that I have taken no new ground, that my objections are true; two of them you will not, I believe, deny, those are that the quantity is more than about 90 pipes, and that you assured me no other Brandy would be imported in the Ship, I am not afraid of indifferent judges, they may be named when you please; and as to our entering into Bonds, I feel my selfe at a loss to know what I should bind you to, If my objections are considered as sufficient to clear me from being bound to the purchase, I have then no other claim on you, but to pay for the portage of the Brandy to my warehouse and for your doing so I desire no Bond.

If the Gentlemen who may be chosen, would say that my objections are not well founded, and that therefore, I must be bound to the purchase of the Brandy, I shall agree so far as relates to any act within my own power; but I must observe it may not be in my power to obtain the Indorser you called for.

I am Sir, yours &c
Robert Walsh
18th August 1795

Mr. Robt. Gilmor

And also the following letter from the Plaintiff to the Defendant dated the 18th August 1795.

Baltimore 18th Aug. 1795

Sir

I received your of this morning, The Gentlemen who may be appointed will Judge of a very circumstance you have to offer as a justification for your refusal to take the Brandy If they think they are valid, I shall chearfully acquiesce, But on the other hand should they determine that you are bound to take the whole or any part of the Brandy I cannot doubt for a moment your acquiescence upon the principles of our contract. You voluntarily named Mr. Carroll as the Indorser of your Notes. I could not doubt but he had authorized you so to do, for of his own accord he told me that he would be security for you if you purchased the Brandy. I therefore will not harbour a thought of a refusal of this kind as I think it would be injurious to your honor. I shall name Col. Smith or Mr. Patterson if you have no objection, or you may choose which you like and name to me two Gentlemen and I will choose one of them.

For obvious reasons, you will see the necessity of having this business early finished, and I beg you will speak to the Gentleman you may choose this afternoon, as I shall, provided

you inform me you have no objection to those I have named so that they may go upon it next day. Your answer (for which the bearer will call after Dinner) will oblige. Sir your most obedt.

Mr. Robert Walsh — Rob. Gilmor

And also the following letter from the Defendant to the Plaintiff dated the 19th August 1795.

Sir

I repeat that, if it is judged that I shall be obliged to keep the Brandy or any part of it, which I think scarcely possible, I will offer you the Indorser. I do believe that neither Genl. Smith or Mr. Patterson would act on this occasion, as I suppose, they would consider themselves not competent enough with Brandys, to determine whether this inspection is Bourdeaux or Straights Brandy, either of these gentlemen could very readily discover that this Brandy is not as good as they are accustomed to use, but not being in habits perhaps of observing nicely the different qualities, would be at a loss to give you a judge, I therefore object to either of these gentlemen, and propose for your choice of one, three Gentlemen dealers in the article, they are, Mr. John Holmes, Col. Stricker and Mr. Engelhard Yeiser.

Yours &c
Robert Walsh
19th Aug. 1795

Robt. Gilmor Esq.

And also the following letter from the Plaintiff to the Defendant dated the 19th of August 1795.

Baltimore 19th Aug. 1795

Sir

I cannot believe that you will refuse to comply with your own engagement provided indifferent men say you ought, however you will do in that as you think proper, I have no objection to any of the Gentlemen you have named, and therefore name Col. Stricker, as you have named the whole of them, I suppose you can have no objection to Mr. Holmes being the other. If this is agreeable let them be requested to serve to day and they may meet on the business tomorrow.

I am Sir your most obedt.
Rob. Gilmor

Mr. Robt. Walsh

And also the following submission entered into after the Letters aforesaid dated the 19th August 1795

Sir

I agree that Col. Stricker and Mr. John Holmes should be judges in the dispute respecting the Brandy, and in case of a disagreement in opinion between these two Gentlemen that they may choose a third.

Yours &c
Robert Walsh
19th Aug. 1795

Robt. Gilmor Esq.

And also the Award

We the Subscribers being called upon to arbitrate a difference