

209) Number of acres as the said Osborne Sprigg or his Council shall
Require unto which writ the said Ninian Mariarte shall appear gratis
and shall Touch to Warranty the Common Vouchee who shall likewise
appear gratis and enter into Warranty and Plea that Hugh Hunt did
not Depseise the said Osborne Sprigg and put himself upon the
Country, Whereupon the said Osborne Sprigg shall Impare and
afterwards come into Court & the Common Vouchee altho solemnly called
shall not come but Depart in Contempt of the Court and make
Default, that thereupon Judgment shall be had and given, that
the said Osborne Sprigg shall Recover the Land & Premises
af. with the appurtenances against the said Ninian Mariarte
and the said Ninian Mariarte recover in Value against the
Common Vouchee so that a Perfect Recovery may thereupon be had &
Suffered and that the said Parties and the Common Vouchee shall at the
Proper Cost and Charge of the said Osborne Sprigg make do suffer &
Execute all and every matter or thing whatsoever meet necessary &
Convenient for the Prosecution of the said Recovery according to the
Course of Common Recoverys with Single Vouchee whereupon a Writ
of Reisin shall issue and be executed in due form of Law and it is
hereby further covenanted granted and agreed upon by and between
the said Parties to these Presents that the said Common recovery
to or in any other manner to be had & suffered of the af. Premises
with the appurtenances between the said Parties to these Presents
shall onure and be construed Adjudged & taken to be & enure to the
use of the said Osborne Sprigg his Heirs and assigns forever & to no other
use Intent or Purpose whatsoever of the Ninian Mariarte for
himself his Heirs doth covenant grant and agree to & with
the