

Liber FF Smyths mark & soe lett them Lye, w^{ch} hogsheads Sicks owed him th^e s^d Smyth, & promised to him, & th^t It was good Tob made & tendred by him this Depon^t & his Brother Joseph.

Joseph Edlow swears th^e same uerbatim, made by him & his Brother.

Hugh Sherwood sworne sayth, That Those Two hogsheads were marked according to M^r Smyths order & appoyntm^t, That hee saw one of those hogsheads weighed & th^t th^e weight amounted to ffiue hund^d & odde pownds grosse.

M^r Thomas Sprigge sworne sayth, That hee did serue an Execūon on th^e Body of John Six, for a Debt due to M^r Rich: Smyth, That Six after hee was this Depon^{ts} prisoner toald him hee had 2 hogsheads of Tob. ready for him & soe far preuayled wth this Depon^t as to pay M^r Smyth th^e remainder of th^e Execūion, W^{ch} I promised him to doe, & to th^t end wrote to M^r Smyth concerning those 2 hogsheads Six tould mee were ready, & th^t I would pay him th^e s^d Smyth th^e remainder afterwards. The uery same day th^t M^r Smyth receaued my noate to th^t purpose I saw him my selfe, & M^r Smyth certifiyed mee th^t hee had received th^t noate by Stephen Hobbs, M^r Smyth telling mee then hee would haue it alltogether, But afterwards told mee, Hee was content to forbear soe hee might bee sure of it all th^e next yeare. Afterwards Six asked mee, what hee should doe wth those 2 hogsheads? being M^r Smyth would not receaue them. To w^{ch} I gaue him noe Councill. Then Six fearing they might Lye uppon his hands desyred mee to dispose of them: But those th^t I ordered to looke & ueiw them did not like them, & further sayth not/

Stephen Hobbs sworne sayth, That hee deliuered That noate of M^r Spriggs into M^r Smyths owne hands w^{ch} was writt to him in th^e p^{ffs} behalfe, That M^r Groome receiued one hogshead in part of th^t exequūon, weighing ffowre hund^d & ffowre pownds neate, w^{ch} hee this Depon^t payd him.

One nñ. rec^d & 2 nñ. Tendred Putt to th^e Vote whither a good Tender yea or noe.

Chancelo^r good Tender

Gouerno^r idem

All th^e rest of th^e Board Contra

The p^{ff} nonsuited.

John Ellis, Elizabeth Bennet, & Thomas Courtney Cleared by Proclamāon.

The Court adiornd till afternoone.

Munday afternoone 16th Octob^r 1665. All p^rsent as afore

The Leiu^t Gräll informes th^e Court att th^e request of John Nicholds That there is Lying in his Tob. howse att West S^t Maries some hogs-