

by the defend^t Neale. And to make report to this Court at the then next Court how they found the same that so the Court being fully Satisfied in the business might order and decree therein as in Conscience and equity they ought: And these causes coming to be heard this present day before his Excellency Charles Calvert Esq^r Chief Judge in Equity, the Hon^{ble} Phillip Calvert Esq^r Chancell^r and the rest of their Associates Justices of this Court in the p^rsence of the sev^rall plts and Defend^{ts} in these causes and their Attorneys of both sides And upon producing of A Report made unto this Court by the said M^r Notley & M^r Rozer in pursuance of the afore recited ord^r which Report beares Date the first day of January last past, wherein they did Certefie that they had (According to their consciences and best Judgemts) Audited Stated & Examined the said Acc^{ts} and had Annexed the same to their said Report, and did find due upon the said Ballance of the same to the said Nethway and Balley from him the said James Neale The Quantity of Thirty Three Thowsand & forty Six pounds of Tobacco and Casque to Conteyne it. And in Regaurd it did appeare unto them That the said Neale had Deteyned the said Sum^e of Thirtye Three Thowsand fforty and Six pounds of Tobacco afforemen^oned from him the said Balley for which he ought long since to have Accompted but had refused to his owne wrong and the Great Damage of him the said Balley they doe therefore (According to the Custome of m^rchants in such cases used) Humbly further Report to this Court That the said James Neale ought to pay the aforemen^oned quantity of Thirty Three Thowsand fforty & Six pounds of Tobacco to the said John Balley upon demand out of his owne estate without Charging the said John Nethway and Balley with any badd Debts that hath accrued upon the sale of the said wyne. And whereas the said John Balley did produce to them an Account wherein he charged the said Neale with sev^rall quantities of Tobacco for Damages Sustained by him the said John by Reason of the said James his not Accounting with him sooner, and had kept him a Long tyme in Trouble in these remote parts of the world from his businesse To Record his Right in this Court and for his Charges and Damages expended and sustained in and about the same and other Charges and expences he had beene at, The same not Lyeing before their Considera^ons to report they had Ommitted it and left the said Balley himselfe to p^rsent it to this Court to Determyne. Whereupon and upon Reading the said Report and heareing what Could be Alleadged on either side and haveing seriously Debated the matters betweene the said partyes. This Court doth think ffit and soe Order and Decree that the said Report and all and only the matters and things therein Conteyned Doe stand Rattified and Confirmed by the Decree of this Court to be observed and p^rformed by the said partyes, to all Intents and purposes. According to the True Intent and meaneing thereof, And that the said James Neale doe

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