

2
This Indenture made the twenty seventh day, of August
in the year of our Lord one thousand eight hundred
and thirty five Between John C. Tillotson of the town
of Rhinebeck in the County of Dutchess and State
of New York and Matilda his wife of the first
part, and Federal VanderBerg of the City and
County of New York of the second part.

Whereas by a certain Indenture ~~of~~ bearing
date the third day of December in the year one thousand
eight hundred and two, made between Morgan Lewis
and Gertrude his wife of the first part and the late
Thomas Tillotson (the father of the said John C. Til-
lotson) of the second part, and reciting that the Milldam
of the said Thomas erected by him on the Lowermost
fall of the Rhinebeck Creek where the same empties
into Hudson's river, caused the waters of said Creek
to overflow lands of the said Morgan & Gertrude, they
the said Morgan and Gertrude did thereby grant bargain
and sell to the said Thomas Tillotson his heirs and
Assigns for ever, a right to sustain and keep said
Milldam at its (then) present height, notwithstanding
its overflowing the lands of the said Morgan
and Gertrude, he the said Thomas Tillotson causing
the (then) present height of his said Milldam to be
distinctly marked on the rock at the Eastern ex-
tremity of said Milldam, and Whereas after the
decease of the said Thomas Tillotson, the said John
C. Tillotson became seized in fee simple of the Real
Estate of the said Thomas situate in the said town
of Rhinebeck, of which the said Milldam with
the appurtenances is part and parcel, and
Whereas the said Parties of the first part by Inden-
ture bearing even date with these Presents, have con-

veyed said, Real Estate, including said Mills and Milldau, unto the said party of the second part in fee simple, as by the said Indenture reference being thereunto had will appear. Now, therefore, In Witness Whereof, that the Parties of the first part for further assurance and also in consideration of one dollar to them in hand paid by, the said Party of the second part, the receipt whereof is hereby acknowledged, have granted bargained and sold and by these Presents do grant bargain and sell unto the said Party of the second part his heirs and Assigns for ever, the right aforesaid to sustain and keep said Milldau at the said height mentioned in the said conveyance of the said Morgan & Gertrude to the said Thomas Tillotson, without the let hindrance or obstruction of the said Parties of the first part their heirs or Assigns or of any other person or persons lawfully claiming under them to interfere with such right, notwithstanding thereby the said lands which were of the said Morgan and Gertrude, or any other lands belonging to the said John C. Tillotson, may be overflowed.

In Witness whereof the Parties of the first part have hereunto set their hands and seals the day and year first above written.

Redded & Delivered

In Presence of
the words "of lease" 8th line
1st page, erased before

John C. Tillotson

Matilda F. Tillotson

Wm. J. Morris

execution
Wm J Morris

Matilda F Tillotson

City and County of ~~Howard~~ ³ ~~Sept~~ ²³ ~~1835~~ ¹⁸³⁵: I certify that on the thirtieth day of September in the year one thousand eight hundred and thirty five, personally came before me Wm. J. Morris and Matilda his wife to me known to be the individuals described in and who have executed the within instrument and severally acknowledged that they executed the same. - and the said Matilda on a private examination apart from her husband acknowledged that she executed the same freely without fear or compulsion of her said husband. - and I find therein no interlineations or erasures except the one noted.

Wm J Morris
Clerk of Deeds

Dutchess County
Clerk's Office Rec. Recorded October 13th A.D. 1835 at 3 o'clock
22 minutes P.M. in Liber 57 of deeds. on pages 288 & 289.
Henry C. Mauer Clerk

John C. Tillotson &
Matilda his wife

to

Nandertsburg

Grant

August 27, 1835
in relation to privileged
right of water in pond

Vol 57 page 288

10,500 franc

1 Litre 18 1/2

6 W.C.

Rec'd October 12, 1835 at N

J. M. P. A.

663
135
798

[Faint, illegible handwritten text on the right side of the page]

STATE OF NEW-YORK,
CITY AND COUNTY OF NEW-YORK, } ss.

I, Thomas Jeremiah, Clerk of the City and County of New-York, DO HEREBY CERTIFY,

That *William L Morris, Esq* whose name is subscribed to the certificate of the proof or acknowledgment of the annexed instrument, and thereon written, was, at the time of taking such proof or acknowledgment, a Commissioner in and for the City and County aforesaid, dwelling in the said City, commissioned and sworn, and duly authorized to take the same. And further, that I am well acquainted with the handwriting of such Commissioner, and verily believe that the signature to the said certificate of proof or acknowledgment is genuine.

In Testimony whereof, I have hereunto set my hand, and affixed the seal of the said County,
the *30* day of *Sept* 183 *5*.

Thos Jeremiah

Clerk.