

Governour Council Judges and all other officers within the Said County upon Whom the Said Thomas Gassaway in respect of the Said office of Sheriff Ought by the Laws of Great brittain and this province to Attend And furthermore the Said John Gresham Shall give and render a true perfect and Just Account of all Such publick Tobacco and Officers Lists put into his hands to receive and Collect by means of the Said office to be answerable for the Same in Such Manner as by the Acts of Assembly of this Province directing Sherriffs in their office is required And it is further granted and Agreed upon the Said parties to these presents that every the Bayliffs of hundreds and other officers Shall be appointed and put in their office by the Said John Gresham And if any the Said officers Shall misdemean himself it Shall be Lawfull to and for the Said John Gresham at his discretion to place others in their Rooms. In Wittness Whereof we the parties first abovenamed have interchangeably Set our hands and Seals the Day and year above written protesting Likewise that the Said Thomas Gassaway afterwards To Witt the Twenty fifth day of February Anno Domini Seventeen hundred and fourteen at the Like request he did deliver unto the Said John Gresham one other Instrument under the hand of him the Said Thomas Gassaway Directed to a Certain Thomas Reynolds of Annarundell County the Tenour Whereof follows in these words and figures following Viz^t

Sir February the 25th 1714

These are to impower you to give Credit and Make payment unto Mr John Gresham or order the Severall Sums which you have or Shall Collect for the Severall persons of Annarundell for my use and in my name as Due to me as Sheriff of Annarundell for the years 1711, 1712, and 1713, And your Accounting with him Shall be a Sufficient Discharge Against yours etc. — Protesting Likewise that the Said John Gresham never made any other request to him the Said Thomas Gassaway to Assign or Set over all or any the premisses in the Condition of the Writeing Obligatory aforesaid and in the Replication of the Said John above mentioned Protesting Likewise that the Said Thomas hath never Converted the Said Twenty four Thousand and Twenty Pounds of Tobacco in the Said John his Replication above mentioned or any part thereof to the use of him the Said Thomas Gassaway as the Same John hath above by replying most falsely Alledged Saith that the plea aforesaid of the aforesaid John Gresham above by replying pleaded and the matter therein Contained are not Sufficient in Law for him the Said John to have and mantain his Action aforesaid Against him the Said Thomas Gassaway to which he hath no need nor by the Law of the Land is bound to answer and this he is ready to Verifye Wherefore for want Sufficient Replication of the Said John in this behalf he the Same Thomas Gassaway prays Judgment and that the Said John from haveing his Action aforesaid against him may be barred etc. and for causes of Demurr^r Saith that that [sic] the Replication is no answer to the Defendants plea nor assigns any breach the performance be