Which being read and heard the said Thomas saith that the said Attorney General for the Lord Proprietary that now is the Action aforesaid against him the said Thomas to have or Maintain ought not because he saith that after the making the Writing Obligatory aforesaid and before the issuing aforesaid in the Plea aforesaid the said Thomas Sheredine in the Condition of the Writing Obligatory mentioned did well and truly serve his Lordship his Heirs and Successors in the Office of High Sheriff of the County of Baltimore within the Province aforesaid and in all things did well and faithfully execute the same Office and also did render unto his said Lordship and other his Officers a true faithful 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 was entrusted with by his said Lordships Governor and other his Officers within this Province 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 Thomas Sheredine was entrusted during the Time of his Shrievalty for that present or to such of them as did require the same did pass and render by the Tenth day of May next ensuing the Date of the said Writing Obligatory and in all other things as Sheriff of the County of Baltimore did behave himself well and honestly to all Persons according to the best of his power skill and knowledge to wit at Baltimore County aforesaid and this he is ready to Verify wherefore he prays Judgment if the aforesaid Attorney General for the said Lord Proprietary that now is the Action aforesaid against him the said Thomas to have or maintain ought &c.

And the aforesaid Thomas by Leave of the Court here and according to the Form of the Statute in such Case made and Provided further by his said Attorney defends the force and Injury when &c. and saith that the aforesaid Attorney General for the said Lord Proprietary that now is the Action aforesaid against him the said Thomas to have or Maintain Ought not because he saith that at a Sefsion of Assembly begun and held at the City of Annapolis in Maryland the Tenth day of July Seventeen hundred and twenty Nine an Act was made and Enacted entituled an Act to prevent vigorous Prosecutions on Sheriffs Testamentary Administration and Deputy Commissaries Bonds by which said Act it was 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 among other things that all Actions thereafter to be brought on Sheriffs Bonds thereafter to be passed should be sued or brought within the Space of five Years after the passing such Bond and not afterwards as by the said Act among other things more fully appears And the said Thomas further saith that the Writing Obligatory aforesaid was passed after making and enacting the Act aforesaid to wit on the Sixth day of November in the Year One thousand Seven hundred and fifty at the County aforesaid and that the Action aforesaid was not sued or brought on the aforesaid Writing Obligatory within the Space of five Years after the passing the same and this he is ready to Verify wherefore he prays Judgment if the said Attorney General for the said Lord Proprietary the Action aforesaid against him the said Thomas to have or Maintain Ought &c.

As to the fast plea and the aforesaid Attorney General for the said Lord Proprietary that now is in like manner and so forth

(Read)

And as to the Second Plea aforesaid of the aforesaid Thomas above pleaded the said Attorney General saith that the said Lord Proprietary that now is by any thing therein Alledged from having his Action aforesaid to be precluded ought not because he saith that by an Act of Assembly of this Province made and passed at a Sefsion of Assembly begun and held at the City of Annapolis the Seventeenth day of June Seventeen hundred and forty six Entituled an Act for issuing and taking out of the Office of the Commissioners or Trustees appointed for Emitting Bills of Credit Established by Act of Assembly the Sum of Four thousand five Hundred pounds Current Money for Encouragement of such able bodied Freemen as shall Voluntarily enlist themselves into his Majesty's Service for the intended Expedition against Canada and for Maintaining and Conveying them to the Place of Rendezvous as also for Replacing of the said Sum and for the better Regulating Ordinaries and Ordinary Keepers and for other Purposes therein Mentioned amongst other things it is Enacted that all and every Person taking Ordinary Licences pursuant to the said Act should at the Time of having such Licence granted pay to the Sheriff of the respective Countries where such Person or Person should inhabit the Fine or Sum to be paid for Ordinary Licences in the said Act Mentioned which the said Sheriffs respectively were thereby required and Obliged by Vertue of their Office to receive as well as to Collect and receive all Fines and Forfeitures arising on the Breach of any part of the said Act by such Ordinary Keepers for receiving Collecting and Paying of which Fines and Forfeitures the said Sheriffs should be allowed a Salary of five pounds per Cent and the said Several and respective Sheriffs were by the Act aforesaid Obliged and required to pay all such Sum or Sums of Money as should come to their Hands by Vertue of that Act for Ordinary Licences or Fines and Forfeitures as aforesaid to the Commissioners or Trustees aforesaid on or before the Last day of April every Year during the Continuance of the said Act as by the said Act relation being thereunto had may appear and the said Attorney General in fact saith that the aforesaid Thomas Sheredine in the Condition aforesaid above mentioned as Sheriff as aforesaid during his Continuance in the said Office to wit on the thirty first day of August Seventeen hundred and fifty One at Baltimore County aforesaid by Vertue of the Act of Assembly aforesaid did receive of and from Sundry Persons Inhabitants of Baltimore County aforesaid taking Ordinary Licences pursuant to the said Act the Sum of Eighty pounds Current Money out of which said Sum of Money the said Thomas Sheredine was Entituled unto four pounds Current Money for his Salary aforesaid and Seventy Six pounds Current Money the Residue thereof ought to have been by him paid to the said Commissioners or Trustees on or before the Last day of April then next Ensuing Nevertheless the aforesaid Thomas Sheredine the aforesaid Sum of Seventy Six pounds Current Money Residue aforesaid to the Commissioners or Trustees aforesaid (Altho often thereunto 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 aforesaid and this the said Attorney General is ready to Verify and so forth and therefore prays Judgment for the Debt aforesaid together with the Damages Sustained by Occasion of the Detention of that Debt to the said Lord Proprietary that now is to be adjudged and so forth

And as to the third Plea aforesaid of the aforesaid Thomas above Pleaded the said Attorney General saith that the said Lord Proprietary that now is from having and Maintaining his Action aforesaid and for any Thing therein Alledged to be precluded Ought not because he saith that by an Act of Assembly of this Province made and passed at a Sefsion of Assembly begun and held at the City of Annapolis in Maryland the Second day of October Seventeen hundred and fifty three Entituled an Act for securing and recovering the Money therein mentioned reciting that Several large and Considerable Sums of Money had theretofore been received by Sundry Sheriffs within this Province on Account of Ordinary Licences and for the Use of the Publick which then remained due from and unpaid by Sheriffs and that it was apprehended that in case of Suits brought against such Sheriffs the length of Time since the Receipt of such money might be a Bar to such Suits to Prevent which it is Enacted That in any Action or Actions to be Commenced upon any Sheriffs Bond within this Province or Scire facias to be prosecuted upon any Judgment on such

(Bond)