

Mercer Quarterly Court.

Merritt Downey,

Plff.

Vs. Amended Answer.

Vick Gipson,

Dft.

The defendant, Vick Gipson, without waiving any of the allegations of his original answer, for other and further cause of defense hereto, alleges that the contract under which said Downey claims the cow in controversy was made on Sunday and for this reason is null and void. He says that the said Downey was to come the following week and get the cow, but failed to do so, and that his failure and refusal to come at the time agreed upon was a breach of said alleged contract and a cancellation of same at the option of the said defendant, Vick Gipson.

R. L. Black