

This Indenture made this first day of April in the year of our Lord Christ one thousand seven hundred and ninety one, Between **George Failing** of Palatine town in the County of Montgomery and in the State of New York yeoman **and Catharina his wife, of the first part, and Adam A. Walrath of the same place of the second part.** Witnesseth, That whereas the said party of the first part is seized in his demean as of fee of and in **one hundred and sixty three acres** of land which Land is known and being the Southeasternmost moiety or half part of the Northwesternmost moiety or half part of **Lot number eighteen** in a patent granted unto William Burnet, Francis Harrison and others situate lying and being on the **north side of the Mohawk river** in the town and county aforesaid, which said one hundred and sixty three acres of Land is bounded on the Southeast to the Lands of Jacob Timmerman, on the Northwest to the Lands of Jacob Failing, on the Southwest to the Mohawk river and on the Northeast to the rear line of said patent **containing one hundred and sixty three acres** of Land, be the same more or less, Now this Indenture witnesseth that he the said party of the first part for and in **consideration of the sum of one hundred pounds** current lawful money of the State of New York to him in hand paid by the said party of the second part at or before the ensealing and delivery of these presents, the receipt whereof the said party of the first part doth acknowledge and therof doth acquit release and discharge the said party of the second part his heirs executors and administrators by these presents, Have granted bargained and sold, aliened remised, released and confirmed, and by these presents doth grant bargain sell, align, remise, release and confirm unto the said **party of the second part in his actual possession now being by virtue of a bargain and sale to him therof made by indenture of lease bearing date the day next before the day of the date of these presents,** and by force of the Statutes **for transferring of uses into possession,** and to his heirs and assigns forever, the said one hundred and sixty three acres of Land herein above mentioned; Together with all and singular the woods, underwoods, stones trees, timbere feedings, pastures, meadows, marshes, swamps, ponds poles(?), ways, water, water courses, rivers brooks rivulets runs and streams of water fishing fowling hunting mines and minerals (gold and silver mines only excepted) on in or upon the above granted land or any part thereof, and all profits privileges, Liberties, hereditaments and appurtenances whatsoever to the premises aforesaid belonging, and the reversion and reversions, remainder and remains , rents issues and profits of all and singular the premises above mentioned with the appurtenances, and also all the estate rights title interest property possession claim and demand whatsoever of him the said party of the first part of in and to the same with the appurtenances: To have and to hold the said one hundred and sixty three acres of Land abovementioned with the appurtenances (except as before excepted) unto the said party of the second

part his heirs and assigns forever: And he the said party of the first part for themselves their heirs executors and administrators doth hereby covenant promise grant and agree to and with the said party of the second part his heirs and assigns _____ following that is to say that he the said party of the first part and their heirs and assigns the aforesaid one hundred and sixty three acres of Land and all and singular the premises before mentioned to be hereby granted with their appurtenances unto the said party of the second part his heirs and assigns against him the said party of the first part his heirs and assigns, and against all and every other person or persons whatsoever claiming or to claim shall and will warrant and by these presents forever defend; And **the said party of the second part** for himself his heirs and assigns **doth hereby promise and agree** to and with the said party of the first part their heirs and assigns **to pay the yearly quit-rent due** and which shall become due hereafter on the above granted Land. Inwitness where the said parties to these presents have hereunto inter____able set their hands and seals the day and year first abovewritten. Georg Felling (S) Catharina X (her mark) Feling (S) Sealed and delivered in the presence of N.(?)

