

appearance from Hawley in his life tyme for the said four hundred
 of Land and the land being as the said Marij told him as aforesaid, I was
 as aforesaid the Defond^t. Conceived the said Nicholas would 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 Defond^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 Defond^t.
 being Ignorant in the Lawe applyed himselfe to the Hon^{ble}. Phillip Calvert
 Esq^r. then Secretarij of this Province and to severall other eminent and
 learned persons for advice in the premises who all assured this Defond^t.
 that the said Guythers Right was good to the said Land but the
 Secretarij advised him that unless his Rent were paid the said
 Land would be forfeited & the said Guyther solicited this Def^t. to pay
 the said Two Thousand pounds of Tobacco remainder of the purchase
 money to enable him to pay the Rent aforesaid w^{ch} the Def^t. refusing
 untill an assembly Iett the Defond^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 duly executed in the Lower house of assembly 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 April Anno Domⁱⁿⁱ
 one thousand six hundred sixty & one between the said Nich^o. Guyther and
 the Defond^t. w^{ch} witnessed that the said Nicholas in Consideration of
 five Thousand pounds of Tobacco had sold aliened and Bargained the said
 four hundred Acres of Land wth the Appurtenances to the said Def^t.
 his heires for ever under the Rent of one Bushell of Indian Corne and
 other rents and Covenants in the same Indenture contained And further
 the said Nicholas did in the same indenture declare that whereas he
 was Lawfully possessor of the Estate that did formerly belong to Will^m.
 Hawley deceased as by a Lawfull order of the Provinciaall Court bearing
 date the four and twentieth day of March one thousand six hundred fifty
 and two might appere had sold the said Land to provide a sufficiency
 wherewithall to pay what arrears of Rent were due that the

Whole