

others at their request, they having first put their marks; I and the others expected by this to be made free of the city; believe, out of 160 men now belonging to the fort or thereabouts, there may be thirty that signed.

*One Bovell.* Coming to Capt. Hutchins', was shown some papers which was told were addresses, to which I put my mark, without being desired by anybody; cannot write nor read; when I had set my mark, Mr. Hutchins told me that if any of my fellow soldiers would come and sign also, they might; if not, they might let it alone; by this signing, I expected to be made free of the city, but from being a soldier; but never heard Capt. Hutchins say so.

*Mr. Cosens.* Am clerk of the Council.

*Col. Bayard.* I own that paper; it is a petition to the lieutenant governor and council in behalf of Alderman Hutchins, then in prison; owning with Mr. French, Mr. Wenham and Mr. Van Dam, that the copies of three addresses to the King, the parliament and the Lord Cornbury, were in our hands.

*The Solicitor General.* I desire Mr. Emot may be sworn, whether he did give advice to a certain person about that clause in the address to the lieutenant governor in favor of Alderman Hutchins, viz., that the Lord Cornbury succeeded the Earl of Bellamont as governor in New York?

*Mr. Emot (sworn).* I told Mr. French these words in the said address did not run current and might give ground of exception to some who would be apt to strain every word to the prison-

er's disadvantage; to which Mr. French replied, they had drawn the addresses themselves and believed it was well enough.

*Michael Christian.* I remember, some time since, about Christmas, I believe, I was at the coffee house, where I saw the addresses, with many other people, but cannot tell how many; not more than twenty; I found three addresses there, and signed them all, but the substance thereof I cannot now remember; it is a good while since, and therefore I cannot speak positively to it. I remember, a question was asked me at the council, whether there were any complaints in the addresses that the soldiers wanted their pay? I believe I might then answer something about it, but I do not know any such thing in the addresses, either of the soldiers or their pay; I remember that Colonel Bayard was then at the coffee house when I signed the addresses, but do not remember that anybody desired me to sign.

*The CHIEF JUSTICE.* How many hands, Mr. Christian, did you see to the addresses? I cannot tell how many, but remember Colonel Bayard amongst others was there; but he never asked me to sign either of the addresses; nor can I remember that there was anything concerning either the soldiers or their pay in the addresses.

*The CHIEF JUSTICE.* Certainly these gentlemen are very unwilling evidences; Mr. Christian is a gentleman of good learning, and it is strange that he should be so forgetful, that he cannot remember what was given in on his oath before the governor and council; he has either a weak or a treacherous memory.