

This Indenture Made the eighteenth day of May in the year of  
our Lord one thousand eight hundred and thirty nine Between John  
J. Wagner and Sarah his wife of Fort Plain, Montgomery County & State  
of New York of the first part and Jacob G. Wabath of Minden in the  
County aforesaid of the second part Witnesseth that the said parties  
of the first part for and in consideration of the sum of three hundred  
& fifty six dolls forty three cents to them in hand paid by the said party  
of the second part the receipt whereof is hereby acknowledged have granted  
bargained sold remised released claimed and confirmed and by these  
presents do grant bargain sell remise release claim and confirm unto  
the said party of the second part in his actual possession now being and  
to his heirs and assigns forever All the undivided half of the following  
parcel of land Situate in the town of Wawaycotic bounded as  
follows viz South westerly by the fence & lands of him the said Jacob G.  
(quantity) North westerly by lands of David Hocking North westerly of either  
George H. Bunker or his son David & South easterly by lands of George  
Heifendorff said half containing twelve acres three quarters & thirty four  
rods & the other half owned by Joseph Wagner Senior the lot being a  
back lot excepting from this grant all the coal land or wood prepared  
for fuel Situate or being on the whole lot Together with all and singular  
the hereditaments and appurtenances therunto belonging or in any  
wise appertaining and the reversion and reversions remainder and  
reversions rents issues and profits thereof and all the estate right  
title interest claim and demand whatsoever of the said parties of

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 bargain  
promises with the hereditaments and appurtenances to have and  
to hold the said undivided half with the exception aforesaid to  
the said party of the second part his heirs and assigns to the sole  
and only proper use benefit and behoof of the said party of the  
second part his heirs and assigns forever And the said John one  
of the parties of the first part for his heirs Executors and administrators  
does covenant grant bargain promise and agree to and with the  
said party of the second part his heirs and assigns the above bargain  
promises and every part and parcel thereof in the quiet and peaceable  
possession of the said party of the second part his heirs and assigns  
against all and every person or persons lawfully claiming or to claim  
the whole or any part of said promises will forever warrant and defend

In witness whereof the said parties of the first part have hereunto  
set their hands and seals the day and year first above written

Signed sealed and delivered in the presence of { John S. Wagner } 1839  
"Cannajoharie" in description written before execution { Sarah Wagner } 1839

State of New York } On this 18<sup>th</sup> day of May 1839 came before me  
Montgomery County } the within named John S. Wagner & Sarah his  
wife known to me to be the persons described in the within instrument who  
acknowledged that they severally signed sealed and delivered said inst-  
-ument for the uses and purposes therein mentioned and the said Sarah  
being examined separate and apart from her said husband acknowledged  
that she executed said instrument freely without fear or compulsion from  
her said husband all of which I do certify according to the Statute in such  
cases made and provided

A Commissioner a Court of Clarks