in the dun; I therefore inform you that I do not hold myself bound to the purchase, because, the quality is not Bordeaux Brandy; the quantity is much more than I counted upon, or had a right to count upon, and because a considerable quantity has been imported in the Ship; and put into the Market, more than received by your House. I am Gentlemen respectfully

Your obedient Servant
Robert Walsh

Messrs. Robert Gilmor & Co.

Baltimore 17th Aug. 1795

Mr. Robert Walsh, Sir

Baltimore 17th August 1795.

I received your note of this morning and observe the new ground you have taken as a reason for not complying with your contract. It will answer no good end for me to enter into a discussion with you on the business, as it is not probable that I should lead to a settlement of it. You are as a man of honor and a Merchant bound to abide by your contract, unless you can show such reasons as will justify a noncompliance, those now adduced appear to me totally inadequate to this purpose. There is then but one course left, which is to lay our several pretentions before indifferent men and to abide by their determination. If you agree to this, let two men be named they choosing a third, and let us enter into Bond for abiding by their award. Let me have an answer as early this morning as convenient as I want the business terminated without loss of time, that something may be immediately done with the Brandy.

I am Sir Your Most obed.
Rob. Gilmor

Sir

In your note of yesterday you say I have taken a new ground as a reason for my not complying with my contract, and that as a man of honor and a merchant, I am bound to abide by my contract unless I can show such reasons as will justify a non compliance, and that to you, those adduced appear totally inadequate to the purpose. and you observe, that there is but one way left, which is to lay our several pretentions before indifferent men and to abide by their determination; and if I agree, to let you know, that two men may be named, and let us enter into Bonds for abiding by their award. In answer I observe 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 to meet the decision of indifferent Judges, they may be named when you please, and as to our entering into Bonds I feel myself 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 Porterage of the Brandy to my ware house; and for your doing so, I desire no Bond. If the Gentlemen who may be chosen should 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 Your Obd.
Robert Walsh

Mr. Robt. Gilmor

18th August 1795

Sir

Baltimore 18th August 1795

I received your of this morning. The Gentlemen who may be appointed will Judge of every 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 Gentlemen 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 obed.
Rob. Gilmor

Mr. Robert Walsh

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 no Indorser; I do believe that neither Gen. Smith or Mr. Patterson would act on this occasion, as I suppose, they would consider themselves not conversant enough with Brandies, to