tenth day of the same month, in the year of our Lord one thousand seven hundred and ninety seven, to which said day the said William Wheteroft had leave to imparle, and then to answer to the declaration aforesaid of the said Elizabeth Mackubin in the plea aforesaid, comes again into the General Court here, as well the said Elizabeth Mackubin by Philip Barton Key, Arthur Shaaff, and John Johnson her attornies as the said William Wheteroft by John Thompson Mason and Luther Martin his attornies: And the said William Wheteroft by his attornies aforesaid as before defends the force and injury when and so forth, and prays an hearing of the said indenture and the same is read to him in the words following to wit.

This Indenture made the third day of June in the year of our Lord God one thousand seven hundred and seventy four, Between Richard Mackubin of the city of Annapolis Gentleman of the one part, and James Higginson and William Wheteroft of the same city merchants of the other part, witnesseth that the said Richard Mackubin for and in consideration of the yearly rent hereafter reserved, hath demised, set and to farm let unto them the said James Higginson and William Wheteroft, their heirs executors, administrators and assigns, the following parcel of land, being part of a lot of land known and distinguished in the plat of the city of Annapolis by number ninety eight beginning at a locust post standing in the line of Prince George's Street seventy feet seven inches South East of Mr. Richard Mackubins's present brick dwelling house, and at the corner of his yard, and running thence North thirty seven degrees, East with the pailing of the said yard fifty seven feet two inches to the stable, then with the stable North thirty five degrees, East sixteen feet seven inches, then with the Garden pailing north fifteen and one half degree, East one hundred and forty feet two inches to the division line of the number ninety eight and ninety nine, then South East with the said division line to the river side

then

then with the river South thirty degrees West to Prince Georges Street then with the said street to the beginning: and also all that lott or parcel of land known and distinguished in the plat of the said city by number ninety nine together with the houses and improvements thereunto belonging, and all the estate right title and interest of him the said Richard Mackubin into or out of the said parcels of lands and premises To have and To hold the said parcel of lands and premises hereby demised or intended so to be unto the said James Higginson and William Wheteroft their heirs executors administrators, and assigns for and dureing and until the full end and term of ninety nine years then next ensuing, and fully to be compleat and ended, yielding and paying therefor yearly and every year dureing the said term unto him the said Richard Mackubin his heirs executors administrators and assigns the yearly rent or sum of forty five pounds current money (that is to say dollars at seven shillings and six pence each) on the eleventh day of July in each and every year dureing the said and the said James Higginson and William Wheteroft for themselves, their executors administrs and assigns, doth hereby covenant and grant to and with the said Richard Mackubin his heirs, executors administrators and assigns in manner and form following that is to say that the said James Higginson and William Wheteroft their heirs, executors, administrators and assigns the said reserved rents at the times when the same ought according to the reservation aforesaid, to be paid will well and truely pay unto the aforesaid Richard Mackubin his heirs, executors, administrators, and assigns, and further that in case any years rent shall remain due, and not be paid by the space of ten days after the time in which the same ought to be paid, that then and at all times thereafter it shall and may be lawful to and for the said Richard Mackubins, his heirs, executors, administrators, and assigns to distrain for the same, and

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