

THIS INDENTURE made the twenty eighth day of July in the year of our Lord one thousand eight hundred and forty nine Between William A. Wheaton of the city of Albany in the State of New York, Druggist and Margaret Isabella his wife of the first part and "President Directors and First Company of the Great Western Turnpike Road" of the second part WITNESSETH That the said parties of the first part for and in consideration of the sum of fifty dollars lawful money of the United States, of America to them in hand paid by the said parties of the second part the receipt whereof is hereby confessed and acknowledged have granted, aliened, remised, released, enfeoffed and confirmed and by these presents do grant, alien, remise, release, enfeeoff and confirm unto the the said parties of the *first [second] part and to their successors and assigns forever ALL and singular the following piece of land being a part of that certain farm owned by the parties of the first part & situated in the town of Guilderland in the County of Albany namely one acre of land to be located by the parties of the second part in the form of a square so nearly as may be in a corner of the aforesaid farm formed by the intersection of the southerly line of the Turnpike Road of the parties of the second part (which runs through the aforesaid farm and is of the width of six rods) and the easterly line of the said farm. The acre of land hereby intended to be granted and conveyed being bounded as follows:

Northerly by the southerly line of said Turnpike Road, easterly by the lands of Henry Southwick and southerly and **easterly [westerly], lands of the said parties of the first part TOGETHER with All and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part either in law or equity of in and to the above granted premises with the hereditaments and appurtenances TO HAVE AND TO HOLD the above mentioned and described premises with the appurtenances and every part and parcel thereof to the said parties of the second part their successors and assigns forever and the said William A. Wheaton for himself his heirs executors and administrators, doth covenant grant, bargain, promise and agree to and with the said parties of the second part their successors and assigns to warrant and forever to defend the above granted premises, and every part and parcel thereof now being in the quiet and peaceable possession of the said parties of the second part against the said parties of the first part their heirs executors, administrators and assigns and against all and every other person or persons claiming or to claim the said premises, or any part thereof. IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of

W.A. Wheaton L.S.

N.B. word "heirs" erased on three different places before execution

M. Isabelle Wheaton L.S.

W.E.J. Griffing

STATE OF NEW YORK ALBANY COUNTY SS On this thirty first day of July 1849 before me the subscriber personally appeared William A. Wheaton and Margaret Isabelle his wife and acknowledged that they had severally executed the within instrument and the said Margaret Isabelle the wife on a private examination apart from her husband acknowledged that she executed the within instrument freely and without any fear or compulsion of her husband and I further certify that I know the persons who made the said acknowledgement to be the individuals described in and who executed the within instrument.

Recorded Aug. 2, 1849 at 12 hours M.

James Henry, Comr. of deeds.

L. Van Deusen, Clerk

* the "original" typed transcript deed clearly reads "...first part..." here, which must be a transcription error, "second part" being obviously the intent, and perhaps as handwritten in the original copy, now unavailable

** similarly, "easterly" is clearly wrong, and "westerly" should be substituted