

appeared accordingly & put in their answer to the Bill & therein  
 say that it might be true if the Compt. did instruct the Bearer of  
 w. the J. Cargo that he should sell those of in this Province -  
 because they find amongst the J. Bearer's Books of acco. a  
 Book of Sales of goods upon the Compt. account read from him in  
 the Ship Ann of London March 20. 1677 by w. Book ready to  
 be produced in Court they find several persons charged w. for all  
 goods amounting in the whole to the sum of 182245. of Tob.  
 that the Bearer hath deducted out for his Com. Storage  
 and other Charges the sum of 10712. of Tob. so that he hath paid  
 thereof when the Effects should be read amounting to 91533. of Tob.  
 out of w. the Debt found by the account current at the end of the  
 Books & several Bills of Lading of the Bearer had at  
 several times shipped & consigned to the Compt. out of the  
 four thirds of tobacco the contents whereof together w. some small  
 Articles of insolvent Debt then found to be so amounting to the  
 sum of 49233. of Tob. so that the Debt paid that at the time  
 of stating the acco. w. appeared to be the 20. of April 1687  
 there was due to the Compt. when Debt ready quantity of 42390  
 of tobacco And the Debt further says & pursuing the Bearer's  
 Books also they found several persons concerned in the Books  
 said had no copy w. they owed as by a particular ready in Court to be  
 produced amounting to the sum of 12550. of Tob. w. the Debt were  
 advised their Testator in his life time or they his Ex<sup>rs</sup> were not  
 accountable for being contracted by the Bearer as factor  
 for the Compt. as appears by a Letter of the Compt. to the said  
 Bearer dated in London 13. of Decem<sup>r</sup> 1676. And they  
 further say that it appeared by the Bearer's papers that  
 in the Year 1687 he sent to the Compt. a Copy of the Books  
 of Sales & Account Current & that he was not diligent in sending  
 them the Effects as fast as it could be gathered. It is true that the  
 Bearer acquainted the Debt that there was effect in his hands  
 belonging to the Compt. & that he would have shipped & saved if he  
 had had any Advice from the Compt. Nor did the Debt ever do any  
 to satisfy to the Compt. or his Ex<sup>rs</sup> what was justly due to him in  
 God Method the Estate was rapable of raising the same That he  
 it is our Account that pretended to be the Compt. Attorney in Lately  
 Demand & require of the Debt for the use of the Compt. 400. of Tob.  
 w. out showing his Authority only a Letter from the Compt. to the Debt -  
 wherein he acquainted him that he had empowered the Compt. by Act of  
 Attorney & that he did refuse to pay the 400. of Tob. and  
 thereupon the Debt as Ex<sup>rs</sup> were sued in the Prov. Court in an Account  
 of Account upon w. they obtained a Nonsuit That as to the  
 Ballance of Account being tried by Debt & standing  
 out 29744. of Tob. the Debt did never gain say to pay as far as

indolent  
 March  
 at against  
 that will &  
 County in  
 thereby  
 designing a  
 the said -  
 of goods -  
 stilling  
 the Bill  
 were upon  
 pt on Board  
 Bearer  
 in this -  
 for tobacco  
 make return  
 But y said  
 owed to inhabit  
 Bearer  
 of y goods  
 about 2000  
 pretending  
 able that  
 so soon of  
 accounts and  
 running  
 untold  
 acco. of the  
 of out w.  
 in August 1687  
 ing y Debt  
 of Wall  
 plus  
 from him  
 and should  
 sold in  
 meant to  
 say the  
 to found  
 and that  
 Bearer  
 to him  
 by the  
 sp. might  
 w. served  
 appeared

same