

1672

And the Defend^t Confessed the account given to the Coll was not a perfect account. The Defend^t then being Sick and could not attend the disposal of his papers but is now willing to give this Court a more perfect account. which he did shew to his answer and saith his own Sloop was hired out a fortnight which he charged but at seven hundred pound of Tobacco & money and he never had less than eight hundred pound of Tob & money. And that he did hire Cooper and provide new Cask. Denied he sold any wine at under Rates or for less than he had sufficient Order and without any private Interest to himselfe. Denied his servant with his privacy did make use of the Key of the Store to drinke the wine, but he finding the Locke injured put on a new one and built a new Roome to preserve the wine and put one to live there to secure the wine, sayes he sold but five barrels to Browning and not fourteen as in the bill is falsely Alledged which was part of the fourteen Barrells the Defend^t took to his particular Account. As for the Twelve Gallon sold to Measur and the Rest they were all charged to the account sold to Samuel Groom. Denied he reserved to himselfe any wine not charged to account. which was not allowed in the account after the last of July save only a small parcel which he had in his Cellar for the entertaining the Coll and others that came to buy wine. thereby to avoid trusting a servant into the wine house. In the time this Defend^t was at sea Denied he ever received any order not to sell the wine and two thousand five hundred pound of Tobacco & pipe. But sold the same according to the best of his skill and followed the Colls order who was glad to have them sold upon any Condition they being poore small wines and apt to fade being Raskt, Knows nothing of any dead Freight due but if any the Coll ought to pay the same the Defend^t saith he delivered Bill to the Coll for Twenty two thousand seven hundred & Eighteen pound of Tob. being part of the produce of the said wine. Denied he converted any of the Tobacco Received to his own use. Denied also that ever he denied to shipp what he Received but did shipp the same as the same was received as by Account appeared. saith he hearing the Coll was intended to deprive in Methway of the produce of the said wine and to goe for Holland he refused to deliver him the Bills presented as it was lawfull for him to doe he being intrusted by Methway as aforesaid. But is Ready to deliver the same into this Court or give security to have the same forth coming. if the Compt would give security for the Twenty two thousand seven hundred & Eighteen pound of Tobacco. Delivered to him in bill as aforesaid. Being the prope Estate of M^d Methway and not any way belonging to y^e Compt. There being not other Course taken for the security of M^d Methways Disbursements for the said wine. by two hundred eighty six millways - with Ten p Cent as aforesaid. which was to be satisfied out of