

THIS INDENTURE Made and executed this twentieth day of September in the year of our Lord, one thousand eight hundred and fifty eight. BETWEEN John T. Cooper of the city of Albany, State of New York, party of the first part, and Charles H. Cooper of the city of Philadelphia, State of Pennsylvania, party of the second part. WITNESSETH That the party of the first part, for and in consideration of the sum of ten dollars, to him duly paid by the party of the second part, the receipt whereof is hereby confessed and other good considerations him moving, hath granted, bargained, sold, released, conveyed, assigned and set over and by these presents, doth grant, bargain, sell, release, convey, assign, and set over, unto the said party of the second part, his heirs, successors and assigns. ALL that certain brick messuage or tenement and lot or piece of land, situate in the city of Philadelphia, State of Pennsylvania, on the west side of Franklin Street, at the distance of fifty nine feet, southward from the south side of Vine Street in said City of Philadelphia, being twenty feet on Franklin Street, and extending that breadth in length or depth westward, in parallel lines at right angles with said Franklin Street, one hundred and twenty two feet, eight inches to an alley three feet, eight inches wide; Said messuage or tenement is now known as number two hundred and fifty six Franklin Street, ALSO ALL and singular the lands, tenements, lots and pieces of land and all the real estate of every kind and nature whatsoever, situate in the City of Albany, and in the Counties of Albany, Clinton and Schoharie in the State of New York or elsewhere lately belonging to Susan M. Cooper and which were conveyed by said Susan M. Cooper to the said party of the first part by warranty deed dated September 20, 1858. ALSO ALL the bonds, and mortgages, rail road stock, rail road coupon bonds, and personal property, lately belonging to said Susan M. Cooper, and which were assigned and transferred to the party of the first part by said Susan M. Cooper by said deed dated September 20, 1858 the said party of the first part meaning and intending hereby to grant, convey assign and transfer unto the party of the second part all and singular the real estate and personal property which were conveyed and transferred to the party of the first part by said Susan M. Cooper by said deed dated September 20, 1858 and none other. The premises now known as numbers eight, ten and twelve Green Street in the city of Albany, included in the above grant, are conveyed subject to the payment unto Margaret Cooper, during her life, of an annuity of Seven hundred dollars a year, payable quarterly in sums of one hundred and seventy five dollars each, on the tenth days of November, February, May and

August in each and every year, so long as she shall survive. TO HAVE AND TO HOLD the said real and personal estate, and every part and parcel thereof hereby granted, sold conveyed and assigned to the party of the second part his successors and assigns upon the trusts and to and for the uses and purposes following, that is to say, In Trust and with full authority and power to the party of the second part & his successors to receive the rents, issues and profits thereof and after paying all taxes, charges and assessments including the aforesaid charge, by way of annuity, to apply the same to the use of Susan M. Cooper, aforesaid, for and during her natural life, free from all control of any future husband of hers, or the creditors of such husband, and upon her death to convey the same to such person or persons and in such proportions, as the said Susan M. Cooper may, by her last will and testament appoint and in default of such appointment, to convey and transfer the same to such persons then living and in such proportions as they would have inherited if she had died a widow, seized of an estate in fee simple therein. And the said party of the second part and his successors, are hereby authorized and empowered, by and with the consent of the said Susan M. Cooper, to be signified by her joining in the conveyance, at any time to grant, sell and convey the said real estate at either public or private sale, and on such terms, conditions and credit, as he may deem expedient and to execute all necessary deeds to perfect any such sale, and to invest the proceeds of any such sale or sales in good securities and to hold such proceeds upon the same trusts as are herein expressed. And the said party of the second part and his successors are hereby authorized and empowered by and with the written consent of said Susan M. Cooper from time to time to purchase any real estate and to pay for the same out of the property hereby conveyed and the same to sell with the like written consent of said Susan M. Cooper from time to time; and to hold the property purchased from time to time upon the same trusts as are herein directed in relation to the premises hereby conveyed. The said party of the second part and his successors, are hereby authorized out of the income of the said trust estate to pay all the necessary charges, attending the execution of the trusts hereby created, including a reasonable compensation for his services; also all taxes and assessments, the necessary repairs to buildings and fixtures, and all premiums for insurance. The said party of the second part or his successors are hereby authorized and empowered to make and grant leases from time to time for any part of the said real estate, and the real estate that may be purchased from year to year, and for any term of years not exceeding ten years, and on such terms and conditions

