

And the Compt and Defend^t were thereby ordered to attend the said Auditor
at the house of Mr Thomas Wolley on next day at the said audit & should
appoint some time between that & the then next Court. In pursuance
of which order the said Mr Thomas Wolley and Mr Benjamin Roger did make
their Report unto this Court under their hands and seals in these words
following. *Maryland* To his Excellency Charles Calvert Esq
Chief Judge in Equity and to the rest of his Hon^{ble} Associates 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 St Maryes the Tenth day of December last past
and there continued till the fourteenth of the same unto Mr Thomas Wolley and
Benjamin Roger Directed under the lesser Seal of this Province Impowering us
the said Thomas & Benjamin to audit Examine and state an account of sales
of a cargo of wynn made by James Neale for debt of John Methway and
John Balloy in joint partnership. And which went by the said Balloy Comitted
to the Charge of the said Neale for sale. The amount whereof is in the
said Court of Chancery filed w^{ch} is expressed in the said Order, and a
Copie thereof therunto annexed. In Obedience therefore unto the
said Order we the said Thomas and Benjamin have called before us the said
John Balloy and the said James Neale and having viewed querd and Read the
several and respective Articles both of the Debit^o and Credit^o side of the
said Account in presence of the said James and John And having taken into
our Consideration all the Exceptions made by the said Balloy against the said
Account, w^{ch} also all that the said Neale hath Alledged in Justification
thereof. and having likewise viewed all the papers Led^s and writings
therunto Relating that were produced unto us by the said James & John
on their respective parts, And having Maturly Deliberated upon the
whole Matter. Doe in most Humble Manner to this High and Hon^{ble} Court
make this our Report to say, W^{ch} according to our Conscience and the
best of our Judgment having Audited Stated & Examined the aforesaid
Account and the same have herunto Annexed. Doe find due upon the
Balance of the same to the said John Methway & Balloy from him the
said James Neale the Quantity of Thirty Three thousand & forty six
pounds of Tobacco and Casque to Conteyne it. And in Regard it doth
appear unto us that the said James Neale hath Detrayed the said sume of
Thirty Three thousand & forty six pounds ^{of 20s} aforesaid from him the
said Balloy for which he ought long since to Accounted but hath