in the Patent afs: of the afs: tract of Land called Addition to Tiverton, to the said Archibald Patison his Heirs or assigns, agreeably to his the said Ralph's contract and agreement last afs:, made as afs: on the said fourth day of July in the year seven teen hundred and seventy one, and mentioned and referred to in & by the condition afs: of the supposed writing obligatory afs:, (although to do the same the said Ralph Green in his lifetime, to wit, on the day of in the year seventeen hundred and seventy and often afterwards at the County afs: by the said Archibald was thereto required) now did the said Ralph Green and the said Amelia his wife, or either of them in their lifetimes, ever yeild, nor have their, or either of their heirs, or the said Catharine and William or either of them since the deaths of the said Ralph and Amelia, (altho by the said Archibald often required) ever at any time yeilded to the said Archibald his Heirs or assigns any other Land whatever to the value of, or in Lieu, or in stead of the said Parts of the said tract of Land called Addition to Tiverton, so as afs:, included within and taken away by the elder Tracts afs: as above mentioned, or for either of them, nor did they the said Ralph Green and the said Amelia his wife, or either of them in their lifetimes, or their or either of their Heirs, or the said Catharine Green and William Richardson, or either of them since the deaths of the said Ralph and Amelia, ever, at any time whatsoever, pay, or otherwise make any kind or manner of recompence or satisfaction — whatever to the said Archibald his Heirs or assigns for the said parts of the said Tract of Land so as afs:, taken away, or for either of them (altho: to do the same the said Ralph Green in his lifetime to wit, on the day of in the year seventeen hundred and seventy and often afterwards at the County afs: by the said Archibald was thereto required, and altho: to do the same the said Catharine and William since the deaths of the said Ralph and Amelia to wit, on the day of in the year seventeen hundred and

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at the County afs: by the said Archibald were also required) but the said Ralph Green, in his lifetime, to convey, assure, and make a good right and Title to the said Archibald his heirs or assigns, in and to all the Land included and contained within the metes and bounds of the afs: tract of Land called Addition to Tiverton, agreeably to his contract and agreement last afs:, or to yield to the said Archibald his heirs or assigns any other Land whatever to the value of, or in lieu, or in stead of the said parts of the said tract so included within and taken away by the afs: elder tracts of Land as afs:, or to secure, save — harmless, or to indemnify the said Archibald his heirs or assigns from and — against the afs: elder tracts of Land, or to pay or otherwise make to the said — Archibald his Heirs or assigns any kind or manner of recompence or satisfaction for the same Parts of the said tract so taken away, did then and there allege: ther refuse and deny, and the said Catharine and William still do refuse and deny to do the same, whereby the said Archibald hath altogether lost and been deprived of the afs: parts of the said Tract of Land so as afs: taken away, and so the said Archibald saith, that the said Ralph Green never did comply fully with his said last mentioned agreement with the said Archibald made as afs: on the afs: fourth day of July in the year — seventeen hundred and seventy one, and mentioned and referred to in and by the condition afs: of the supposed writing obligatory afs:, but his said Agreement did break; and this the said Archibald is ready to verify: wherefore he prays Judgment of the afs: Catharine and William their action afs: thereof against him to have or maintain ought &c: —

And the afs: Archibald Patison, by the leave of the Court here according to the form of the Statute in such cases made and provided, comes and further defends the force and injury when &c: and further saith, that, the said Catharine and William their Action afs: thereof against him to — have or maintain ought not, because he saith that the afs: Ralph Green in the same supposed writing obligatory mentioned, in his lifetime, before the time of making the said supposed writing, to wit, on the fourth day of July in the year seventeen hundred and seventy one at Dorchester

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