Tuesday of may being the fourteenth day of the said month in the year of our Lord one thousand seven hundred and ninety nine comes again into the General Court here as well the said Isaac McPherson by his Attornies aforesaid as the said James Jaffray by his Attornies aforesaid thereupon the parties aforesaid by their Attornies aforesaid move the Court here that the whole matters in the premises between them in variance may be refferred according to the Act of Assembly in such case made and provided and the approved custom of the Court here to persons indifferently to be appointed by the Court here with the consent of the said parties to adjust the same Whereupon by consent of the said parties by their Attornies aforesaid it is ruled by the Court here that Christian Myers Archibald Moncrieff and George Grundy Gentlemen be appointed refferees between the parties aforesaid and that they or any two of them when the whole matter concerning the premises between the parties aforesaid in variance being fairly adjusted have their award in writing under their hands and seals and return the same to the Court here and judgment of the Court to be rendered according to such award and be final between the said parties with power to the said referees to Examine Evidences on oath by consent of both parties plaintiff and defendant and their Attornies aforesaid It is agreed that the parties in this cause may take depositions in the west Indies and Virginia before a notary publick to be used as Evidence in this cause upon Interrogatories furnishing the opposite party with a Copy of his interrogatories and giving him such previous notice of his Intention to send such Interrogatories as will afford him an opportunity of sending cross interrogatories to such Witness the said arbitrators to allow a reasonable time in their discretion for obtaining such Testimony thereupon day is given as well to the said Isaac McPherson as the said James Jaffray by the Court here until the second tuesday of October next At which day to Wit the second Tuesday

of October being the eighth day of the said month in the year of our Lord one thousand seven hundred and ninety nine come here again as well the said Isaac McPherson by his attornies aforesaid as the said James Jaffray by their Attornies aforesaid and the Arbitrators aforesaid do not return their award now have they done any thing therein thereupon further day is given as well to the said Isaac McPherson as to the said James Jaffray until the second Tuesday of May next At which day to Wit the second Tuesday of may being the thirteenth day of the said month in the year of our Lord one thousand Eight hundred comes here again into the General Court as well the said Isaac McPherson by his Attornies aforesaid as the said James Jaffray by Luther Martin his Attorney And the said Christian Myers Archibald Moncrieff and George Grundy the Arbitrators aforesaid signify to the Court here their refusal to serve as Arbitrators between the parties aforesaid Whereupon it is ruled and ordered by the Court here with the consent of the said parties and their Attornies aforesaid that the order aforesaid for referring the said matter in difference between the parties in this cause to the arbitration and final determination of the said Christian Myers Archibald Moncrieff and George Grundy be struck out and that this cause be reinstated for trial Thereupon on motion of the parties aforesaid by their Attornies aforesaid it is ordered by the Court here that Commissions issue to the State of Virginia and the West Indies to Examine Evidences in this cause and that the depositions to be taken under ~~and by virtue of the said~~ Commissions or either of them and therewith returned be read in Evidence at the trial of the issue aforesaid and that the same Commissions issue on Commissioners being struck Therefore as before let a Jury thereon further appear before the Court here on the second Tuesday of October next by whom and so forth and who neither and so forth to recognize and so forth because as well and so forth the same day is given to the said parties then and there and so forth At which said second Tuesday of October being the fourteenth day of the said month