

Book 239

Know all men by these presents that I ~~Mary E~~ ^{Mary E} Hewartth the within named lessor for and in consideration of eight hundred dollar s to me ~~paid~~ ^{paid} by Louisa Hewartth of Staten Island N.Y. at or before the sealing and delivery hereof the receipt whereof I do hereby acknowledge have granted sold assigned and set over and by these presents do grant sell assign and set over unto the said Louisa Hewartth her executors administrators and assigns the within indenture of lease and all buildings and appurtenances in the premises within described and all my right title and interest in and to the premises within mentioned and described and all ~~estate~~ ^{estate} title right term of years yet to come claim and demand whatsoever of in to or out of the same and all rights and claims secured to me in and by the within lease. To have and to hold said lease and the building and appurtenances on the premises within described and all my rights title and interest in and to said premises unto the said Louisa Hewartth her executors heirs administrators and assigns for the residue of the term within mentioned under the yearly rents and covenants within reserved and contained in my part and behalf to be done kept and performed Witness my hand and seal this 23d day of March 1870

In presence of Chas F Doyle

Mary E Hewartth LS

US 1st Rev stamp 50c cancelled

Albany County ss On this 23d day of March 1870 before me personally came Mary Hewartth above named to me known to be the person described in and who executed the above instrument and duly Acknowledged the execution thereof

Recorded Mar 23, 1871 10 1/2 AM

John Le Boeuf Notary Public

For lease see page 214ss.

John McEwen Clerk

THIS INDENTURE Made the twenty sixth day of January one thousand eight hundred and seventy one BETWEEN James F McKee n. dministrator of John McKewn; late of the town of Guilderland N Y deceased of the first part and William J McKewn of the town of Guilderland N Y of the second part WITNESSETH WHEREAS Israel Lawton Surrogate of the county of Albany heretofore made an order which said order is in the wens and figures following to wit;

"At a Surrogates Court held in addfer the County of Albany at the Surrogates office in the City of Albany in the County of Albany on the seventh day of November 1870

Present Israel Lawton Surrogate " In the matter of the real estate of John McKewn deceased James F McKewn administrator of the goods &c of John McKewn

late of the town of Collierland deceased having heretofore presented to the Surrogate of the County of Albany his application for authority to mortgage sell or lease so much of the real estate of said deceased as shall be necessary to pay his debts and the said Surrogate upon such application having made an order directing all persons interested in the estate of the said John McKewn deceased to appear before him at his office in the City of Albany on the seventh day of November 1870 at 10 o'clock in the forenoon to show cause why such authority should not be given to the said Administrator and on reading and filing satisfactory proof by affidavit of the due publication of the said order and of the due service thereof on every person in the occupation of the premises of which a sale is desired and in the heirs of the said deceased and the said administrator having this day appeared in person and by James A McKewn his proctor and no other person having appeared and the proper proceedings in due form of law having been thereupon had and the Surrogate upon due examination being satisfied that the said administrator has fully complied with the requisite provisions of the statute concerning the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate that the debts for the purpose of satisfying which the said application is made are justly due and owing and that they are not secured by judgment or mortgage upon or expressly charged on the real estate of said deceased and that the same amount to twenty seven hundred and fifty dollars exclusive of interest and that the personal estate of the said deceased is insufficient for the payment of such debts and having satisfactory evidence that the said administrator has proceeded with reasonable diligence in converting the personal property of the said deceased into money and applying the same to payment of the debts and having inquired and ascertained whether sufficient money for the payment of the debts aforesaid can be raised by mortgaging or leasing the real property of the said deceased or any part thereof and it appearing that the moneys requested cannot be raised by mortgage or lease advantageously to the estate of the said deceased and the said James F McKewn administrator as aforesaid having executed a bond to the people of this State with sufficient sureties approved by the said Surrogate in the penalty and with the condition prescribed by the statute in such case made and provided which said bond is filed with the said Surrogate It is thereupon ordered and the Surrogate aforesaid pursuant to the statute aforesaid do the order that the said James F McKewn administrator as aforesaid sell the following described real estate whereof the said John McKewn died seized to enable him to pay such

