Authority of the Said General Assembly 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 John further saith that the Sheriffs Bond aforesaid upon which the Action aforesaid hath been brought was passed after making and Enacting the Act aforesaid to wit on the Day of In the Year of our Lord Seventeen hundred and at Prince Georges County aforesaid and that the said Action was not Sued or brought on the said Sheriffs Bond within the Space of five Years after passing the same and this the said John is ready to Verify &c. wherefore he prays Judgment if the said Attorney General for the said Lord Proprietary the Action aforesaid against him the said John to have or maintain ought &c.

As to the first plea and the aforesaid Attorney General for the said Lord Proprietary that now is in like manner and so forth — And as to the Second Plea aforesaid of the aforesaid John 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 the aforesaid John was from the aforesaid Twenty Seventh Day of August Seventeen hundred and forty four to the twenty eighth day of August Seventeen hundred and forty five Sheriff of Prince Georges County aforesaid to wit at the said County and that during the Continuance of the said John in the said Office 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 entitulled 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 he the same John as Sheriff of the same County at the County aforesaid was required and obliged by Vertue of his said Office to receive and Collect from the Several Ordinary Keepers in the said County the Sum of One hundred Pounds Current Money to be by them paid for Obtaining Licences to keep Ordinary in the County aforesaid and the same to pay to the Commissioners or Trustees for emitting the Bills of Credit established by Act of Assembly for which collecting and paying the aforesaid John was by the said Act impowered 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 One hundred Pounds Current Money he the said John afterwards to wit on the Twenty eighth day of August in the Year of our Lord Seventeen hundred and forty five aforesaid at the County aforesaid as Sheriff as aforesaid of and from the Several Ordinary Keepers in the said County did receive and Collect and which last mentioned Sum the said John ought by the Duty of his said Office (after deducting five Pounds Current Money thereout for his said Commission) to have paid to the said Commissioners or Trustees Nevertheless the aforesaid John the Sum of Ninety five Pounds Residue of the aforesaid Sum of One hundred Pounds Current Money to the Commissioners or Trustees aforesaid (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 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 Detention of that Debt to the said Lord Proprietary to be adjudged &c. so forth.

And as to the third Plea aforesaid of the aforesaid John above pleaded the said Attorney General (saith)

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 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 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 heretofore received by such Sheriff on Account of Ordinary Licences and for the Use of the Publick 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 of the aforesaid John as Sheriff of Prince Georges County aforesaid was made and the aforesaid John as Sheriff aforesaid did receive the aforesaid Sum of One hundred Pounds Current Money on Account of 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 Prince Georges 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 aforesaid John Cooke as to the Replication of the Said Attorney General for the said Lord Proprietary to the Second Plea of him the Said John protesting that the Replication aforesaid and the matter therein Contained are insufficient in Law for the Said Attorney General for the Said Lord Proprietary his Action aforesaid against him the Said John to have and maintain and protesting also that he the Said John did not receive the said Sum of One hundred Pounds Current as aforesaid for Plea by way of Rejoinder Nevertheless he saith that before the Impetration of the Original Writ in this Cause to wit on the last day of April In the Year of our Lord One thousand Seven hundred and forty Six at Prince Georges County aforesaid the Said John Cooke in the Condition aforesaid mentioned did pay unto the Commissioners or Trustees aforesaid the Said Sum of Ninety five Pounds Current Money and of this he puts himself upon the Country —

And as to the Replication of the Said Attorney General for the Said Lord Proprietary to the third Plea of him the Said John the Said John Says that the Said Replication and the Matter therein contained are not Sufficient in Law for the Said Attorney General on behalf of the Said Lord Proprietary to have and Maintain his said Action against him the Said John and that he has no Need nor is Obliged by the Law of Land to Answer to the Said Replication in manner and form aforesaid pleaded and this he is ready to verify wherefore for Defect of a Sufficient Replication in this behalf the Said John prays Judgment and that the Said Attorney General for the Said Lord Proprietary may be barred from having his Said Action against him the Said John and so forth —

And the Said Attorney General of the Said Lord Proprietary that now is who and so forth (as)