Deputy Sheriff and Deputy Collector in the said Hundreds in Frederick County aforesaid there was due and owing from sundry Inhabitants of the said several Hundreds on several Executions against them the sum of one hundred and twenty three pounds eleven shillings and two pence current money, and also the sum of Thirty nine pounds eight shillings and seven pence current money for fees arising due on Executions against sundry Inhabitants of said Hundreds, and also there was due from the Inhabitants of said Hundreds for Officers and Lawyers fees the sum of sixty one thousand three Hundred and forty one pounds of Tobacco, which said several sums current money and Tobacco amounting in the whole to one hundred and fifty three pounds seventeen shillings and nine pence half penny current money, and sixty one Thousand three hundred and forty one pounds of Tobacco, the said Peter as Sheriff and Collector was authorized and entitled to demand, receive and collect, and which said several sums of current money and Tobacco due as aforesaid after the making the writing obligatory aforesaid, to wit, on the first day of July in the year seventeen hundred and ninety at the County aforesaid, the said Hodijah, as Deputy Sheriff and Deputy collector aforesaid was authorized, empowered and entrusted to demand, collect and receive from the respective Debtors, and the same to pay and account for to the said Peter; and the said Peter further saith that the said several sums of current money and Tobacco, amounting in the whole to the sum of one hundred and fifty three pounds seventeen shillings and nine pence half penny current money; and sixty one Thousand three hundred and forty one pounds of Tobacco, the said Hodijah as Deputy Sheriff and Deputy Collector of the hundreds aforesaid, after the making the writing Obligatory aforesaid, and before the impetration of the original writ of the said Peter in this cause impetrated did demand, receive and collect from the several persons from whom the same was so as aforesaid due & payable, but the said sums of one hundred and fifty three pounds seventeen shillings and nine pence half penny current money

money, and sixty one thousand, three hundred and forty one pounds of Tobacco, or any part of them or either of them altho' often thereunto requested to him the said Peter to pay or deliver the said Hodijah hath refused and still doth refuse: and this the said Peter is ready to verify: Wherefore he prays Judgment and his Debt aforesaid, together with his Damages by reason of the detention of said Debt to him to be adjudged and so forth. And the said Hodijah Collins by his attornies aforesaid says that by reason of any thing by him the said Peter above in replying to the first plea of him the said Hodijah, alledged, he the said Peter his action aforesaid against him the said Hodijah ought to have and maintain because he says that there was not due and owing from sundry Inhabitants of the said several Hundreds in the said replication mentioned the said several sums of One Hundred and twenty three pounds eleven shillings and two pence current money, and the said sum of thirty nine pounds eight shillings and seven pence half penny current money, and also the said sum of sixty one thousand three hundred and forty one pounds of Tobacco or any part of either of the aforesaid sums of money and Tobacco in manner and form as the said Peter in the replication aforesaid hath above alledged; and of this he puts himself upon the country, and the said Peter likewise: And the said Hodijah further says that by reason of any thing by him the said Peter above in replying to the second plea of him the said Hodijah alledged he ought not to have or maintain his action aforesaid because he says that he the said Hodijah was not authorized and empowered and entrusted to demand, collect and receive, nor did he the said Hodijah demand, collect and receive the aforesaid several sums of One Hundred and twenty three pounds eleven shillings and two pence current money, and the further sum of thirty nine pounds eight shillings and seven pence half penny current money and also the sum of sixty one Thousand three hundred and forty one pounds of Tobacco, or any part of either of the aforesaid sums of money and Tobacco in manner and form as the said Peter in his Replication aforesaid