

Wisdom and Justice be thought consentant to equity reason and good conscience and your Orator as in duty bound shall pray.

Tho Macnemara

Your Orator Most humbly further Sheweth Unto your Excellency that Since the filing of this Bill M^r Tho^s Bordley therein mentioned Conceiving that the Injunction obtained by your Orator did not by the Strict words thereof forbid further proceedings against your Orators Security M^r Tho^s Gassaway altho' it was the clear designe of your Orator So to have had it, for that he cou'd reap no benefit thereby unless his Security as well as himself were to be secure ag^t the said Bordley's prosecutions) untill the merit of the cause were heard before your Excellency The said Bordley issued for the execution ag^t your Orators Said Security Tho^s Gassaway and kept him in the Sherriffs Custody untill your Orator (who cou'd not bear the thoughts of Seeing his Security Suffer) was Compelled to pay the said Bordley what he pleased which was one hundred and fifty pounds Sterling for his pretended Claime, which he [373] actually did, but your Excellencys Injunction to Justice being Such as to allow your Orator liberty to amend his Bill So as not to putt him to the charge of filing a new bill for his relief to have the said 150£ with interest refunded in case (upon hearing the whole merit of your Orators complt your Excy Shall Judge it reasonable to relieve him) he most humbly prays, that in Such case your Excy will please to Order in your Decree to be made in the premisses that the said 150£ with interest or soe much thereof as your Excellency in Equity and good Conscience Shall think reasonable to be refunded be paid to your Orator by the said Bordley And as in duty bound he will pray

Tho Macnemara

The answer of Thomas Bordley defendant to the Bill of Complt of John Gresham Complt

This Defend^t Saving and reserving To himself now and all times here after the benefit of exception to the manifold incertaintyes insufficiencyes and other Imperfections of the Complainants Said Bill of Complt answereth and Saith That he was Clk of Ann Arundⁿ County in the year Seventeen hundred and three and continued So till about the year Seventeen hundred and nine And was also Deputy Commissary of the said County about the year Seventeen hundred and Six and Continued So till the year Seventeen hundred and twelve And that about Nov^r or Dec^r in the year Seventeen hundred and three he put a List of Clerks fees Amounting to about nine thousand pounds of Tobacco into the hands of the Complt then Sherriff of Annⁿ County to be by him Collected according to law with an ex^o thereto annexed whereof the Said Complt by the law and the tenour of the said Writt was obliged to make return by the tenth of Aprill then next, that this defendant had likewise an allowance made him by the s^d County Court in