as to him may seem proper. And he and his successors are hereby also authorized and empowered out of the capital of any part of the trust estate, to improve the said real estate or any part thereof by erecting suitable buildings or fixtures thereon, or in such other way as may be proper, and he shall deem judicious. THE SUPREME COURT of the State of New York or any other Court of Record in that State, having equity powers are hereby authorized and empowered upon the nomination of the said Susan M. Cooper, or upon their own motion to appoint a trustee, or trustees in the place and stead of the said party of the second part, in case he shall die or refuse to be unable to act, or shall make application to be discharged from said trust, or in place or instead of any succeeding trustee, or trustees, and such Court may in its discretion make any such appointment, without requiring security from any such trustee or trustees.

IN WITNESS WHEREOF the said parties of the first and second parts have hereunto set their hands and seals, the day and year first above written. Jno. Taylor Cooper L.S.

Sealed and delivered in the presence of; Charles D. Cooper L.S.

(the words "a widow" being written on an erasure in the 10th line 4th page before execution.)

H.D.D. Twigg, Edw. Shippen

STATE OF PENNSYLVANIA CITY OF PHILADELPHIA SS On the twenty seventh day of September in the year one thousand eight hundred and fifty eight before me, the undersigned, Edward Shippen a Commissioner for the State of New York, resident in the said City of Philadelphia personally appeared Charles D. Cooper, personally to me known to be the individual described in and who executed the foregoing instrument and then and there in the said City of Philadelphia acknowledged that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year aforesaid. L.S. Edw. Shippen, Com. for N.Y.

STATE OF NEW YORK OFFICE OF THE SECRETARY OF STATE I, hereby certify that Edward Shippen of Philadelphia, County of Philadelphia and State of Pennsylvania was at the time of taking the annexed acknowledgment a Commissioner for the State of New York, to take the proof and acknowledgment of deeds and other instruments to be used or recorded in this State, and to administer oaths and affirmations, pursuant to Chapter 270 Laws of 1850; and that such Commissioner was at the time aforesaid duly authorized to take the same; and that I have compared the signature of the said Commissioner to the certificate subjoined to the annexed instrument, with the

signature of such Commissioner deposited in this office, and have also compared, the impression of the seal affixed to such certificate with the impression of the seal of such Commissioner deposited in this office and I verily believe the signature and impression of the seal to the said certificate to be genuine.

WITNESS my hand and the seal of office of the Secretary of State at the city of Albany, this.....day of.....one thousand eight hundred and fifty.

L.S. S.W. Morton, Dep. Secretary of State.

STATE OF NEW YORK CITY & COUNTY OF ALBANY SS On the fourth day of October 1858 before me the subscriber, personally appeared John T. Cooper, to me known to be the same person described in and who executed the within instrument and acknowledged that he executed the same.

Recorded Nov. 25th, 1858 at 4 hours 30 min. P.M. Abraham V. De Witt, Comr. of deeds.

Rob. Babcock, Clerk

THIS INDENTURE Made this first day of November in the year of our Lord one thousand eight hundred and fifty eight; BETWEEN Peter McClyman and Elen McClyman his wife of Montgomery County, State of New York, of the first part, and Jonathan H. Case of the City and County of Albany of the Second Part. WITNESSETH That the said parties of the first part, in consideration of the sum of five thousand dollars to them duly paid, have sold, and By these presents, doEs grant and convey to the said party of the second part, heirs and assigns. ALL that certain parcel or lot of ground situate, lying and being on the west side of Lark Street in the Second Ward of the City of Albany (now the Ninth Ward) aforesaid and bounded as follows, viz; Beginning at a point in the west line of said Lark Street at the distance of two hundred and twenty five feet southerly from the south side of Washington Street at the corner of a lot formerly owned by Henry Philippe and runs from thence westerly along the northerly line of the Philippe lot (now owned) by the party of the second part) fifty feet to the easterly line of a lot of ground now or lately owned by Richard Middleton thence northerly along said Middleton east line and parallel line with the west line of Lark Street twenty feet thence easterly (on a parallel line with the southerly line of the Lot) to said Lark Street thence southerly on the westerly line of said Lark Street twenty feet to the place of Beginning, the said parcel