Thousand one hundred and five Pounds of Tobacco and which Assessment so as afsd made and a Certificate thereof under the Seal of the said Annarundel County were delivered on the twenty fifth day of December in the Year of our Lord Seventeen hundred forty and seven in Annarundel County afsd to the said William Thornton during his Continuance and Business of high Sheriff of Annarundel County afsd to be levyed by the Poll on the Taxables of the said Westminster Parish and which said three Thousand one hundred and five Pounds of Tobacco so Intitled to him as afsd he the said William Thornton afterwards and during his Continuance of the Business and Office of high Sheriff of the said Annarundel County to wit on the ninth day of May in the Year of our Lord Seventeen hundred forty and eight in Annarundel County afsd did Collect of and from the several Taxables and Inhabitants of and residing in the said Westminster Parish and all the said William Thornton did afterwards Account for and satisfy unto the said Church Wardens and Vestry of the said Westminster Parish the Quantity of Eighteen hundred and seventy five Pounds of Tobacco part of the said three Thousand one hundred and five Pounds of Tobacco — Nevertheless the afsd William Thornton all the requested by the said Church Wardens and Vestry of the said Westminster Parish on the first day of August in the Year of our Lord Seventeen hundred forty and eight and often afterwards at Annarundel County afsd the Quantity of Twelve hundred and Seventy five Pounds of Tobacco the residue and remaining part of the said three Thousand One hundred and five Pounds of Tobacco after the deduction of the said five for every hundred Pounds of Tobacco Allowed by the said Act for Collection at and after the rate of five Pounds per cent hath not rendered an Account of and satisfied & paid unto the said Church Wardens and Vestry of the said Westminster Parish for the use of the said Parish and Purposes in the said Act of Assembly mentioned But the same Quantity of Twelve hundred and seventy five Pounds of Tobacco the said William Thornton to render an Account of and pay and satisfy to the said Church Wardens and Vestry of the said Westminster Parish for the use of the said Parish and Purposes in the said Act of Assembly mentioned hitherto hath Neglected and refused and still doth refuse and unjustly detain Contrary to the Duty of his Office afsd and the form and effect of the Condition afsd And this the said Attorney General is ready to Verify for the said Lord Propry. wherefore for the same Lord Propry. he prayeth Judgment for the Debt afsd and the Damages Occasioned by detaining the said Debt unto the said Lord Propry to be Adjudged and for the

And the afsd John Protesting that there is not any such Act of Assembly as the afsd Attorney General hath in his Replication afsd set forth Protesting also that if the said William could Collect the five Pounds of Tobacco per Poll in the said Replication mentioned upon no more than five hundred Taxables and Inhabitants of the said Westminster Parish which in the whole amounts only unto the Sum of three thousand Pounds of Tobacco And also Protesting that the Replication afsd of the said Lord Propry. is Insufficient in law nor is he the said John bound by the Law of the Land bound thereto in any manner to Answer For Plea Nevertheless by way of Rejoinder he the said John saith that as to the Quantity of three hundred and forty six Pounds of Tobacco part of the afsd Quantity of twelve hundred and seventy five Pounds of Tobacco in the Replication afsd of him the said Lord Propry mentioned the afsd William doth not Owe to the afsd Vestry of Westminster Parish afsd the afsd Quantity of three hundred & forty six Pounds of Tobacco afsd nor any part thereof in such manner and form as the said Lord Propry. above by his Replication hath Alledged and of this he puts himself upon the Country and the afsd Lord Propry. in like manner — And as to the Quantity of Nine hundred and twenty nine Pounds of Tobacco residue of the afsd Quantity of Twelve hundred and seventy five Pounds of Tobacco afsd he the said John saith that the said William before the Impetration of the Original Writ of the said Lord Propry in this Cause to wit on the fifth day of May in the Year of our Lord Seventeen hundred and forty nine at Annarundel County afsd had the Quantity of Nine hundred

(and)

