said Samuel Owings for and in Consideration of the Sum of Two Pounds fourteen Shillings to him in hand by the said William Lyon the Receipt whereof is hereby acknowledged Hath Given Granted and by these Presents Doth Give and Grant unto him the said William Lyon his Heires and Assignes free and full Liberty to Cutt Dig and Draw a Race or Passage for the Water of Gwins Falls from the Land of a certain Thomas Harrison called Harrisons Meadows through the Land of the said Samuel Owings called Timber Level so that the Race may be continued on a Water Level to the Mill of the said William Lyon called Wester Oyle Mill and also doth give and grant to the said William Lyon full and free Liberty of Entry Egress and Regress with his and their Servants Slaves Carts and Horses to Cut and Dig the said Race or Passage and also to amend and repair the Same when necessary and that he the said Samuel Owings his Heirs and Assignes shall not nor will not molest or injure or Cause to be molested or injured the said William Lyon his Heires and Assignes in the Enjoyment of the said Right or Priviledge Provided nevertheless That the said Samuel Owings shall and may use the Waters running in the Race or Passage for Watering any of the Meadows of the said Samuel Owings on the said Tract called Timber Level so that no unnecessary waste be made of the same Water, and also shall and may make Use of the Bank of the said Race for a Fence or Partition of his Land and may build and erect any Fence across the said Race so that the Water be not Obstructed of a free Passage to the aforesaid Mill And the said Samuel Owings for himself his Heirs and Assignes Doth Covenant and Grant to and with the said William Lyon his Heirs and Assignes That he the said Samuel Owings his Heirs and Ass.

shall

shall and will from time to, and at all Times hereafter when thereto required at the request and Cost of the said William Lyon his Heirs or Assignes make do and Execute or Cause to be made, done and executed any further or other Deed or Instrument of Writing for the better and more Perfect Conveying and Assuring unto the said William Lyon his Heires and Assignes all and Singular the Premisses above mentioned as by the said William Lyon his Heires and Assignes all and Singular the Premisses above mentioned as by the said William Lyon or his Heirs or Assignes or his or their Council learned in the Law shall be reasonably Devised Advised or required In Witness whereof the said Samuel Owings hath hereunto sett his hand, seal the Day and Year first above Written.

Signed Sealed and Delivered in the Presence of } Sam.l Owings (SS)

Ruxton Gay,
Will.m Disquith.

Received the Day and Year within mentioned of and from the within named William Lyon the Sum of Two Pounds fourteen Shillings being the Consideration mentioned to be paid me.

Test. Sam.l Owings Jun.r — Sam.l Owings.

On the 9th Day of February 1766 Samuel Owings acknowledged the within Instrument of Writing as his Act and Deed to and for the Use within mentioned before. Ruxton Gay, Will.m Disquith.

Memorandum, It is agreed by and betwen the within Parties, That the Privilege of Entry &c, Granted the said William Lyon, shall not entitle the said William Lyon to Throw down the Fences of the said Samuel Owings but that the said William Lyon, shall and may erect and set up Gates or Bars for his Way and Passages nor shall the said William Lyon do or Cause to be done any unnecessary or unlawful Damage whatever to the Lands or Inclosures thro' which his said Way or Passage may lead.

Witness. James Gray. Wil: Lyon.

Recorded this 11th Day of June 1767 and Examin'd by

W Bordley Clk