He also Prays an hearing of the Indorsement on the afs.d Writ and hath it in the words and figures following Viz.t Memd. the within Writ is Issued on Rich.d Porters Sheriffs Bond dated the 3.d day of November 1743 by Order of the Governor at the Request of the Lower House of Assembly of the Province of Maryland Test R Burdus Clk

Which being read and heard the said Philemon Hambleton by his Attorney afs.d Saving to himself all Advantages as well to the Writ as to the Declaration afs.d Prays Leave to Imparle hereunto untill next Court and he hath it and the same Day is given to Henry Darnall Esq.r his Lordships Attorney General who &c.a also

At which said next Court to wit the 14.th Day of April Anno Dom.i 1747 comes again as well Henry Darnall Esq.r his Lordships Attorney General who &c.a as the said Philemon Hambleton by his Attorney afs.d and the said Philemon Hambleton by his said Attorney Prays further Leave to Imparle hereunto untill next Court and he hath it and the same Day is given to Henry Darnall Esq.r his Lordships Attorney General who &c.a also

At which said next Court to wit the 20.th Day of October Anno Dom.i 1747 comes again as well Henry Darnall Esq.r his Lordships Attorney General who &c.a as the said Philemon Hambleton by his Attorney afs.d and the said Philemon Hambleton by his said Attorney Prays further Leave to Imparle hereunto untill next Court and he hath it and the same Day is given to Henry Darnall Esq.r his Lordships Attorney General who &c.a also

At which said next Court to wit the 1.st Day of May Anno Dom.i 1748 comes again as well Henry Darnall Esq.r his Lordships Attorney General who &c.a as the said Philemon Hambleton by his Attorney afs.d and the said Philemon Hambleton by his said Attorney Prays further Leave to Imparle hereunto untill next Court and he hath it and the same Day is given to Henry Darnall Esq.r his Lordships Attorney General who &c.a also

At which said next Court to wit the 18.th Day of October Anno Dom.i 1748 comes again as well Henry Darnall Esq.r his Lordships Attorney General who &c.a as the said Philemon Hambleton by his Attorney afs.d Whereupon as well Henry Darnall Esq.r his Lordships Attorney General who &c.a as the said Philemon Hambleton by his Attorney afs.d Suggest to the Court here that a Material Evidence in the said Cause is Beyond Seas without whose Testimony they cannot come to Tryal Whereupon the said Cause is Continued untill next Court

At which said next Court to wit the 16.th Day of May Anno Dom.i 1749 comes again as well Henry Darnall Esq.r his Lordships Attorney General who &c.a as the said Philemon Hambleton by his Attorney afs.d and the said Philemon Hambleton by his said Attorney Prays further Leave to Imparle hereunto untill next Court and he hath it and the same Day is given to Henry Darnall Esq.r his Lordships Attorney General who &c.a also

At which said next Court to wit the 17.th Day of October Anno Dom.i 1749 comes again as well Henry Darnall Esq.r his Lordships Attorney General who &c.a as the said Philemon Hambleton by his Attorney as before Defends the force and Injury when &c and saith that the said Lord Propry his Action afs.d against him to have or maintain ought not Because he saith that the same Richard Potter in the Condition afs.d named during all the time of his Shrievalty in the same Condition mentioned did well & truely serve the said Right Honorable the Lord Propry in the Office of High Sheriff of the County of Talbot within the Province afs.d 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 Lordships Rights and Dues and to his Officers a true

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and Just Account of their fees which during that time he was Intrusted with by his said Lordship Governor and other his Officers within this Province to Receive and Collect and his Account to his said Lordship and to his 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 and Tobacco due to any of the good People within this Province for any Sum or Sums of Money or Tobacco wherewith he the said Richard was Entrusted during the time of his Shrievalty for that present did pass and Render by the Tenth Day of May next Ensuing the Date of the Writing Obligatory afs.d and in all other things as Sheriff of the County of Talbot did behave himself well and honestly to all Persons according to the best of his Power Skill and knowledge to wit at Talbot County afs.d and this he is ready to Verify Wherefore he prays Judgment if the afs.d Lord Propry his Action afs.d against him to have or maintain ought &c.a

And the said Attorney General saith that the said Lord Propry by any Thing above in Pleading alledged from having his Action afs.d ought not to be precluded Because he saith that the afs.d Richard was from the afs.d third Day of November in the Year of our Lord Seventeen hundred and forty three to the third Day of November then next Ensuing Sheriff of Talbot County afs.d to wit at the said County And that during the Continuance of the said Richard in the said Office he the said Richard by an Act of Assembly of this Province made and Passed at a Session of Assembly Begun and held at the City of Annapolis the seventh Day of July in the Year seventeen hundred and forty Entitled An Act for Raising and Issuing Money for Maintaining his Majestys Forces 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 afs.d 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 Licenses to keep Ordinary in the County afs.d and the same to Pay to the Commissioners or Trustees afs.d for which Collecting and Paying the afs.d Richard was by the said Act empowered 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 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.d as Sheriff as afs.d of & 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 like Money thereout for his said Commission) to have paid to the Commissioners or Trustees Nevertheless the afs.d Richard the Sum of Sixteen Pounds twelve Shillings and Six pence Current Money afs.d Residue of the afs.d Sum of seventeen Pounds Ten Shillings like Money to the Commissioners or Trustees afs.d (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 he the said Attorney General is Ready to Verify &c.a And therefore Prays Judgment for the Debt afs.d together with the Damages Sustained by Occasion of the Detention of that Debt to the said Lord Propriety to be Adjudged &c.a

And the afs.d Philemon Hambleton Protesting that the Replication afs.d of the afs.d 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

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