4785

Maryland ss This Indenture made the Seventh day of Feb.y in the Year of our Lord God one thousand seven hundred & thirty Nine between John Merchin of Anne Arundell County Gentleman of the one part and William Cumming of the City of Annapolis and County afor.d of the other part Witnesseth that the said John Merchin for and in consideration of the sum of twenty five pounds currant Gold and Silver to him in hand paid or secured to be paid by the said William Cumming before the Sealing and delivery of these presents the receipt whereof he doth hereby acknowledge and therefr. & of every part & parcell thereof doth fully clearly & absolutely acquit exonerate & discharge the said William Cumming his Heirs Executors and adm.rs by these presents hath given granted bargained Sold aliened Enfeoffed & Confirmed and by these presents doth give grant bargain Sell — Alien enfeoff & confirm unto the said William Cumming his heirs and Assigns for ever all his right title interest property claim & demand of in & unto a Moyety or half part of a tract of Land known by the name of young Richard which said moiety or half part is butted & bounded as followeth beginning at a marked white oak and running south two hundred and fifty perches to a branch called Elys branch thence with a line drawn West for breadth forty five perches to the Land formerly laid out for Ralph Hawkins then North two hundred & fifty perches to another markt white oak & from the said oak by a line drawn East forty five perches to the first tree which he the said John Merchin now hath or ever lawfully had of in or unto the said moiety whatsoever such Estate be whether a Tenancy or otherwise with all & singular the Houses out houses orchards and other appurtenances to the same hereby bargained or intended to be bargained premisses belonging or in any ways appertainning To have and to hold the before mentioned bargained premisses with their — Appurtenances unto the said William Cumming his Heirs and Assigns for ever to the only proper use and behoof of the said William Cumming his Heirs and Assigns for ever & to no other use Intent or purpose whatsoever and the said John Merchin doth hereby for him self his Heirs Exect.rs & adm.rs covenant promise grant & agree to & with the said William Cumming his Heirs and Assigns that he the said John Merchin and his Heirs the said hereby bargained premisses with their & every of their Appurts unto the said William Cumming his Heirs & Assigns against him the said John Merchin his Heirs & Assigns & from and against all manner of persons claiming or to claim any right title or Interest of in or to the aforbargained premisses by from or under the said John Merchin or by from or under his Heirs or Assigns shall & will warrant and for ever defend according to the true intent & meaning of these presents In — Witness Whereof the parties to these presents have hereunto Interchangeably set their hands and Seals — the day & Year first above Written

John Merrihew (Seal)

Sealed & delivered in presence of Robert Boone
Richard Moss

On the back of the aforegoing deed was thus Indorsed Viz.t
Feb.y 7.th 1739 Received of William Cumming the sum of twenty five pounds currant money in Gold & Silver the consideration money of the within mentioned premisses
John Merrihew
Test. Robert Boon
Richard Moss

Maryland ss. Feb.y 7.th 1739 Then came the within named John Merchin before me the Subscriber one of his Lordships Justices of the Provincial Court and acknowledged the within deed to be his act and deed for the use of the within named William Cumming and mary Merrihew the wife of the said John Merrihew being privately Examined out of the hearing of her said husband declared that she acknowledged the same deed willingly and freely without being induced thereto by fears or threats of or ill usage of her said Husband or fear of his displeasure acknowledged according to the form of the act of Assembly in that case made & Provided Acknowledged before me the day & Year aforesaid
Robert Gordon

Feb.y 7.th 1739 Be it remembered whereas this within mentioned John Merrihew by his deed of bargain and sale duly acknowledged & recorded did Sell & make over to a Certain William Burnett of Anne Arundell County Weaver who dyed as it is alledged without Heirs, a peice or parcell of Land called Woodham containing fifty Acres part of which is included in the within demised premisses and which said fifty Acres of Land is Located by the within named William Cumming who has his Lordships Patent of confirmation for the Same Now know all men by these presents that I the af. William Cumming for me my Heirs Executors do hereby covenant promise grant & agree to & with the within John Merrihew to Indemnifie and Save harmless him the af. John Merrihew his Heirs Executors adm.rs from and against all and all manner of damages losses and charges of me the af. William Cumming my Heirs Executors adm.rs or any other person claiming from or under him or them or under escheat afors. for or by reason of the within premisses or any wise relating to the Same as Witness my hand the day & Year af.
Test. Robert Gordon Wm. Hiselon
William Cumming

Received of the within named William Cumming for the use of the Lord Propry Eighteen pence Ster. being for the Alienation Fine of the within Lands Recorded the 17.th May 1740
Benj.a Tasker