Nine hundred and twenty nine Pounds of Nett Tobacco ready in One Hogshead and then and there Offered the same to the Vestry of Westminster Parish afsd in lieu of and satisfaction for the like Quantity of Tobacco in the afsd Replication mentioned as due from him the said William to the afsd Vestry which Nine hundred and twenty nine Pounds of Tobacco was by the said Vestry Neglected to be received And the afsd John further saith that afterwards and between the first day of November Seventeen hundred and forty eight and the last day of May in the Year of our Lord Seventeen hundred and forty nine to wit on the twenty second day of May in the Year last afsd at the County afsd he the said William did repair to a certain Thomas Jennings Gentleman One of the Justices of the said Right Honble the Lord Propry. for the County afsd and before him then and there did make Oath that he the said William had Offered the Tobacco due from him the said William to the Vestry of Westminster Parish to the said Vestry and that they had Neglected and delayed to receive the same Whereupon a certain John Howard Gentleman one other of the Justices of the said Lord Propry. for the afsd County afterwards to wit on the twenty fifth day of May in the Year last afsd at the County afsd did Appoint Thomas Wright and Aaron Hawkins two sufficient Persons and Freeholders in the Neighbourhood (not being of Kin either to the said William or to the said Vestry) where the said William did Dwell to View Search and Examine such Tobacco so then ready to be paid in discharge of the said Debt and Tendered as afsd and which said Thomas and Aaron did afterwards to wit on the day and Year last afsd at the County afsd take their Oaths Administred by the said John Howard well and truly to View Search and Examine the Tobacco due from and as afsd Tendered by the afsd William to the afsd Vestry whether the same were Clean bound and Merchantable and to make Report thereof to him the said John Howard or to some other Magistrate of the said County And the afsd John further saith that afterwards and before the Impetration of the Original Writ of the said Lord Propry in this Cause to wit on the twenty sixth day of May in the Year last afsd at the County afsd they the said Thomas Wright and Aaron Hawkins did View Search and Examine the Tobacco due from and as afsd Tendered by the said William to the said Vestry and upon the View Search & Examination afsd the said Tobacco being by the afsd Thomas and Aaron found Clean bound and Merchantable and fit to be paid in discharge of the afsd Debt of Nine hundred and twenty nine Pounds of Tobacco so as afsd due from the afsd William Thornton to the said Vestry they the said Thomas and Aaron did then and there Mark the Quantity of Nine hundred and twenty nine Pounds of Nett Tobacco in one Hogshead for the said Vestry upon the Head and Bulge and did also then and there weigh the same and the Nett Weight thereof did Signify unto the afsd John Howard and of the Premises did then and there make Report to the said John Howard according to the form of the Acts of Assembly in such Cases made and provided and this the said John is ready to Verify and so forth wherefore the said John prays Judgment if the said Lord Propry. his Action afsd his Action afsd therefore against him the said John to have or maintain ought &c.

And the afsd Attorney General saith that the Plea afsd by the afsd John in manner & form afsd above in his Rejoinder Pleaded and the matter in the same contained are no way sufficient in Law to Preclude the same Lord Propry. from having his Action afsd thereof against him the said John to which same Plea he hath no need nor by the Law of the Land is in any wise held to Answer and this the said Attorney General on behalf of the said Lord Propry. is ready to Verify wherefore for want of a Sufficient Rejoinder in this behalf the same Attorney General on behalf of the said Lord Propry. prays Judgment for the Debt afsd and the Damages Sustained by Occasion of detaining the same Debt to the said Lord Propry. to be Adjudged &c.

And the said John saith that the Plea afsd by him the said John in manner & form afsd above in his Rejoinder Pleaded and the matter in the same contained are good and sufficient in Law to Preclude the same Lord Propry. from having & maintaining his Action afsd thereof against him the said John which said Plea and the matter in the same Contained he the said John is ready to Verify &c. And because the same Attorney General hath not Answered to that Rejoinder nor the same hitherto hath any way denied the same John as before prays Judgment and that the same Lord Propry from having his Action afsd against him the said John may be Precluded &c.

(Whereupon)