

Liber P C what was Sold he knows not And the Def.^t having bargained and
 agreed for the Said four hundred acres of Land as aforesaid &
 paid part as aforesaid and there being about Two Thousand pounds
 of Tobacco unpayd of the Purchase and the Said Nicholas being
 Returned againe and the Province Reduced to his Lordps obedience
 p. 114 and the Defend.^t having had noe assurance from Hawley in his
 life tyme for the said four hundred acres of Land and the land
 being as the said Marij told him as aforesaid settled as aforesaid the
 Defend.^t Conceived the said Nicholas could not make the Def.^t a good
 title to the Said four hundred Acres of Land And therefore urged
 the Said Nicholas Severall tymes to Repay the said Three Thousand
 pounds of Tobacco but the Said Nicholas assured this Defend.^t that
 he had a good title to the said land and could Lawfully Convey the
 Same to him and make him a good title of Inheritance Thereupon
 this Defend.^t being Ignorant in the Lawe applyed himselfe to the
 Honn.^{ble} Phillip Calvert Esq; then Secretarij of this Province and
 to severall other Eminent and learned persons for advice in the
 premisses who all assured the Defend.^t that the said Guythers Right
 was good to the Said Land but the Secretarij advised him that
 unlesse his Lordps Rent were paid the said Land would be forfeited
 & the Said Guyther Solicited the Def.^t to pay the Said Two Thou-
 sand pounds of Tobacco remainder of the purchase moneij to enable
 him to paj the Rent aforesaid w.^{ch} the Def.^t refusinge untill an
 assembly Satt the Defend.^t thinking that would be the best way to
 secure his Land to have itt made over in a generall Assembly and
 thereupon the said Nicholas att a Generall assembly held for this
 Province by indenture duely Executed in the Lower house of as-
 sembly and attested by William Evans & Luke Gardner members
 of the Said house and W.^m Britton Clarke of the said house the
 Sixth day of Aprill Anno Domini one thousand six hundred Sixty &
 one between the said Nich.^o Guyther and the Defend.^t w.^{ch} wittnessed
 that the Said Nicholas in Consideration of five Thousand pounds
 of Tobacco had sold aliened and Bargained the said four hundred
 Acres of Land w.th the Appurtenances to the said Defts & his
 heyres for ever under the Rent of one Bushell of Indian Corne and
 other rents and Covenants in the same Indenture Contayned And
 further the Said Nicholas did in the Same indenture declare that
 whereas he was Lawfully possessed of the Estate that did formerly
 belong to Will.^m Hawley deceased as by a Lawfull order of the
 Provincially Court bearing date the four and twentieth day of March
 one Thousand Six hundred fifty and two might appeare had sold
 the said Land to provide a Sufficiency wherewithall to pay what
 p. 115 arrearages of Rent were behind that the whole might not be for-
 feited for non payment of his Lordps Rents and therefore the said
 Nicholas did bind himselfe and his heyres to make the Said Sale
 good as by the Said Indenture might appeare by vertue whereof the