

November Seventeen hundred and three in his the said Compls hands to the s<sup>u</sup>me of two thousand Six hundred and thirty pounds of Tobacco out of which two thousand one hundred and eighty four was payable to Said Thomas Lawrence then Secretary and this [374] defendant drew an order on the said Complt for one thousand pound[s] of Tobo payable to one Capt Smith which was produced to the Complt about the Second Tuesday of March 170 $\frac{3}{4}$  or after but the s<sup>d</sup> Complt altho' he was accountable for about Seven thousand nine hundred and eight pounds of tobacco out of this defendants list aforesaid Obstinate<sup>ly</sup> refused to accept or pay this defendants order to the s<sup>d</sup> Smith alledging he was not obliged to pay anything out of Such list till the tenth of Aprill following and wou'd not accept the same till he found this defendant resolved to Sue his the s<sup>d</sup> Compls bonds for Such unreasonable usage nor then untill he was over perswaded thereto by a certain W<sup>m</sup> Bladen Esq<sup>r</sup> who this defendant heard and believes was one of the said Gresham's Suretyes for the due discharge of his s<sup>d</sup> office of Sheriff That This Defendant in the year Seventeen hundred and four had Sundry other fees due to him as Clerk of the Said County for that year but by the unhappy Accident of the Court-House fire at Annap<sup>o</sup> in October Seventeen hundred and four the most or all of this Defend<sup>ts</sup> papers and his book of Acc<sup>ts</sup> were burnt and Sundry other things of this Defend<sup>ts</sup> to his great loss and damage he being then but lately Come at age and a young beginner in the world but having w<sup>th</sup> much Care and trouble recovered from the Records the most of his feas prepared a list with an Execution Annexed to the Said Sheriff for the Collection and Executing of about twenty five thousand of Tob<sup>o</sup> of Such fees as he had So Recovered and Some time about November Seventeen hundred and four tendred the Same to the Said Gresham w<sup>th</sup> the Sev<sup>nt</sup> Acc<sup>ts</sup> of particulars that made the same appear to be by him executed According to Law but the Said Gresham refused So to do unlesse this Def<sup>t</sup> would deliver or Cause to be Delivered the Sundry particulars of his Acc<sup>ts</sup> to the Respective Debtors or (as this Def<sup>t</sup> has heard and Verily believes) unless this def<sup>t</sup> wou'd pay him five or tenn per Cent beyond what the Law allowed for Such his Service this Def<sup>t</sup> being credibly informed and Verily believes that t<sup>he</sup> Said Gresham oblig'd a Certain Evan Thomas this Def<sup>ts</sup> imediate predesessor to pay him twenty in Stead of tenn per C<sup>t</sup> for Such his Service that thereupon this Def<sup>t</sup> petitioned the House of Assembly in December Seventeen hundred and four Setting forth the Hardships of his Case and praying that it might be declared to be the intent of the Act of Assembly that the Sheriff in Consideration of the [375] tenn per Cent Should deliver Such Acc<sup>ts</sup> of particulars to the Severall and Respective Debtors according to the undeapable [sic] Custom of this province whereupon the Said House being Satisfyed of the Reasonableness of this Def<sup>ts</sup> prayer his Said Petition was endorsed as followeth Viz<sup>t</sup> by the House Deligates Dec<sup>r</sup> the 9<sup>th</sup> Seven hundred and four the within Petition being here read and Considered this house are