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J. L. 1885

This Indenture made the twenty seventh day of October in the year one Thousand eight hundred and forty two between Cornelia Beekman of the town of Mount Pleasant in the County of Westchester of the first part, and Pierre Van Cortlandt of the town of Cortlandt in the County aforesaid of the second part.

Whereas the said party of the first part owns and is seized as tenant in common with the said Pierre Van Cortlandt, Anne Van Kusselan and others of certain lands and mill sites on the southerly side of the Croton River, and extending into the said river to the middle thereof, one a part of which said lands Robert P Underhill formerly built his mill called and known as the Underhill mill, with a portion of water for each mill out of the Croton dam, which said lands and mill sites were in part devised by Pierre Van Cortlandt the Elder and in part conveyed by him to the said party of the first part and her brother the said Pierre Van Cortlandt, and her two sisters Anne Van Kusselan and Catharine Van Wyck; And whereas the party of the first part also claims as heir at law of her deceased brother Philip Van Cortlandt an interest as tenant in common of and in a certain other mill seat and lot of land entitled, with those before mentioned, to a portion of water out of the Croton River dam, and also situate on the southerly side of the Croton River, and adjoining the properties before described, the whole of which said pieces or parcels of land together extend along and into the said river to the middle thereof as

above mentioned, from the north line of the town of New Castle to the place called the "Quaker Bridge" as by the will and deed of the said Pierre Van Cortlandt, the elder devising and conveying said lands as aforesaid, reference thereto being had, will more fully appear. And whereas the lands on the opposite side or northerly side of said river and extending into and to the middle thereof, and adjoining to the aforesaid lands so held and claimed by the said party of the first part as aforesaid belong to the said party of the second part and extending from the Hudson River to the aforesaid place called the "Quaker Bridge" and above the same to the land of Philip J. Van Wyck — Now this indenture

Witnesseth that the said party of the first part for and in consideration of one dollar to her in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, hath and by these presents doth grant, remise, release, and forever quit claim unto the said Pierre Van Cortlandt, his heirs and assigns forever, all the rights, title, estate, claim, and demand whatsoever of the said party of the first part, of, in, and to the northerly half part of the stream or water of the said Croton River or any part of the said waters of the said river running or flowing over and upon that part of the bed of the said river embraced within the boundary line of the aforesaid land of the said party of the second part, which is the middle of the said river as aforesaid, and all rights & title of the said part of the first part as tenant in common of the aforesaid lands and mill sites on the

Southerly side of the said river, or otherwise howsoever, whether such right or title may arise or accrue to her by prescription or otherwise; to have, take, or in any way, to divert the waters or any part thereof of the north half of the said river, or running or flowing over and upon, and within the boundaries of the said land of the party of the second part, by any dam or otherwise, to and for the use of the mills or mill sites of the said party of the first part and others on the south side of the said river, or for any other purpose whatever; and all the right and title of the said party of the first part as tenant in common aforesaid to any and every use of the waters of that part of the said river and all rights of the said party of the first part to alter or divert the natural flow or current of the waters of the said river any further than equally and fairly to secure to the said mill seats and property of the said party of the first part and others as aforesaid on the south side of the said river the use and benefit of the one half of the waters of the said river, or on equal participation in the whole of the said stream with the said party of the second part.

And the party of the first part doth sell and convey to the said party of the second part his heirs and assigns forever all her rights, title and interest in and to the water and the use of the water of the said northerly half of the said river at all times running over and upon the lands of the said party of the second part above in part described.

This Grant or release in no wise to be so construed as to impair the rights of the said

party of the first part, and those holding with her
as tenants in common as aforesaid to the use of
the full, fair, and equal half part of the waters
of the said river for their said mill sites and
lands.

In witness whereof the said party of
the first part hath hereunto set her hand and
seal the day and year first above written.

Sealed and delivered
in the presence of
Malcolm Sworden,
(1)

G Beckman

Comtee. 1884

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Prin Van Culler

Reland

of the north half of
the water of Buckner