

A. W. Lushney Dep Clerk

End This Indenture, Made the twenty first day of September one thousand eight hundred and thirty five (Between John Walrath Junior, & Elizabeth his wife of the first part, and Archibald Walrath of the second part Witnesses, That the said parties of the first part, in consideration of nine hundred dollars to them duly paid, have sold, and by these presents do grant and convey to the said party of the second part; (All) that certain parcel or village lot situated lying and being in the village of Fort Plain & known and distinguished as lot number forty three on a map of village lots of said village in possession of T. J. Wagner

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said lot is as found on said map sixty feet in one direction & one hundred & twenty feet in another direction parallel with N. Crosses northern line at Fall River Village & is more particularly located & bounded as follows, viz: south east by Division Street, on the south west by village lot number forty four, on the north west by the line aforesaid of N. Crosses & on the north east by Centre Street. Excepting and reserving from said lot thirty feet on the westerly side thereof formerly conveyed by William Sheldon & wife to D. C. Ellis & Norrises & Ellis. The above description of the land by this deed intended to be conveyed is taken from an other deed thereof from said William Sheldon & Margaret his wife to John S. Walrath bearing date the eleventh day of April 1835. Recorded in the Clerk's Office of Montgomery County 14th April 1835. in book of Deeds 1st 26, ^{page} 34. & and this deed is intended to convey to the party of the second part the same land mentioned in the above recited deed & the same estate only as is thereby conveyed to said John S. Walrath in the said deed before recited; the party of the first part to these presents having come to the possession & estate of & in said land by the death of his said son, the said John S. Walrath intestate & without leaving lawful descendants but leaving his father the said John Walrath junior living: - There is a mortgage on this land owned by one Norrises & his parties of the first part and to pay up & satisfy same & this conveyance is not subject to said mortgage & said party of the second part is to have the right to pay said mortgage & have the same thereof endorsed on his mortgage given said party of the first part with the appurtenances and all the estate, title and interest of the said parties of the first part thereto. And the said parties of the first part do hereby covenant and agree to and with the said party of the second part that the above granted premises in the quiet and peaceable possession of the said party of the second part his heirs and assigns against every person whomsoever, they will warrant and forever defend. In witness whereof, the said parties of the first part have hereunto set their hands and seals the day and year above written. John Walrath Jun. Seal. Elizabeth Walrath. Seal. Sealed and delivered in the presence of Esq. Capron as to John Walrath. & Ashbel Poornis. State of New York & Montgomery County ss: J. Ashbel Poornis Commissioner of Deeds in and for said County do certify that on the twenty second day of September in the year of our Lord one thousand eight hundred and thirty five before me came John Walrath junior & Elizabeth his wife to me known and they acknowledged that they had executed the within deed for the use & purposes therein mentioned and the said Elizabeth being by me examined privately and apart from her husband did acknowledge that she had executed the within deed for the use and purposes therein mentioned, and that she executed the same freely without any fear threat or compulsion of her said husband. Ashbel Poornis

Recorded 22nd September 1835. at 3, C. block P. M.
 R. H. Bushney Dep. Clk