said David nevertheless saith that the aforesaid Richard Rutter in his Life Time was and continued Deputy Sheriff under him the said David in Baltimore County aforesaid in the aforesaid Hundreds of Middle River Upper 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 instruct 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 Money Current Money and 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 in his Life Time 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 the County aforesaid he the said David did instruct 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 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 Original 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 other 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 in his Life Time 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 Original aforesaid and before the end of the said November Court to wit on

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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 Levies omitted by the Constables of the said three Hundreds Nevertheless Neither the said Richard Rutter in his Life Time or the said William Ingrigg since the Death of him the said Richard any Account or payment 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 the said Richard in his Life Time 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 the County aforesaid And the said William after the Death of him the said Richard and before the impetration of the Writ Original aforesaid to wit on the Day of seventeen hundred and and often afterwards at the County aforesaid were by the said David requested) But Accounts and payments of the said several sums of Tobacco and Money or either of them or any part of either of them to render and make they have allege they refused and the said William still doth refuse contrary to the form and effect of the Condition aforesaid and this he is ready to verify and so forth wherefore 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.

And the said David as to the second plea of him the said William above pleaded as with that he by any thing in the same second plea alleged from having and Maintaining his Action aforesaid to be precluded ought not because he saith that the said William hath and on the said Time of of the Impetration of the Writ Original in this Cause to wit on the Day of seventeen hundred and had divers Goods and Chattles which were of the aforesaid Richard at the Time of his Death in his Hands to be Administered to the value of the Debt aforesaid whereunto the same David of the Debt aforesaid might have satisfied to wit at Baltimore County aforesaid and this he prays may be enquired of by the Country and so forth Whereupon by Consent of both Parties Plaintiff and Defendant and at their request it is Ordered by the Court here that this Cause be referred to Mr. William Aisquith to settle the Quantum of the Damages and it is ordered by the said Court that the Arbitrator aforesaid make his Award in Writing under his Hand and Seal and return the same to this Court and Judgment to be entered on this Award for Six pounds and five pence half penny present Costs and the Residue when Costs and be final between the said Parties with full power to examine Witnesses upon Oath by Consent of Parties Plaintiff and Defendant And the Arbitrator aforesaid pursuant to the Order aforesaid Returns to the Court here the following Award to wit/