

Liber P C the same. Who were desired to make full Examañation into it, and to make Report to this Court how they found it at the then next Court, That so the Court being ffully Satisfied in the businesse might Decree & order therein as in Conscience & equity they ought,

p. 40 And the Complt and Defend^t were thereby ordered to Attend the said Auditors at the house of M^r Thomas Notley on such Day as the said Audito^rs should Appoint some tyme Betweene that & the then next Court. In pursuance of which order the said m^r Thomas Notley and m^r Benjamyn Rozer did make their Report unto this Court under their hands and seales in these words ffollowing, Maryland ss. To his Excellency Charles Calvert Esq^o Cheife Judge in Equity and to the rest of his Hon.^{ble} Associate Justices of the same Court. This submissively sheweth that by virtue of an Order of the High and Hon.^{ble} Court of Chancery within this Province begunne and held at S^t Maryes the Tenth day of December last past and there Continued till the fourteenth of the same unto m^r Thomas Notley and Benjamin Rozer Directed under the lesser Seale of this Province Impowering in the said Thomas & Benjamyn to Audite Examine and state an account of sale of a Cargo of wyne made by James Neale for Acc^t of John Nethway and John Balley in Joint ptnership. And which were by the said Balley Comitted to the Charge of the said Neale for sales The account whereof is in the said Court of Chancery ffiled as is expressed in the said Order, and a Coppie thereof thereunto Annexed, In Obedience therfore unto the said Order Wee the said Thomas and Benjamyn have called before us the said John Balley and the said James Neale and haveing veived pused and Read the sev^rall and Respective Articles both of the Debito^r and Creddito^r side of the said Account in p^rsence of the said James and John And haveing taken into our Considera^ons all the Exceptions made by the said Balley against the said Account, as also all that the said Neale hath Alleadged in Justification thereof, and haveing likewise viewed all the paps L^rs and wryteings thereunto Relateing that were produced unto us by the said James & John on their Respective parts, And haveing maturely Deliberated upon the whole matter. Doe in most Humble Maner To this High and Hon.^{ble} Court make this our Report To say, Wee According to our Consciences and the best of our Judgemts haveing Audited stated & Examined the afforeme^ond Account and the same have hereunto Annexed. Doe find due upon the Ballance of the same To the said John Nethway & Balley from him the said James Neale the Quantity of Thirty Three Thowsand & fforty six pounds of Tobacco and Casque to Conteyne it. And in Regard it doth Appeare unto us that the said James Neale hath Deteyned the said Sum^e of Thirty Three Thowsand fforty & Six pounds of Tob afforemen^ond from him the said Balley for which he ought long since to Accomted but