

Liber P C promised this def.<sup>t</sup> that he & his wife should not want nothing that he had And that the said Def.<sup>t</sup> upon those faire termes proposed as aforesaid agreed with Cap.<sup>t</sup> Walter Dunch for the passage of himselfe wife & one woeman serv.<sup>t</sup> And the said John Avery for himselfe & one woeman serv.<sup>t</sup> And that the said Shipe being stayed as Graves Ende by an Embargoe the Said John Avery heareing of a writt taken our ag<sup>t</sup> him out of the high Co.<sup>rt</sup> of Admiralty made a deed of Gift to the said def<sup>t</sup> of all his Goods on board the said Shipp & delivered one pewter dish in the name of the whole with the deed And that the said John Avery came on board the said Shipp at the downes And the said John Avery at sea demanded of the said Def.<sup>t</sup> the said Deed of Gift which he refused to deliver And the def.<sup>t</sup> further Sheweth that being sick he the s<sup>d</sup> John broke open the Said Def.<sup>ts</sup> Chest in the night & tooke out all his writeings And that afterwards arriveing in this province all the Goods were Landed at the said Averys house and that the said Def.<sup>t</sup> delivered to the said Avery whatsoever he claimed to be his And denieth that the said John paid for the passage of the def<sup>ts</sup> wife for England And further shewed that the said John Avery's and the said Def.<sup>ts</sup> Passage were paid for England out of the money recovered as aforesaid And Confesses that his wife had Severall times money out of the money recovered in England but denieth that he knows what sume And the said Def.<sup>t</sup> Denies that he ever rec<sup>d</sup> of the said Avery the value of Twenty shillings more then what he p<sup>r</sup>sently repaid him And that the said John Avery did never entrust him with all the goods men<sup>c</sup>oned in the said Schedule but what the said Avery claimed as his due he delivered them to him And the said Def.<sup>t</sup> utterly denys that he ever was a suitor to the said Avery to goe with him for England or that ever he p<sup>r</sup>tended any Estate to be fallen unto him but that he went with him the said John Avery upon the grounds & motives before men<sup>c</sup>oned & noe other Denieth that the said John Avery Lent him one pound sterl. to putt in his pockett And the said def<sup>t</sup> utterly denyes that the said John Avery took up Lodgeings for him & his wife or paid for the same or that ever the said Avery did entrust him with the keepeing of any sume or sumes of money whatsoever or that the Said Avery Lent him money to buy  
p. 141 Cloths for himselfe wife & Serv.<sup>t</sup> or for the paying of his owne his wives & two Serv.<sup>ts</sup> passages or that the same Schedule or any Coppy or transcript thereof was either of the hand writeing of the said Def.<sup>t</sup> And denieth that he hath one ffarthing of the said Averys money or Goods in his hands or that he was indebted to the said Avery or his Ex.<sup>rs</sup> one farthing or the value of a ffarthing And saith that the goods men<sup>c</sup>oned in the Schedule aforesd are most of them in the Inventory of the said Averys Estate or at Least ought to have binn as by the sd Bill & Answere remaining upon Record