

[519] And the said James Frisby by Thomas Bordley his Att^{ny} Comes and defends the force and Injury when etc: and prays leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Pl^t alsoe.

At which said next Court to witt the 15th day of July Anno Domi 1718 Comes again the said parties pl^t and Def^t by their Atto^{ny}s af^d and the said Def^t by his said Att^{ny} prays further leave to Imparle hereunto untill next Court and he hath it and the same Day is given to the pl^t alsoe.

At which said next Court to witt the 16th Day of September Anno Domi 1718 Comes againe as well the said John Snow by his Attorney afs^d as the said James Frisby by his Attorney af^d and the said James Frisby by his said Attorney as before defends the force and Injury when etc: and Sayth that the said John Snow his Action afs^d against him to have Ought not because protesting that the said Sixteen hundred one quarter and ten pounds of Elephants teeth where of the Value of One hundred and forty pounds Sterling in Great Brittain and no more, for plea he sayth that he allways hath been and yet is ready to Render his Account of the Elephants Teeth above required (to witt) at Annarundell County in the province of Maryland and prays he may be Admitted to make his Account thereof etc:

Whereupon all and Singular the Premisses being by the Court here seen, heard and fully understood and mature Deliberation being thereupon had.

It is therefore Considered by the Justices here the 16th day of September Anno Domi 1718 af^d that the said James Frisby render unto the said John Snow a reasonable Account of the time he was Bailiffe of the same John and receiver of the [520] Goods of the same John at Gambia that is to say at Annarund^l County in the province of Maryland etc: And be in Mercy because he has not before Accounted, And thereupon the Court here (with the Consent of the Parties af^d by their Attorneys af^d Appoint Mess^{rs} Samuel Peale and William Nicholson Gentt to be auditors to hear Examine Settle State and Audite the Acc^{ts} in Controversy depending betwixt the said parties at some Certaine time and place by them the said Auditors to be Nominated and Appointed causing the said parties to have timely notice thereof within Convenient Time before his L^dships next Provinciaall Court to be held at Annapolis the Second tuesday of April then Next and that they should send then and there his L^dships said Precept with their report upon the Auditeing the same Accounts under their hands and Seales that his L^dships said Justices being rightly inform'd in the premisses might further proceed therein as to Justice appertaines and that thereof they shou'd not faile etc: And thereupon day is given to the said Parties Pl^t and Def^t in the plea afs^d untill Next Court.

At which said Second tuesday of April and next Court af^d to witt the 14th day of the same month Anno Domi 1719 Comes again as Well the said John Snow by his Attorney af^d as the said James Frisby by his Att^{ny} af^d And thereupon Mess^{rs} Sam^l Peale and William Nicholson Gentt: the Auditors appointed as af^doresaid [sic] persuant to the tenor of the Commission afsaid to