

feet and whereas such increase in the height of said dam  
 may back the water of said Tussock River or its affluents  
 upon, and overflow, or of said above described land and  
 cause damage to the same, or to the crops which may from  
 time to time be planted and grown thereon, and whereas  
 the said The Pelham Mills, is willing to pay me for the  
 right and privilege of increasing the height of said dam  
 as aforesaid, the sum and price hereinafter named, which  
 I am willing to accept thereof, you therefore know all  
 men by these presents that I the said James J. Hitchcock  
 for myself, my heirs, executors, administrators and assigns  
 in consideration of the premises and of the sum of  
 twenty five dollars to me paid by the said The Pelham  
 Mills at and before the execution and delivery of these  
 presents the receipt whereof is here by acknowledged  
 have granted bargained and sold and by these presents  
 do grant bargain and sell unto the said The Pelham  
 Mills its successors and assigns the right and privilege  
 of increasing the height of the aforesaid dam four  
 additional feet so that the height of the same shall  
 be eighteen feet two inches and three fourths of an  
 inch, measured as aforesaid, or to such less height as  
 they shall seem meet and proper and in making  
 such increase to strengthen the foundation or otherwise  
 add to the thickness of said dam if the same shall be  
 requisite, and to rebuild or repair the same from time  
 to time in the same manner, whenever natural  
 decay or damage from the elements or otherwise  
 shall render the same necessary. And I do hereby  
 warrant and agree for myself, my heirs, executors, ad-  
 ministrators and assigns, and all persons lawfully  
 claiming by, through, or under us, or any or either of  
 us, that we will not, nor will any or either of us, make any  
 claim whatever against the said The Pelham Mills its  
 successors or assigns for any injury to the aforesaid  
 land, or to the crop or crops planted or growing thereon  
 from time to time, or otherwise, caused by the aforesaid  
 dam as now existing, or as the same may be hereafter  
 changed within the limits aforesaid and the said  
 The Pelham Mills its successors and assigns shall  
 and may at all times hereafter peaceably and  
 quietly have, use and enjoy said dam as now  
 existing, or as the same may be hereafter said