General for the said Lord Proprietary the Action aforesaid against him the said Walter to have or maintain Ought &c. — And the aforesaid Walter 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 Walter to have or Maintain ought not because he Saith that at a Session 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 entitulled an Act to prevent Vexatious 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 Walter further Saith that the Writing Obligatory aforesaid was passed after making and enacting the Act aforesd to wit on the Sixth day of March in the Year One thousand Seven hundred and fifty at the County aforesd 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 Walter to have or Maintain Ought &c. —

As to the first Plea and the aforesaid Attorney General for the said Lord Proprietary that now is and so forth — And as to the Second Plea aforesaid of the aforesaid Walter Tolley 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 Session of Assembly begun and held at the City of Annapolis the Seventeenth day of June Seventeen hundred and forty Six Entitulled 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 Majestys 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 County where such person or Persons 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 Virtue 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 Virtue of that Act for Ordinary Licences or fines and forfeitures as aforesaid to the Commissioners or Trustees (aforesaid)

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 first Day of March Seventeen hundred and fifty two at Baltimore County aforesaid by Virtue 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 the said Thomas Sheredine was Entitulled unto four pounds Current Money for his Salary aforesaid and Seventy Six pounds 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 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 to be adjudged and so forth —

And as to the third plea aforesaid of the aforesaid Walter Tolley above pleaded the said Attorney General Saith that the said Lord Proprietary that now is from having and Maintaining his Action aforesaid 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 Session of Assembly begun and held at the City of Annapolis in Maryland the Second day of October Seventeen hundred and fifty three Entitulled an Act for Securing and recovering the Money therein mentioned recitting 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 Public which then remained due from and unpaid by such 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 for Money or Tobacco theretofore received by such Sheriff on Account of Ordinary Licences and for the Use of the Public of this Province such Sheriff and his Heirs Executors and Administrators Should not be entitulled to or have any Benefit or Advantage of any Act or Acts of Limitation any Law to the Contrary notwithstanding and the aforesaid Attorney General further Saith that the Writing Obligatory aforesaid by the aforesaid Thomas Sheredine in the Condition aforesaid Mentioned as Sheriff of Baltimore County aforesaid and him the said Walter Tolley was made and the aforesaid Thomas Sheredine as Sheriff aforesaid receive the aforesaid Sum of Eighty pounds Current Money on Account Ordinary Licences and for the Use of the Publick of this Province before the making and passing the Act of Assembly aforesaid to wit at Baltimore County 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 to be adjudged and so forth —

And the said Walter Tolley as to the Replication of the said Attorney General as to the Second Plea of the said Walter Tolley Protesting that the said Thomas Sheredine in the Condition of the Writing Obligatory above mentioned as Sheriff of Baltimore County aforesaid did not receive of and from the Inhabitants of Baltimore County aforesaid taking Ordinary Licences the Sum of Eighty pounds Current Money as the said Attorney General above hath Alledged for Plea the said Walter Tolley Saith that the said Thomas Sheredine did before the last day of April in the Year of our Lord One thousand Seven hundred and fifty two to wit on the twentieth day of April in the same Year pay to the Commissioners or Trustees aforesaid the aforesaid Sum of Seventy Six pounds Current Money in the said Replication mentioned to wit at Baltimore County aforesaid And of this he puts himself upon the (Coun)