all Times saved harmless and kept indamnified the aforesaid David and his Executors and his and their Lands and Tenements Goods and Chattles from and against all manner of Suits Troubles Vexations Costs Damages Amerciaments and expences whatsoever that hath happened by any Misfeazance Non feazance or Neglect of him the said Richard Rutter either in the Service or return of any precept or otherwise howsoever in the Execution of his said Office for plea by way of Replication to the same second plea the same David Nevertheless in fact saith that the aforesaid Richard Rutter was and Continued Deputy Sheriff under him the said David in Baltimore County aforesaid in the aforesaid Hundreds of Middle River Back River upper and Back River Lower from the Day of seventeen hundred and to the end of November Court next ensuing the Date of the Writing Obligatory aforesaid to wit until the Day of seventeen hundred and fifty seven at Baltimore County aforesaid and that during the Continuance of the said Richard Rutter in his Office of Deputy Sheriff aforesaid after the making the Writing Obligatory aforesaid and before the end of November Court aforesaid to wit on the Day of seventeen hundred and fifty seven aforesaid at Baltimore County aforesaid he the said David did intrust him the said Richard Rutter as Deputy Sheriff aforesaid to collect and receive of and from Sundry of the Inhabitants of the said three hundreds the sums of

Tobacco Sterling and Current

Money which were due and owing to him the said David as Sheriff aforesaid of and from the said Inhabitants of the said three hundreds which said several sums of Tobacco and Money he the said Richard Rutter afterwards and before the impetration of the Writ Original of him the said David in this Cause to wit on the Day of seventeen hundred and fifty seven aforesaid at the County aforesaid of and from the said Inhabitants of the said three hundreds did collect and receive and that during the Continuance of the said Richard Rutter in his Office of Deputy Sheriff aforesaid after the making the Writing Obligatory aforesaid before the impetration of the Writ aforesaid and before the end of November Court aforesaid to wit on the Day of seventeen hundred and fifty seven aforesaid at Baltimore County aforesaid he the said David did intrust him the said Richard Rutter as Deputy Sheriff aforesaid to collect and receive of and from sundry other of the Inhabitants of the said three hundreds other sums of

Tobacco Sterling Money and

(Current)

Current Money which were likewise due and owing to him the said David as Sheriff aforesaid from the same Inhabitants and that he the said Richard Rutter during his Continuance in his Office of Deputy Sheriff aforesaid after the making the Writing Obligatory aforesaid before the impetration of the Writ aforesaid and before the end of November Court aforesaid to wit on the Day of seventeen hundred and fifty seven aforesaid at the County aforesaid did as Deputy Sheriff aforesaid receive for the use of him the said David of and from sundry and many the Inhabitants of the said County divers and sundry sums of Tobacco Sterling and Current Money which had arisen due to him the said David as Sheriff aforesaid for Fees on and for the Service of sundry and many Executions and Warrants by him the said Richard Rutter as Deputy Sheriff aforesaid served amounting to the sums of

Tobacco Sterling Money and

Current Money and that he the said Richard Rutter during his Continuance aforesaid in his Office of Deputy Sheriff aforesaid after his making the Writing Obligatory aforesaid before the impetration of the Writ aforesaid and before the end of the said November Court to wit on the Day of seventeen hundred and fifty seven aforesaid at Baltimore County aforesaid did as Deputy Sheriff aforesaid receive of and from sundry Inhabitants of the said three hundreds other sums of

Tobacco

and

Current Money for Services done by the Constables of the said Hundreds Nevertheless the said Richard Rutter any Accounts or payments of the said several sums of Tobacco and Money or either of them or any part of either of them to him the said David hath not rendered or made (altho so to do he the said Richard Rutter was afterwards and before the impetration of the Writ Original aforesaid to wit on the Day of seventeen hundred and fifty seven aforesaid and often afterwards at Baltimore County aforesaid requested) But Accounts and payments of the said several sums of Tobacco and Money to render and make he the said Richard Rutter then and there and always hitherto hath refused and still doth refuse contrary to the form and effect of the Condition aforesaid and this he is ready to verify and so for the whereof he prays Judgment and his Debt aforesaid together with his Damages occasioned by the detention of that Debt to him to be adjudged and so forth Whereupon by Consent of parties and at their request it is Ordered by the Court here that this Cause be referred to Messrs. John Ridgely, William Lux and Nicholas Auxton Gay of Baltimore County or any two of them and it is ordered by the said Court that the Arbitrators aforesaid or any two of them make their Award in Writing under their Hands and Seals and Return the same to this Court and Judgment to be entered according to such Award and be final between the

(said)