

Evan Thomas, And as to the defendants petition to the Assembly and the order thereon made which this Replyant is advised is forreigne to the matter in the Bill he is advised the Said order lookes more like a modest rejection of the petition and a replemand than any opinion in favour of the Defendant This Defendant is obliged to take Notice of the Defendants readiness to belive anything to the Disadvantage of him or his father when he is pleased to say in his answer he believes that the Complainant, not giving a Bond for the due execution of his Sherriffs office in November one thousand Seven hundred and four proceeded from the Complainants father being Chief Justice then of Ann Arundell County thereby to insinuate that the Complainant was favoured whereas in truth Severall Such ommissions have hapened before and Since in the case of other Sherriffs This Replyant also Sayes he hopes noe discerning and Impartial man will believe he ever refused to take upon him the Collection of any man's List, whilst Sherriff that would hear reason, and receive Such returne of it, As he could make with regard had to the Substance and poor Circumstances of the people charged, when all persons know that the greatest part of the Sherriffs perquisites arise by Collections; And therefore hopes that part of his belief will be other wise proved than by his own oath especially when he shews no Cause to ground it on, And this replyant hopes as the Defendant [392] takes it his right to Collect the most Valuable part of his debts that this Honourable Court will not Judge it the Duty of this Defend^t as Sherriff to Send about the Countrey to deliver particulars of Demands that are thought by the Defendant himself precarious to make the Severall persons debtors thereto in his books, And keep an account thereof with the Defendant without any reward or a Seeming probability of any unless the Defendant was pleased to allow it, which he Seldome or ever was known to do This Repliant further Sayth that on his going out of his office in the year One thousand Seven hundred and five, there was a Ballance due to the defendant to him of twenty five thousand one hundred and fifty four pounds of Tobacco, occasioned by his unwillingness to receive it, Tobacco being low, not altogether on account of Collections made for him but a great part on account of Notes and orders he procured on this Replyant, And this Replyant being willing to pay him off the said Ballance and get clear of So rigorous a man about the year one thousand Seven hundred and Six procured him Maj^r Josiah Willson his Successor in the Sherriffs office his Note for the payment of Twenty thousand pounds of tobacco which, together with other just articles he had against the Said defendant he hoped wou'd have abundantly Sufficed to discharge the def^{ts} claime untill he found Some time after that the said Defendant had gott Some other orders on him, of which this Replyant had not timely Notice and So after that payment there r[e]mained due to the Said defendant the Said Six thousand two hundred and Ninety Nine pounds of tobacco as in his answer mentioned which the defendant on demanding might have had