

without fraud or delay According to the form force and Effect of the Condition af^d (To Witt) at Annarundell County aforesaid And this he is ready to Verifye Wherefore he prays Judgment if the aforesaid John Gresham his Action aforesaid against him Ought to have

And the Said John Gresham Saith that he by any thing prealleged from having and Mantaining his Action af^d Against the Said Thomas Ought not to be barred because protesting that the Said Thomas hath not upon the reasonable request of the Said John Assigned and Set Over unto him the Said John by proper Instruments in Writing under the hand of the Said Thomas all or a great part of Such Publick or County Allowances as were usually Allowed to the Sheriff of the Said County for Collecting and paying the County Leveys or any other the fees profitts or Rewards belonging or appertaining to the Said office of Sheriff of the Said County nor all the prison fees Accounts or ballances of Accounts that have appeared to to [sic] be due to the Said Thomas in respect of his Said office For replication the Said John Saith that he the Said Thomas Gassaway from the time of making the Writing afores^d (To Witt) the Twentieth Day of October Anno Dom Seventeen Hundred and Eleven Untill the Twenty Ninth Day of October Anno Dom Seventeen hundred and fourteen Continued Sheriff of the Said County of Annarundell To Witt at Annarundell County aforesaid and the Said John further Saith that after the Making the [592] Writing af^d and During the Continuance of the Said Thomas in the Said Office (To Witt) the Twelfth Day of March Anno Dom Seventeen hundred and Twelve at Annarundell County aforesaid a Certain Richard Peele at a County Court then and there held was by the Justices of the Same County Court Committed to the Custody of the Said Thomas Gassaway then Sheriff of the Said County and by him the Said Thomas by Vertue of his office into his Custody then and there received Where the Said Richard Poole [sic] remained for the Space of Two Hundred and fifty Days and that the Fees for the Committment and Imprisoment of him the Said Richard Which became Due to the Said Thomas by Vertue of his Said office Amounted to five Thousand and Sixty Pounds of Tobacco Which the Said Thomas from the Said Richard had and Received And to his the Said Thomas his Own use Did Convert and Dispose (To Witt) at Annarundell County af^d And the Said John further Saith that after the Making the Writeing aforesaid And Dureing the Continuance of the Said Thomas in the office of Sheriff of Annarundell County aforesaid (To Witt the Eleventh Day of March Anno Dom Seventeen Hundred and Thirteen at Annarundell County aforesaid a Certain Richard Dixon at a County Court then and there held was Committed to the Custody of the Said Thomas then Sheriff of the Said County And by the Same Thomas then and there by Vertue of his Office af^d into his Custody received Where the Said Richard remained for the Space of Ninety days at Annarundell County aforesaid And that the fees that became due to the Said Thomas in respect of his Said office for the Com-