

& Eightene pounds of Tobacco. Delivered to him in bills as afforesd. Liber P C  
 Being the prop Estate of m<sup>r</sup> Nethway and not any wayes belonging  
 to the Complt Their being noe other Course taken for the security  
 of M<sup>r</sup> Nethways Disburm.<sup>ts</sup> for the said wyne & his Two hundred  
 Eighty six millrayes with Ten ʒ Cent as afforesaid, which was to be  
 satisfied out of The Neate Produce of the plts part of the said p. 39  
 wyne. And with A Generall Traverse he Concludes his Answer,  
 And whereas Hertofore that is to say in the said ffebruary Court  
 in the said yeare One Thowsand six hundred sixtie nyne The said  
 James Neale did Exhibit his Crosse Bill into this Court against the  
 said John Balley Thereby setting forth to the same effect as in the  
 said Answer as above recited and to have a Discov<sup>r</sup>y of the said  
 Noates and paps by him in the said Answer and in this Bill pretended  
 to be Carelessly left in his Chamber and by Accident lost or Come to  
 the Defend<sup>ts</sup> hands. And to have the Defend<sup>t</sup> Balley Answer. He also  
 prayed the Ayd of this Court & Processe against the said Defend<sup>t</sup>  
 To appear and Answer the said Bill, which being so Granted the said  
 Defend<sup>t</sup> Appeared and Answered Accordingly. And by his Answer  
 Denied the whole Equity of the said Bill: To which said sev<sup>r</sup>all  
 Answers of the said sev<sup>r</sup>all Defend.<sup>ts</sup> the said sev<sup>r</sup>all Complt Replied.  
 And the said John Balley by his Replication did set forth as in his  
 answer to the said Neales Bill he hath Already declared And so the  
 matter being at ffull and perfect Issue Diverse witnesses were Ex-  
 amined in the said Causes and the Depositions duly published accord-  
 ing to the Laudable Rules of this Court as by the said sev<sup>r</sup>all Bills  
 Answers Replications Examinaçõs of wittnesses and other Pro-  
 ceedings thereupon had All of them Remayneing of Record in this  
 Hon.<sup>ble</sup> Court Relation being thereunto had more ffully and more  
 at Large the same doth and may Appear. And the said sev<sup>r</sup>all Causes  
 standing at Issue Ready for a Heareing The Tenth day of December  
 last was appointed for the heareing and Determyneing thereof On  
 which day the partyes Complt and Defendts in both these suites  
 being ready for a Tryall in both Causes And because both suites did  
 Relate to one and the same Concerne This Court ordered both Cases  
 to Come to a Tryall at one tyme, And the Complt Balleyes Bill being  
 Read and Neales Answer to the same and all proofes and other paps  
 touching that cause. And the Crosse Bill of Neale against Balley  
 being also Read and all paps concerneing that cause and upon Reading  
 the Deposiçõs and proofes taken in the said causes being all by this  
 Court seriously viewed and Considered and heareing what could be  
 Alleadged on other sides. This Court was all Clearly satisfied That  
 John Balley the Complt was Joint Owner of the Cargo of wyne in  
 Question and that the account of sales of the said Cargo made by  
 Neale and in this Court ffiled should be referred to Audito<sup>r</sup>s to state  
 and Examine the same And this Court did thereby Appoint m.<sup>r</sup>  
 Thomas Notley and M<sup>r</sup> Benjamyne Rozer to Audite state & Examine