DD. John Caldwell } Mem.d That said John Caldwell by Dan.l Dulany his
vd } attorney produces to the Court here a Copy of a
William Brereton } certain Judgment Obtained by the said John Caldwell
ag.t the said Wm Brereton in Sommersett County
Court the Tenour of w.ch follows in these words Viz.t —

Sommersett County ss. In the Records and Proceedings of Somersett County
Court amongst other things it is thus Contained Viz.t

John Caldwell } Case
vd
Wm Brereton

It is therefore considered by the Justices here to wit the
third tuesday of August Anno Dom.i One thousand Seven
hundred and Nineteen That the said John Recover ag.t the said
William Eight thousand two hundred and twenty five pounds of Tobacco
his damages by the Jury aff.d found as also four hundred forty Nine pounds
of Tob.o for his Costs and charges about his Suit Laid out and expended and
for his expent to him of Purchase adjudged And the said Wm to Pay
In Testimony I have hereunto Set my hand and affixed the Seale of
the said County this 29.th day of August 1719 Alex.r Hall Clk Cur Com Somerset

Seale

Which being read and heard the said John Caldwell by Dan.l Dulany his
attorney prays Execution out of this Court for the damages and Cost in the
aff.d Judgment Mentioned as also for the Costs accrueing in this Court for
obtaining the same against the said Wm Brereton according to Act of Assembly
&c — Whereupon all and Singular the premisses being by the Court here soon
heard and fully understood and Mature Deliberation thereupon had —
It's therefore Considered by the Justices here the 13.th day of October Anno
Dom.i 1719 that the said John Caldwell have his Execution ag.t the said
William Brereton out of this Court of the Judgm.t aff.d for as well the
Sume of Eight thousand two hundred and twenty five pounds of Tob.o
his damages aff.d as the Sume of four hundred forty Nine pounds of
Tob.o Costs of Suit in the Judgm.t aff.d Specified As Also the Sume of
Pounds of Tob.o by the Court here
699 adjudged unto him for his Costs accrueing in this Court on Obtaining
Execution of the Judgment aff.d according to Act of Assembly in that Case
made and provided &c.a —

DD. John Snow } Maryland ss: James Frisby late of Cecill County
vd } Merchant was Summoned to Answer unto
JB. James Frisby } John Snow Merchant of a plea that he render unto
him his reasonable Account of the time he was Bailiff
of

of the Same John and Receiver of the Goods of the Same John at Gambia that is to Say
in Anne Arundell County in the Province of Maryland &c.a And Whereupon the Same John by
Daniel Dulany his Attorney Saith that whereas the aforesaid James Frisby the Fourteenth day
of June in the Year of Our Lord God One Thousand Seven hundred and Nine at Gambia that
is to Say at Anne Arundell County had received of the Goods and Chattels of the Same John by
the hands of the Same John Sixteen hundred One Quarter and Ten pounds of the Weight
Commonly called Avordupoyze great Weight of Elephants Tooth of the Value of Five hundred pounds
Sterl.g to Merchandize and Profitt therof to make for the Same John And a reasonable Account
therof to the Same John when afterwards he thereunto required to render yet the aff.d
James altho often required the reasonable Account aff.d therof to the Same John hath not rendred
but the Same to him hitherto to render hath gainsayed And still doth Gainsay wherby he Saith he
is Damnified and hath lost to the Value of Seven hundred Pounds Sterl.g and therof he brings Suit
&c.a

Pledges &c.a John Doe }
Rich.d Roe }

And the Same James Frisby by Thomas Bordley his Attorney Comes and Defends
the force and Injury when &c.a And prays Leave to Imparle hereunto until next Court And he hath
it And the Same Day is given to the Plaintiff also —

At which said next Court to wit the 15.th Day of July Anno Dom.i 1718 Comes again the said
Parties Pl.ff Doe by their Attorneys aff.d And the said Defendant by his said Attorney prays
further Leave to Imparle hereunto until next Court And he hath it And the Same Day is given to
the Pl.ff also — At which said next Court to wit the Sixteenth Day of September Anno
Dom.i 1718 Comes again as well the said John Snow by his Attorney aff.d as the said James Frisby by
his said Attorney aff.d And the said James Frisby by his said attorney as before Defends the force
and Injury when &c.a And Saith that the said John Snow his Action aff.d against him to have Ought
not Because protesting that the said Sixteen hundred One Quarter and Ten pounds of Elephants
Tooth were of the Value of One hundred and forty Pounds Sterling in Great Brittain And no
More, for Plea he Saith that he Always hath been and yet is ready to render his Account of
the Elephants Tooth above required (to wit) at Anne Arundell County in the Province of Maryland
And Prays he may be admitted to make his Account therof &c.a

Whereupon All and Singular the Premises being by the Court here soon heard and
fully understood And Mature Deliberation thereupon being had It is therefore Considered by
the Justices here the 16.th Day of September Anno Dom.i 1718 aff.d That the said James Frisby render
unto the said John Snow a reasonable Account of the time he was Bailiff of the Same John And
Receiver of the Goods of the Same John at Gambia that is to Say at Anne Arundell County in
the Province of Maryland &c.a And be in Mercy for as he has not before Accounted, And
thereupon the Court here with the Consent of the Parties aff.d by their Attorneys aff.d Appoint Mess.rs
Samuel Peale and William Nicholson Gent.n to be Auditors to hear Examine State and
Audite the Accounts in Controversy Depending betwixt the said Parties at Some Certain Time and Place
by them the said Auditors to be Nominated and Appointed Causing the said Parties to have
Timely Notice therof within Convenient Time before his Lordship's next Prov.l Court to be
held at Annapolis the Second Tuesday of April then next And that they should Send then
there his Lordship's said Prov.l with their Report upon the Auditing the Same Accounts under
their hands and Seals that his Lordships said Justices being rightly informed in the Premisses
might further proceed therein as to Justice Appertaineth And that therof they fail not &c.a
And thereupon Day is given to the said Parties Pl.ff and Defendant in the Plea aff.d until the next
next Prov.l Court —

At which said Second Tuesday of April And next Prov.l Court aff.d to wit the
14.th Day of the Same Month Anno Dom.i 1719 Comes again as well the said John Snow by his Attorney
aff.d as the said James Frisby by his Attorney aff.d And thereupon Mess.rs Samuel Peale and Samuel
Nicholson Gent.n the Auditors Appointed as aforesaid pursuant to the Tenor of the Commission aff.d to
them Directed make their report thereon to the Court here in the Words following Viz.t