

John Warren
v.
Thomas Mathews

Archives 41, p. 582
Provincial Court Proceedings
October 8, 1662

Petition of Warren shows that Edward Cotten deceased gave by will a legacy to Ignatius Warren the son of John a mare foale

"I give to Mr. Starkey my old chesnut colored mare provided Starkey give a specialty to John Warren that he shall deliver and give to him the first mare colt that the mare shall bring which shall be for his son Ignatius.

And leeste the sd Ignatius be frustrate of having and enjoying a mare foale certain

I give go Thomas Mathews the younger the young mare two years old provided that if she bring forth a mare foale before Mr. Starkeys mare that it shall be given to Ignatius. Mathews mare brought forth a mare foale which properly belonged to the petitioners child....

Plaintiff petitions. The def. produces a general discharge from the sd John Warren and further pleads that the foale bequested died before the demand made of the legacy. Ordered that Mr. Thomas Mathews prove that the first foale of the mare bequested to Ignatius by Cotten dec. be dead or lost.

Next Provincial Court.