus Clk

H D DD The Lord Propry } Maryland ss. Philemon Hambleton late of Talbot County
a } Gentleman otherwise called Philemon Hambleton of Talbott
J T Cl Philemon Hambleton } County in the Provence afore said was Summoned to Answer unto the Right Honorable the Lord Propriet.r of a Plea that he 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

And Whereupon Henry Darnall Esquire Attorney General of the said Lord Propriet.ry who for the said Lord Propry in this behalf followeth saith that Whereas the said Philemon Hambleton the third Day of November seventeen hundred and forty three at Talbot County afs. by his certain Writing Obligatory acknowledged him self 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 Casque to be paid to the said Lord Propry when afterwards he should be thereunto Required Nevertheless the said Philemon Hambleton although often thereunto required the afs. Sum of two hundred Thousand Pounds of good Sound Merchantable Leaf Tobacco and Casque or any part thereof to the said Lord Propry when 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 five hundred Pounds Current Money of Maryland And therupon 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. Philemon Hambleton which the Debt afs. in form afs. Witnesseth whose Date is the Day and Year afs.

H Darnall

And the said Philemon Hambleton by James Tilghman his Attorney comes and defends the force and Injury when &c. And prays a hearing of the Writing Obligatory and it is read unto him he also prays a hearing of the Condition of the same Writing Obligatory and it is read unto him in these words following Viz.t The Condition of the above Obligation is such that if the above Bounden Richard Porter do well and truly serve the Right Honorable the Lord Propriet.or his Heirs and Successors in the Office of High Sheriff of the County of Talbot within the Province afs. and in all things well and faithfully Executes the same Office and also shall render unto his said Lordship & 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 or may be Intrusted with by his said Lordships Governor and other his Officers within this Provinle to Receive and Collect and his Account 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 within this Province for any Sum or Sums of Money or Tobacco wherewith the said Sheriff shall be Entrusted during the time of his Shievelty for this present or to such of them as shall Require the same shall pay and render by the tenth Day of May next Ensuing the Date hereof and in all other things as Sheriff of the County of Talbot shall behave him self well and honestly to all Persons according to the best of his Power Skill and knowledge then this Obligation to be Void and of none Effect or else to stand in full force Strength and Virtue

He also Prays an hearing of the Original Writ of the said Lord Proprietary in the Plea afs. and he hath it in the words and figures following Viz.t Maryland ss. Charles Absolute Lord and Propry of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Sheriff of Talbot County Greeting We Command you that you take Philemon Hambleton late of Talbot County Gentleman otherwise called Philemon Hambleton of Talbott County in the Province afore said if he shall be found in your Bailwick and him safe keep so that you have his Body before the Justices of our Provincial Court to be held at Annapolis the Second Tuesday of September next to Answer unto Us of a Plea that he render unto Us the full Sum and just Quantity of two hundred Thousand Pounds of good Sound Merchantable leaf Tob.o and Cask which to Us he owes and unjustly Detains &c. Hereof fail not at your Peril And have you then and there this Writ Witness Benjamin Young Esq.r Chief Justice of our Provincial Court the 26th Days of April in the 32d Year of our Dominion &c. Annoq Dom.i 1746

Issued July 17th 1746 (H Darnall) R Burdus Clk

(&c)