

Liber  
P. C. R. The dēft denyeth what the pff allegeth in his Pet<sup>n</sup>. In which Case, Abraham Holman deposed in open Court sayth That his Brother should haue had a Cow deliuered him, when hee had sett up 25 Tun of Cask.

To w<sup>ch</sup> the dēft sayth, th<sup>t</sup> att the finishing of the Bargaine hee gaue the pff his Bill, or Condicōn up; Telling him th<sup>t</sup> the Cow w<sup>ch</sup> hee was to haue, was in his plantaōn; & therefore willed him now to looke after her himselfe for th<sup>t</sup> he was discharged of all bargaines w<sup>th</sup> him.

p. 286 John Stewart deposed in Court sayth, That uppon the deliery in of the Bill, he wished the pff to looke after the Cow. And the pff desyred the dēft to giue the Cow some Corne, & he would repay it againe saying th<sup>t</sup> hee would fetch her ouer the water, soe soone as he could.

James Sudward Sayth That hee & the pff came to the Dēfts Brothers howse, intending to goe unto the Indians: & discoursing about the bargaine performed, The dēft willed the pff to looke after his Cowe himselfe. And th<sup>t</sup> before they came to that howse, he heard the pff say That he could find in his heart to carry the Cow ouer uppon the yce

The Judgm<sup>t</sup> of the whole Court is, That there was a sufficient tender made by the dēft.

Ordered That the pff be nonsuited.

Blunt v.  
Thomas To the hon<sup>bte</sup> &c: The humble Pet<sup>n</sup> of Richard Blunt Sheweth, Whereas yo<sup>r</sup> Pet<sup>r</sup> hath bought of Philip Thomas this parcell of Land cleared & uncleared, w<sup>th</sup> the howses uppon the s<sup>d</sup> Land, & hath warranted true sale thereof from any p<sup>c</sup>son or p<sup>c</sup>sons laying claime thereunto. Yo<sup>r</sup> Pet<sup>r</sup> hath sought for a Patent for the houlding of the same Land w<sup>ch</sup> hath bene denied him. Yo<sup>r</sup> Pet<sup>r</sup> humbly Craueth that the s<sup>d</sup> Philip Thomas may make true sale of the Land & howses, th<sup>t</sup> he hath sold unto yo<sup>r</sup> Pet<sup>r</sup>, or th<sup>t</sup> hee may haue his Tob againe that hee hath payd to the s<sup>d</sup> Philip Thomas for the s<sup>d</sup> Land, & &c:

The dēft sayth, That there was such & such Land, reserued by the Inhabitants of this County, att their first comming up here to seate, for their publike use (intending to gett the same confirmed by his Lordship) whereon att their common Charge they afterwards erected a meeting howse, (the howse the pff now claymeth to be his, according to th<sup>t</sup> Condicōn) On w<sup>ch</sup> Land the dēft was permitted then to seate, w<sup>th</sup> the consent of the Inhabitants here. And afterwards relinquishing the s<sup>d</sup> Land, whereon himselfe had both built & cleared, hee sold his right therein to the pff Richard Blunt, & his Copartner Thomas Sowth. And Thomas Sowth (then present in Court) euinceth & declareth That att the Bargaine making w<sup>th</sup> the dēft for that Land, hee did not intend to claime that howse now in question, for hee knew & understood th<sup>t</sup> it was euer intended for the publike