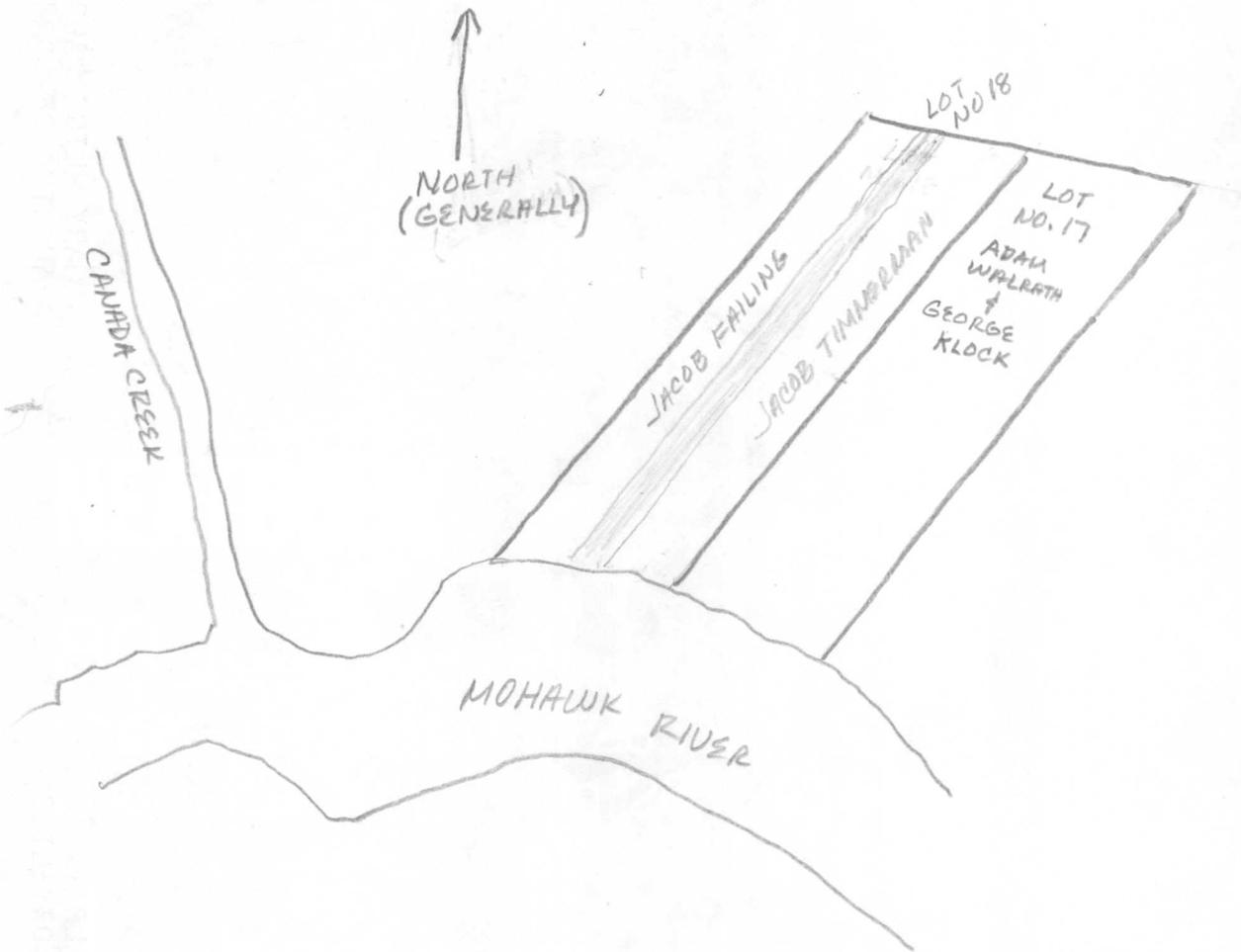
The word part in the 12th line was interlined in the first sheet, and the word first in the 20th line in the first sheet was razed and the word Catharina his wife interlined.

Johan A. Walrath, Corn. C. Beekman, John C. Nellis, Joseph G. Klock by Catharina Failing.

Be it remembered that on the fourth day of March one thousand seven hundred and ninety seven, before me came Christian Nellis one of the judges of the court of common pleas for the county of Montgomery personally appeared George Failing and Catharina his wife who severally acknowledged that they signed, sealed and delivered the within written Indenture as their respective acts and deed for the uses therein expressed. And the said Catharina being examined separate and apart from her husband declared she executed the same without any threat fear or compulsion of ony her husband; And having perused the said indenture and finding therein no material erasures interlineations or obliterations except such as noted above the witnesses, I allow the same to be recorded. Christian Nellis.
Recorded the twenty eighth day of October 1797. Chris. P. Yates, clk.

1791 Deed Failing to Adam A. Walrath
the Southeasternmost half part of the Northwesternmost half part of Lot number
eighteen in a patent granted unto William Burnet, Francis Harrison and others
situate lying and being on the north side of the Mohawk river in the town and
county aforesaid, which is

- bounded on the Southeast to the Lands of Jacob Timmerman
 - on the Northwest to the Lands of Jacob Failing
 - on the Southwest to the Mohawk river and
 - on the Northeast to the rear line of said patent
- containing one hundred and sixty three acres of Land, be the same more



Sketch by Jerry L. Walrath