

to Receiv= the same out of the Publique Treasure in Talbott of Coll. Vincent
 Low= high Sheriff of the same County, w^{ch} Noote boare date the 20th day
 of October 1677 and the said Deery gave him a Receipt for the same &
 a discharge against the said bond of 577 60^l of Tobacco, w^{ch} ought to
 be delivered up to the Def^t to be cancelled, and yet the Comp^{ts} to him
 the Def^t had given out the same was free due as by the bill
 was set forth, and would not deliver the same up to him, and for w^{ch}
 the Def^t must seek his remedy as hee shall be advised, and the
 said Def^t says hee knew not what shipp the Comp^{ts} hired when
 hee set sayle when hee arrived at Waterford, or that hee purchased the
 said goods or that hee was ready to sayle as in the bill, but that the
 Comp^{ts} as the Def^t had heard stayed longer then hee needed to get
 farvants in Ireland and might have come in power if hee had pleased
 And if the bond be there by forfeited as true is, it was through his
 own default. Yet, if hee had failed in the day by wind and weather the
 Def^t would not have taken any advantage of the forfeiture of the Comp^{ts}
 after his arrivall had delivered the goods when demanded according to the
 Condition of the said bond, w^{ch} hee absolutely refused and so wilfully
 broke his bond, and the Def^t says that his loss by fire or any
 other the place in the bill mentioned caused his Credit to fail him or
 rendered him incapable of paying his debts, but the Comp^{ts} not pay=
 =ing the 13762 pound of Tobacco w^{ch} was promised to be paid to
 William & Harpwood the Cause of their suing the Def^t, says
 hee had heard Deery say all the debts the Comp^{ts} owe with him would
 farre be sufficient to pay all the Comp^{ts} owe him being thirty three
 thousand pound of Tobacco or thereabouts, that the Def^t refused for
 his said bond of 577 60 pound of Tobacco according to the Condition
 paid Deery 15120 Tobacco as aforesaid, and Deery might have viewed
 the same if demanded, and the same being a Noote out of the publique
 and assigned to Deery for Engleys use and by him accepted the prople
 was allowed and Deery discharged the said bond, that it may be true
 Deery might charge a Noote on Collon Low to pay Matthew Tenn
 thousand pound of Tobacco w^{ch} Collon Low was ready to pay but
 before the same was demanded Deery dyed and so Collon Low could
 not be discharged from the same without Deery and hee kept the same
 in his hands till the Comp^{ts} came in as the Def^t had heard, and since
 the Comp^{ts} came hee hath or might have received the same, that the
 Def^t hath heard that Matthew's debt was three years due and hee had

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