

Francis Stocker  
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John Blomfield

The Defend to answer by the next Court

The Court adjourned untill y<sup>e</sup> Tenth day of December next

At a Court held for the Chancery and Provincial Court begun on  
Friday the Tenth day of December in the 4<sup>th</sup> year of the Dominion of  
Charles the first of England at the City of St Marys and the  
Court continued untill the fourteenth of the same December  
wherein present.

His Excellency Charles Clarendon Esq<sup>r</sup> Chief Justice in Equity

The hon<sup>ble</sup> { Philip Clarendon  
                  { Robert Hooker } Esq<sup>r</sup>.  
                  { Edward Fitzherbert }

Then was the hon<sup>ble</sup> Esq<sup>r</sup> Wharton Esq<sup>r</sup> sworn out of the Justice of this Court and took  
his place accordingly.

John Bally

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James Neal

Defend

John Bally

The parties Compt and Defend in both the said suits, being ready for a tryall  
in both causes, and because both suits relate to one and the same person  
the Court ordered both causes to come to tryall at one time, and the Compt Bally  
bills being read, and Neal answer to the same, and all proofs and other  
papers touching the said cause and the Compt bill of Neal agt Bally being also

read and all papers concerning the said cause, and the Compt bill being upon giving to hear next day  
before his Excellency Charles Clarendon Esq<sup>r</sup> Chief Justice in Equity the hon<sup>ble</sup> Philip Clarendon  
Esq<sup>r</sup> Chancellor of this Province and the Esq<sup>r</sup> of this Office Associates, Justices of this Court  
and upon reading the bills and answers of the several Compt and Defend and the  
Depositions and proofs taken in the said cause, being all by the Court seriously viewed and  
considered, and hearing of what could be alleged on either side, this Court was all  
nearly satisfied that John Bally the Compt is joint owner of the cargo of wines in  
question, and that the account of sales of the said cargo, made by Neal, and in this Court  
filed by Neal to audit, is false and against the same, and the Court do hereby  
appoint Mr Thomas Nolley and Mr Benjamin Rorer to audit the said account the same  
who are hereby desired, to make full examination into it, and to make report to this  
Court how they find it at the next Court, that so the Compt being fully satisfied in the  
business may serve good therein at conscience and Equity they ought, and the  
Compt and Defend are hereby desired to attend the said Auditors at Mr Nolley's  
house on Friday at the said Auditors shall appoint, sometimes before next Court and the  
next Court, that so the said Auditors fully examining the said account may make  
sure report thereof that the Compt being fully satisfied thereby may proceed to  
Dismiss and order what in the premises in conscience and Equity ought to be done.

Coby Wall

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John Wright

This Court do order the Defend to answer by the next Court

Edward Pomeroy

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Randall Knell

Agreed