John Hatherly
to
James Kirbey

This Indenture made the Nineteenth day of August one the year of our Lord one thousand seven hundred Seventy — and one Between John Hatherly of Anne Arundell county in the Province of Maryland planter of the one part and James Kirbey of the same County and Province aforesaid Planter of the other part — Witnesseth that the said John Hatherly for and in Consideration of the sum of fifty two Pounds ten Shillings Sterling Money of Great Britain to him in hand paid a sound to be paid by the said James Kirbey — before the Sealing and Delivery of these presents the receipt whereof the said John Hatherly doth hereby Acknowledge hath given granted bargained and sold and by these presents doth fully clearly and Absolutely give grant bargain and sell unto the said James Kirbey his Heirs and Assigns for ever forty two Acres of land being part of a tract of land called Hatherlys Contrivance lying and being in the County aforesaid Beginning for the said forty two Acres at the End of the eleventh course of the aforesaid Hatherlys Contrivance it being likewise the End of the ninth Course of the land called Barnes Luck and running from thence North twenty six Degrees West forty five minutes East one hundred and twenty Seven Poches to Intersect the beginning of the tenth Course of the land called Howards Chance it being likewise the beginning of the fifteenth Course of the aforesaid Hatherlys Contrivance then running with and bounding on the said Howards Chance South twenty nine Degrees East one hundred and fourteen poches then South fifty Degrees West forty Seven Poches then North Eighty Degrees West Seven Poches to the End of the Eleventh line of the land called Barnes Luck then Reversing the said line North Eighteen Degrees and thirty Minutes West thirty two poches still bounding on the said Land South seventy Eight Degrees West Sixty Poches to the beginning containing and laid out for Forty two Acres of Land more or less — To Have and To Hold the said forty two Acres with the Appurtenances thereunto belonging or any wise Appertaining for the only proper use and behoof of him the said James Kirbey his Heirs and Assigns for ever and the said John Hatherly doth hereby covenant promise

(grant)

grant and Agree with the said James Kirbey his Heirs and Assigns that the said John Hatherly at the Sealing and Delivery of these presents is and in title a good and perfect Estate shall be made and Executed of the above mentioned forty two Acres of land and premises unto the said James Kirbey and his Heirs shall Continue and be seized of all and singular the above mentioned bargained land and every part thereof of such good lawfull perfect Absolute sole and Indefeasible Estate of Inheritance in fee simple as the said John Hatherly hath conveyed to him of the said forty two Acres of land being part of Hatherlys contrivance as aforesaid and now hereby Conveyed to the said James Kirbey to and for his own proper use and behoof without any Condition Limitation of use or uses or other things shall change determine or encumber the same or part or parcell of the above said forty two Acres of land and the said John Hatherly will for ever warrant and defend the aforesaid land and Premises to the said James Kirbey his Heirs and Assigns against any person or persons claiming any interest therein from by or under the said John Hatherly his Heirs and Assigns and him the said John Hatherly and his Heirs shall and will at any time hereafter make do Acknowledge suffer and execute all and every such further and other Act and Acts thing or things as by the said James Kirbey his Heirs or Assigns shall be reasonably devised Advised or required for Conveying the Estate hereby intended to be conveyed Intuitive — whereof the said parties have hereunto Interchangeably set to their hands and affixed their seals the day and year first above — Written Signed Sealed and Delivered

John Hatherly (Seal)

in the presence of — Stephen West
Jo Walker Jun

On the back of the foregoing Deed was this Indorsed Viz —
Anne Arundell county ss. on the 19 day of August 1771 Came John Hatherly Esq. as the Subscriber thereof Lordships Justice for the County aforesaid and Acknowledged the within Indenture of bargain and sale to be his Act and Deed and the land and Premises therein mentioned to be the estate Right Title of the within named James Kirbey his Heirs and Assigns for ever According to the Act of Assembly in that case made and Provided

Acknowledged before me Thomas Dorsey, Jr Dorsey