debits aforesaid of the said John McKewn that is to say all that certain lot piece or parcel of land being parcel of a tract of land conveyed by Stephen Van HENDEL or Esquire to the proprietors of Jan Enals patent situate lying and being in the said town of Guilderland and the County of Albany and State of New York on both sides of the great western turnpike road between the dwelling house formerly occupied by GEorge Brown Junior and the glass factory and is bounded as follows Lot number two (2) begins at a stake the north west corner of lot Number one (1) now or lately belonging to the heirs of Lucas W Veeder deceased and runs thence north thirty nine degrees and twenty one minutes east twenty four chains and eighty links thence south forty eight degrees and fifty seven minutes east forty four chains and fifty five links thence south forty degrees west twenty four chains and eighty links thence north forty eight degrees and fifty seven minutes west forty four chains and ten links to the place of beginning containing about one hundred and ten acres and one third of an acre of land Also all that piece of land lying on the north side of the great western turnpike road being a narrow gore of land and is bounded west by land occupied by James FitzPatrick north by land owned by said John McKewn and south by the Great Western Turnpike road estimated to contain two acres of land be the same more or less and being the same premises conveyed to said John McKewn by John T Cooper by deed dated January 1st 1870 excepting and reserving from the said described premises the following described piece or parcel of land to wit All that certain gore of land lying on the south side of the Plank Road in the town of Guilderland bounded and described as follows to wit bounded on the south by lands of John T Cooper on the east by land formerly owned by Drum and on the north by the Plank Road containing three and one half acres of land more or less being the same premises conveyed by said John McKewn to said John T Cooper by deed dated January 1st 1870 And it is further ordered and directed that the said James F McKewn administrator as aforesaid may give to the purchaser at such sale of any of the said real estate a credit not exceeding two years for not more than one half of the purchase money of the said real estate purchased by him to be secured by a bond of the said purchaser and by a mortgage of the premises to him sold at said sale And it is further ordered that the said administrator do make return according to law of all sales made by virtue of this order.

In testimony whereof the Surrogate of the County of Albany has hereunto affixed his seal of office Witness Israel Lawton Surrogate of the County of Albany at the Surrogates office in the City of Albany this 7th day of November AD 1870

And whereas the ___ of the premises described in said order have accordingly been sold at public vendue by the said party of the first part on the 14th day of January 1871 at the City of Albany in the County of Albany that being the county where the said premises are situated due notice of the time and place of holding such sale having been given according to law and whereas the said party of the first part did make return of his proceedings upon such order of sale to the said Surrogate in pursuance of the said order and of the statute in such case made and provided and whereas afterwards the said Surrogate after examining such proceedings did make an order in the words and figures following to wit;

At a Surrogates Court held in and for the County of Albany at the City of Albany on the twenty first day of January 1871 Present Israel Lawton, Surrogate
In the matter of the sale of the real estate of Jehl McKewn deceased for the payment of his debts On reading and filing the return of James F McKewn administrator ad and subary affidavits accompanying the same by which it appears that the said administrator did on the fourteenth day of January 1871 in obedience to the order of this Court in the above matter bearing date the seventh day of November 1870 and in pursuance of the statute in such case made and provided sell at public auction to one William J McKewn for the sum of thirteen hundred dollars the lands and tenements in the said order mentioned upon the terms particularly mentioned in the said report and it appearing to the Surrogate that the said sale was legally made and fairly conducted and that a greater sum cannot be obtained for said premises than was bid on said sale It is therefore ordered that the said sale be and the same is hereby confirmed And it is further ordered that a conveyance of the said premises be made and executed in due form of law by the said Administrator to the said William J McKewn his heirs and assigns forever upon his complying with the said terms of sale on his part to be performed And it is further ordered that the said administrator bring unto this court the moneys raised on said sale And whereas the said party of the first part did at the said sale sell to the said party of the second part the premises mentioned in the said order excepting as hereinafter stated he being the highest bidder for the same Now this indenture further witnesseth that the said party of the first part in pursuance of the said sale and of the said orders of the said Surrogate and in pursuance of the statutes of this state in such case made and provided and also

