assessable property in the said county to be collected in the same manner at the same times, and by the same persons as other county taxes are collected and shall be paid quarter yearly into the hands of the commissioners aforesaid; and the said State by William Cooke further saith that after the passing the said act, and before the making the said writing obligatory at a Levy court held at the city of Annapolis in and for Anne Arundel County on the fourth Tuesday of November in the year seventeen hundred and ninety two, there was assessed and levyed to said commissioners for laying out the road through Ann Arundel County by the justices of the peace for said county, the sum of six hundred and twenty seven pounds nine shillings current money to be collected from the assessable property in the said county, and to be paid to the said commissioners pursuant to the directions of the said act, and the said State by William Cooke further saith that the said William Goldsmith then being collector of the assessments and county taxes of the said county for the year seventeen hundred and ninety two aforesaid thereunto duly authorized and appointed then and there had notice that the sum of six hundred and twenty seven pounds nine shillings current money was assessed and levied by the said Justices to the use of the said commissioners, and the said William Goldsmith as collector of the assessments and taxes aforesaid was then and there by virtue of the Acts of assembly aforesaid entrusted and authorized to collect and receive the same and so being entrusted and authorised to collect and receive the same he the said William Goldsmith afterwards and before the impetration of the original writ in this cause as collector of the assessments and taxes of the said county did collect and receive from the assessable property in the said County the aforesaid sum of six hundred and twenty seven pounds nine shillings current money to wit, at the county aforesaid; Nevertheless the said William Goldsmith the said sum of current money or any part thereof hath not paid to the said commissioners, but hath wholly neglected and refused so

to

to do; and this the said State is ready to verify; wherefore he the said William Cooke prays judgment for the said State for the debt aforesaid together with damages for the detention thereof to the said State to be adjudged and so forth. And thereupon on the motion of the State of Maryland by William Cooke its attorney aforesaid in this behalf, It is ruled by the court here, that the said Richard Chew rejoin to the replication aforesaid of the aforesaid State of Maryland in the plea aforesaid, or judgment by the court here will be entered against him in default thereof. And the said Richard Chew by his attornies aforesaid as before defends the force and injury when and so forth; and further prays leave of the court here to imparle until the second Tuesday of October next, and then to rejoin to the replication aforesaid of the aforesaid State of Maryland in the plea aforesaid and to him it is granted, the same day is given to the aforesaid State also.

At which said second Tuesday of October being the tenth day of the same month in the year of our Lord one thousand seven hundred and ninety seven, to which said day the said Richard Chew had further leave to imparle, and then to rejoin to the replication aforesaid of the aforesaid State of Maryland in the plea aforesaid, come again into the General Court here as well the aforesaid State of Maryland by William Cooke its attorney aforesaid in this behalf, as the said Richard Chew by his attornies aforesaid. And the said Richard Chew by his attornies aforesaid saith that the plea aforesaid by the State aforesaid in manner and form above in replying pleaded, and the matter in the same contained are not sufficient in Law to maintain the action aforesaid of the said State thereof against him the said Richard, and that he the said Richard to the plea aforesaid in manner and form aforesaid pleaded hath no necessity nor is by the Law of the Land obliged in any manner to answer, and this he is ready to verify. Wherefore for want of a sufficient replication in this behalf the said Richard as before prays judgment, and that the said State may be precluded from the action aforesaid thereof against him and so forth.

And the aforesaid State of Maryland by William Cooke its attorney aforesaid in this behalf says, that the plea aforesaid by the said State of Maryland in manner and form aforesaid above by replying pleaded, and the matter in the same contained, are good and sufficient in Law to maintain the action of the aforesaid

State