

those persons that Should Deside the Difference but Said if the Defendant wou'd name one man he wou'd Joyne Col^o Tilghman (as being Skillfull in Sheriffs Acc^{ts}) to him that thereupon the Dep^t waited on the Defend^t and Intreated him to Agree to a referrence of the Dispute between him and the Complainant to Col^o Holland (as near as he can Remember) and to Col^o Tilghman, that the Def^t Seemd to be apprehensive that Col^o Tilghman had been talk'd to by the Compl^t in Relation to the Difference and that he thought him to be too Great a favourer of the Complainants but at last promised at the next Assembly then Comeing on to Submit all disputes between him and the Compl^t to Col^o Holland (or Col^o Young) and Col^o Tilghman, if in the mean time the Said Complainant would Execute a bond the Def^t had devised for the Paym^t of the Debt and Cost recovered by M^r Beard against M^r Gassaway in Spice or in Money at Some price w^{ch} he does not know or remembe[r] That thereupon the Said Complainant Executed the Said Bond to w^{ch} the Dep^t is the only Subscribing Evidence w^{ch} he this Dep^t on the Day of the Date hereof or there abouts Delivered to the Said Defend^t, that Some time that Same Summer to the best of this Dep^{ts} Memory the Compl^t an[d] Defendant met at this Dep^{ts} house, where they talkt of their Disputes and referring the Same, and that the Defend^t Utterly Refus'd the referrence thereof to Col^o Holland (or Col^o Young) and Col^o Tilghman wthout the Compl^{ts} paying Down the Costs Expended on Sueing the Sheriffs bond w^{ch} the Compl^t Refused to Comply with Saying it was Very hard he Should pay Cost if he was not in wrong. And the Said Depon^t further Saith on behalf of the Defendant that the Defendant to the best of his remembrance at this Dep^{ts} house [413] Offer'd the Compl^t to make a finall End of their Disputes, provided the Said Compl^t would give him this Defendant ten Shi^{ll} Sterling by bills of Exch^a for the ball^a that he the Said Compl^t allow'd to be the ball^a but the Compl^t then Said that he had Tob^o Enough to Satisfye all his Debts and that he would not draw his bills for so great a Sume And further this Deponant Saith that the Defend^t on the Day of rendering this Dep^t did Shew him this Dep^t the bond afd w^{ch} bares date to the best of his Memory May the 5th 1715 but that this Dep^t has not then nor hitherto Exam^d into the Contents of the Condition And that this Dep^t further Saith that to the best of his knowledge and Memory he Deliver'd the Def^t on or about the Said 5th day of May 1715 a letter from under the Compl^{ts} hand whereof the paper now produced to him at the time of his Examination and rendering his Dep^o to these Inter and Markt N^o 10 he beleives to be a Copy or Very like it in Substance but refers to the Originall which he beleives to be in the Def^{ts} hands and further this Deponant declares that being Acquainted wth the Def^{ts} hand writing he beleives the Letters N^o 11 and 12 dated may the 4: 1715 and May the 5th 1715 and produced to him by the Compl^t at the time of his Examination are Subscribed by the Said Defendant