Which being read and heard the same Henry further saith that the aforesaid Attorney General of the Said Lord Proprietary that now is the Action aforesaid thereof against him the Said Henry to have and Maintain ought not because he saith that the Writ aforesaid in the Plea aforesaid on the writing aforesaid was ifsued and the Action aforesaid on the same writing was brought at the request of the aforesaid Anthony Bacon and Henry Lowes and to and for their Sole and proper use benefit and Advantage and that by an Act of Assembly of this Province made at a Session of Assembly begun and held at the City of Annapolis the Ninth day of July Anno Dom Seventeen hundred and Twenty Nine Entituled an Act to prevent rigarous prosecutions on Sheriffs, Testamentary, Administration and Deputy Commissarys Bonds it was amongst other things Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the Same that all Actions after that Time to be brought on Sheriffs Bonds after that Time to be passed Should be Sued or brought within the Space of Five Years after the Passing such Bond and not afterwards and all Actions thereafter to be brought on Sheriffs Bonds before that Time entered into should be brought and Comenced within three Years after the End of that present Session of Assembly and not afterward as by the Same Act among other things may fully appear and the aforesaid Henry in fact Saith that the writing aforesaid was by the Said Ennalls Hooper in the Condition aforesaid of the Same Writing mentioned and by him the Said Henry on the Twelfth day of November in the year of our Lord Seventeen hundred and Forty Eight at Dorchester County aforesaid Sealed and delivered

(as)

as their Act and Deed and not after and that the Original Writ of the aforesaid Lord Proprietary in the Plea aforesaid against him the Said Henry on the writing aforesaid was Impetrated and ifsued the fourth day of July in the Year Seventeen hundred and fifty four and not before and so the Said Henry saith that the Writ aforesaid in the Plea aforesaid was not ifsued and the Action aforesaid on the writing aforesaid was not sued or brought within the Space of five Years after the Passing the Bond or Writing aforesaid and this he is ready to verify wherefore he prays Judgment if the aforesaid Attorney General of the Said Lord Proprietary the Action aforesaid thereof against him to have or maintain Ought &c.

As to the first Plea of him the Said Henry the Said Attorney General for the Said Lord Proprietary that now is Saith that by any thing by the Said Henry in the Same Alledged the Said Lord Proprietary from having and maintaining his Action aforesaid to be Precluded ought not because he Says that the Said Ennalls Hooper during the time of his Shrievalty of Dorchester County aforesaid had on the first of March in the Year of our Lord Seventeen hundred and forty Eight received by Virtue of two Severall Writs of Capias ad satisfaciendum to him as Sheriff of the Same County directed of and from a Certain Thomas Foster the Several Sums of eight thousand two hundred and fifty four pounds and an half pound of Tobacco Debt and one thousand and Sixty eight pounds and one Quarter of a pound of Tobacco Damages and likewise one thousand nine hundred twelve and an half pounds of Tobacco and Twenty Shillings Current Money Debt and Seven hundred and Eighty Seven pounds of Tobacco and four Shillings and two pence three farthings Damages to and for the Use of the aforesaid Anthony Bacon and Henry Lowes (at

(whose)