

W^e the said Deponents do hereby further declare, That each of us took one of the real Waste-books in Order to form a just Set of Books therefrom, and *Gilbert Barkly* took the other Waste-book for the same Purpose; and by comparing the Waste-books first given in to *Gilbert Barkly* with the real Waste-books, we found them differ in Articles and Prices: The Waste-books of the Sets called the principal Books, being considerably in the Sales of Goods lower than the Prices the same Goods sold by the Waste-books and real Transactions, which the Books themselves will testify, and which to us seemed a designed Fraud; some Bills of Exchange bought by *John Hay* at a lower Exchange than what they were charged *Gilbert Barkly* when remitted to him, which appears by the first Books delivered him, which he calls his principal Books, and many convincing Proofs of Fraud which at that Time appeared clear to us, and which we now cannot recollect.

DURING the Course of our posting from the said Waste-books, some Entrys appeared dark to us; *Gilbert Barkly*, in Order to clear up the same, earnestly requested of *John Hay* (in our Presence) that he the said *John Hay* would give his Attendance to the posting of the Books, as it was a Matter of Consequence to both, which *John Hay* declined by pretending Business.

SOON after, *James Todd* (Clerk to the said *John Hay*) came to assist us, and continued the most considerable Part of the Time we were at Work, which was between Six and Seven Weeks; but your Deponents finding that they had no occasion for the said *James Todd's* Assistance, acquainted *Gilbert Barkly* thereof, which was answered by him, "That it was not for his Assistance that he requested his Presence with us, but only that he might be a Witness of the Justice done to the said *John Hay* in posting up the said Books."

ON Sunday Evening, being the 2d Instant, we locked the Room, leaving all the Books and Papers there, *James Skinner*, one of your Deponents, delivered the Key thereof to *John Ross*, Servant to the said *Gilbert Barkly*, and next Morning, being the 3d Instant, we went to said Room in Order to go to Work, and not finding the Books and Papers in the Place where we left them, we asked the said *Gilbert Barkly* if he knew where they were, to which he replied, "are they not there?" We answered him, "they are not," upon which he immediately got out of Bed, and said, "this is what I suspected," and after dressing himself went out of the Room. Upon a further Search, we likewise found that a Set of Books posted by *Gilbert Barkly*, as also a Set posted by *George Richan* out of *George Young's* Books, were also missing.

GEORGE RICHAN,
JAMES SKINNER,

Sworn before Me, this 18th
Day of September, 1764.

WILLIAM GREGORY, Cb: Jus:

PERSONALLY appeared before Me, WILLIAM GREGORY, Esquire, Chief-Justice of the Province of *Quebec*, *John Ross*, who solemnly, sincerely and truly declares, That he received the Key of *Gilbert Barkly's* Bed-room (in which he saw many Books and Papers lying) from *James Skinner*, on Sunday Evening the 2d Instant, and that no Person demanded the Key of him, nor had any Access by his Permission till *Gilbert Barkly* came Home in Order to go to Bed, which was about Ten or Eleven o'Clock at Night.

JOHN ROSS.

Sworn before Me, this 18th
Day of September, 1764.

WILLIAM GREGORY, Cb: Jus:

