

Benjamin Peabody

To — 5945
Levi Shaw

Right of water course

Columbia County
Clerk's Office

Recorded Oct 23
1857 at 6 P.M. in
Deed Book No Eight
on page 519 L.

J. B. Keefey
Clerk

8/- paid
6/-
2/- sweep

This Indenture made the seventeenth day of September in the year of our Lord one thousand eight hundred and fifty seven Between Benjamin Peabody of Canaan County of Columbia and state of New York of the first part and Levi Shaw acting Trustee of the North family in the united Society of Shakers in New Lebanon county and state aforesaid of the second part Witnesseth That the said party of the first part for and in consideration of the sum of eight dollars the receipt of which is hereby acknowledged Doth hereby grant sell and confirm unto the party of the second part his Successors and assigns the right and privilege of digging a well or fountain for water about two rods from and below a certain spring of water at the upper edge of a lot of land now owned by the party of the first and late the property of Benjamin A Hall said lot laying on the road leading from Clark's bridge to the house of Archibald Mooney in New Lebanon. and from said well or fountain to underdrain to the right and left up the hill for the distance of thirty feet each way for the purpose of collecting water into said well and from said well to lay an aqueduct to convey water to the road across said lot from whence it is to be taken to the House & Barn of the party of the second part standing on the Old Columbia & Reamstown turnpike And the said party of the first for himself his heirs & assigns Doth hereby Covenant promise and agree, to and with the party of the second part his Successors and assigns That the said party of the second part his Successors and assigns shall and lawfully may from time to time and at all times hereafter peaceably and quietly hold said right and enjoy the aforesaid privilege. without the lawfull hindrance or molestation of the party of the first part his heirs or assigns or of any other person or persons whatever by or with his or their act or consent

It is understood by the parties aforesaid, that in case the party of the first part his heirs or assigns should at any time erect a Dwelling house on said lot, the privilege is hereby reserved

of laying into the well or fountain aforesaid a quarter of an inch pipe upon a level, but not below the pipe laid by the party of the second part and with such pipe may convey water to said Dwelling

It is also further understood by the parties aforesaid, That in case the well and underdrains aforesaid should not afford water sufficient the party of the second part his Successors and Assigns are to have the privilege at any time hereafter of underdraining upon the ~~same~~ side hill in said lot below the well to such points where water may be found and from such points add a branch pipe to the aqueduct leading from ^{the} well aforesaid to the road.

Signed sealed and delivered

Benjamin Peabody

in presence of -
H. C. Bull

State of New York
Columbia County, ss.

On this 17th day of September 1857 personally appeared before me, Benjamin Peabody, to me well known to be the same person described in and who executed the foregoing Indenture and who acknowledged that he executed the same

Hampton C Bull
Justice of the Peace

