September Term 1751

At which Said next Court to wit the 10th day of April Anno Dom 1750 Comes again as well the Said Henry Darnall Esq. Attorney General of the said Lord Propry who pr. as the afs. John Ross by his Attorney afsd and the said John Ross 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 Esq. Attorney General of the Said Lord Propry who pr. also

At which said next Court to wit the 11th day of September Anno Dom. 1750. Comes again as well the said Henry Darnall Esq. Attorney General of the Said Lord Propry. who pr. as the afs. John Ross by his Attorney afsd and the said John Ross by his said Attorney prays further to Imparle hereunto untill next Court and he hath it and the same day is given to Henry Darnall Esq. Attorney General of the said Lord Propry. who pr. also

At which said next Court to wit the 9th day of April Anno Dom 1751. Comes again as well the Said Henry Darnall Esq. Attorney General of the said Lord Propry. who pr. as the afsd John Ross by his Attorney Afsd and the Said John Ross 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 Esq. Attorney General of the said Lord Propry who pr. also

At which said next Court to wit the 10th day of September Anno Dom. 1751. Comes again as well the said Henry Darnall Esq. Attorney General of the said Lord Propry who pr. as the afsd John Ross by his Attorney afsd and the said John Ross by his said Attorney as before defends the force and Injury when pr. and saith that the said Lord Propry his Action afsd against him the said John to have or maintain ought not because he saith that the afsd William Thornton in the Condition afsd above mentioned did from (after the making the Writing Obligatory afsd well and truly serve his Lordship the Lord Propriatary of the Province afsd in the Office of high Sheriff of the County of Annarundel within the Province afsd and that he the said William did in all things well & faithfully Execute the same Office and did also render unto his said Lordship and other his Officers a true faithfull and perfect Account of their Fees that he was entrusted with by his said Lordships Governor and other his Officers within this Province to receive and collect and that he the said William his Accounts to his said Lordship and to his Governor here for the time being for the Fines and Forfeitures and other dues & dues belonging to his said Lordships Governor as also an Account of all Fees Dues & sums of Money and Tobacco due to any of the Good People within the said Province for any sum or sums of Money or Tobacco wherewith the said William as Sheriff was Entrusted during the time of his Shrievalty for that present or to such of them as required the same did render by the Tenth day of May then next ensuing the date of the said Writing Obligatory And that the said William in all other things as Sheriff of the County of Annarundel afsd did behave himself well and honestly to all Persons according to the best of his Power Skill and Knowledge to wit at the County afsd and this he is ready to Verify pr. wherefore he prays Judgment if the afsd Lord Propry. his Action afsd against them the said John to have or maintain ought pr.

And the Said Attorney General of the said Lord Propry. saith that he by any thing Preallegged from maintaining the Action afsd against the said John Ross ought not to be Barred because Protesting that he the said William Thornton hath not Observed performed fulfilled or kept any of the Articles Clauses or things in the Condition afsd Specified for Plea or Replication the same Attorney General for the afsd Lord Propry. Nevertheless saith that the said William Thornton was and continued high Sheriff of the said Annarundel County from the nineteenth day of December in the Year of our Lord Seventeen hundred and forty five until the nineteenth day of December in the Year of our Lord Seventeen hundred & forty seven to wit at Annarundel County afsd and that by a certain Act of Assembly made at a Session of Assembly begun and held at the Port of Annapolis in Annarundel County afsd on the fifteenth day of March in the Year of our Lord One Thousand (Seven)

1370.

September Term 1751

Seven hundred and one two Intituled An Act for the Establishment of Religious Worship in this Province according to the Church of England and for the Maintenance of Ministers It was amongst other things Enacted that the Church Wardens and Vestry of the respective Parishes in this Province should satisfy and pay the Parochial Charges and all Necessary Repairs and Amendments of their respective Churches Chappels or Church-Yards and cause the same at all times to be repaired and amended as occasion should require out of such Gifts Goods and Chattels as should come to their hands for the Church or Parish Use, And towards the Payment of which Parochial Charges all the Fines Forfeitures and Mulcts by this Law Incurred should be levyed by the Church Wardens in each Respective Parish and by them accordingly Applyed And in case they should not have sufficient Effects to pay Parochial Charges as afsd or to make such Necessary repairs as were required then and not otherwise it should be Lawfull for the Justices of the County Courts upon Application of such Parish Vestry and Church Wardens to Assess the respective Parishes by a certain Sum of Tobacco not exceeding Ten Pounds of Tobacco by the Poll in any one Year, such Assessment made by such County Court and a Certificate thereof under the County Seal should be sufficient to the Sheriff of such County to levy such Tax by the Poll on the Taxables of such Parishes in the like manner that other Publick Dues were levyed and should not deduct above five per hundred for his Salary and pay the same to such Vestry for the Use afsd as by the said Act now in full force and vigour more at large appears By Virtue whereof the Justices of the said Annarundel County Court held in and for the said County on the Eleventh day of November in the Year of our Lord Seventeen hundred forty five on the Application of the said Westminster Parish in the afsd County and the Vestry and Church Wardens thereof they the said Church Wardens and Vestry not having sufficient Effects to pay Parochial Charges as afsd or to make repairs did Assess the said Westminster Parish by the Quantity of five Pounds of Tobacco per Poll for the Number of five hundred & sixteen Taxables which in the whole amounted to the Quantity of three Thousand & eighty Pounds of Tobacco, and which Assessment so as afsd made and a Certificate thereof under the Seal of the said Annarundel County were delivered on the twenty fifth day of December in the Year of our Lord Seventeen hundred forty & six in Annarundel County afsd to the said William Thornton during his Continuance and Business of high Sheriff of Annarundel County afsd to be levyed by the Poll on the Taxables of the said Westminster Parish and which said three Thousand and eighty Pounds of Tobacco so Intrusted to him as afsd he the said William Thornton afterwards and during his Continuance of the Business and Office of high Sheriff of the said Annarundel County to wit on the ninth day of May in the Year of our Lord Seventeen hundred forty and Seven in Annarundel County afsd did Collect of and from the several Taxables and Inhabitants of and residing in the said Westminster Parish, And altho' the said William Thornton did afterwards Account for and Satisfy unto the said Church Wardens and Vestry of the said Westminster Parish the Quantity of fifteen hundred and ninety five Pounds of Tobacco part of the said three Thousand and eighty Pounds of Tobacco Nevertheless the afsd William Thornton altho requested by the said Church Wardens and Vestry of the said Westminster Parish on the first day of August in the Year of our Lord Seventeen hundred forty & Seven and often afterwards at Annarundel County afsd the Quantity of fourteen hundred and thirty one Pounds of Tobacco the residue and remaining part of the said three Thousand and eighty Pounds of Tobacco after the Deduction of the said five for every Hundred Pounds of Tobacco allowed by the said Act for Collection at and after the rate of five Pounds per Cent hath not rendered an Account of and satisfied and paid unto the said Church Wardens and Vestry of the said Westminster Parish for the Use of the said Parish and Purposes in the said Act of Assembly mentioned But the same Quantity of fourteen hundred and thirty one Pounds of Tobacco the said William Thornton to render an Account of and pay and satisfy to the said Church Wardens and Vestry of the said Westminster Parish for the Use of the said Parish and Purposes in the said Act of Assembly mentioned (hitherto)