for and in consideration of the sum of thirteen hundred dollars lawful money of the United States of America to him in hand paid by the said party of the second part the receipt whereof is hereby acknowledged has bargained sold and conveyed and by these presents does bargain sell and convey unto the said party of the second part and to his heirs and assigns forever All that certain lot piece or parcel of land being parcel of a tract of land conveyed by Stephen Van Rensselaer Esquire to the proprietors of Van Baal's patent situate lying and being in the said town of

Guilderland and the County of Albany and State of New York on both sides of the Great Western Turnpike Road between the dwelling house formerly occupied by George Brown Junior and the glass factory and is bounded as follows; Lot Number two (2) begins at a stake the Northwest corner of lot Number one (1) now or lately belonging to the heirs of Lucas W Veeder deceased and runs thence North thirty nine degrees and twenty one minutes east twenty four chains and eight links thence south forty eight degrees and fifty seven minutes east forty four chains and fifty five links thence south forty degrees west twenty four chains and eighty links thence North forty eight degrees and fifty seven minutes west forty four chains and ten links to the place of beginning Containing about one hundred and ten acres and one third of an acre of land Also all that piece of land lying on the north side of the Great Western Turnpike Road being a narrow gore of land and is bounded west by land occupied by James Fitzpatrick north by land owned by said John McKewn and south by the Great Western Turnpike Road estimated to contain two acres of land be the same more or less and being the same premises conveyed to said John McKewn John T Cooper by deed dated January 1st 1870 Excepting and reserving from the said described premises the following described piece or parcel of land to wit All that certain gore of land lying on the south side of the Plank Road in the town of Guilderland bounded and described as follows to wit; Bounded on the south by lands of John T Cooper on the east by land formerly owned by Oran and on the north by the Plank Road containing three and one half acres of land more or less being the same premises conveyed by said John McKewn to said John T Cooper by deed dated January 1st 1870 excepting thereout and therefrom one acre of land now occupied by Jacob Steele and as the same was conveyed to him by John McKewn in his life time together with a right of way to the road now used and occupied by him to the public highway known as the western Turnpike Also subject to any other road that may run through the same.

Together with all the privileges and appurtenances thereto belonging or in anywise appertaining and all the estate right and interest which the said John McKewn

Decedent at the time of his death and of it and to the same free and discharged from all claims of debt subject however to all charges by judgment mortgage or otherwise upon the lands so sold existing at the time of the death of the said John McKown To have and to hold the above described and conveyed premises with the appurtenances and all the estate right and interest which the said John McKown at the time of his death had therein unto the said party of the second part his heirs and assigns forever as fully and as amply as the said party of the first part might could or ought to sell and convey the same by virtue of the order above recited and of the statutes of this state made and provided or otherwise.

In Witness Whereof the said party of the first part has hereunto set his hand and seal the day and year first above written.

Sealed and delivered in the presence of James A McKown

James F McKown LS

US Int Rev stamp \$1.50 cancelled

State of New York Albany County ss

ON this 26th day of January in the year one thousand eight hundred and seventy one before me appeared James F McKown administrator of John McKown deceased to me personally known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same

Recorded March 23, 1871 11 AM

James A McKown Comr of Deeds

John McKown Clerk.

THIS INSTRUMENT made this twenty seventh day of January in the year of our Lord one thousand eight hundred and seventy one BETWEEN the Rector Church Warden and Vestrymen of said Johns Church in the City of Cohoes of the first part and William C Carroll of the same place of the second part WITNESSETH that the said parties of the first part in consideration of the sum of Four thousand two hundred and fifty dollars to them duly paid have sold and by these presents do grant and convey to the said party of the second part his heirs and assigns All that tract or parcel of land situate in the City of Cohoes in the County of Albany and State of New York bounded and described as follows Commencing at a point in the south side of Onida Street one hundred and fifty feet distant easterly from the south east