

**Deed, NC, Mecklenburg, FRANCIS Mackilwean to WILLIAM HOWE, 1764**

THIS INDENTURE made the 10th day of February in the year of Our Lord 1764.

BETWEEN **FRANCIS MACKILWEAN** of Dobbs County in the province of North Carolina and **JOHN CATHEY** of the county of Anson in the province of North Carolina of the one part and **WILLIAM HOWE** of the county and province aforesaid of the other part.

WITNESSETH that the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** for and in consideration of the sum of five Shillings Sterling money to them in hand paid by the said **WILLIAM HOWE**, before the sealing and delivery of these presents, the receipt where of they do hereby acknowledge have granted, bargained, and sold and by these presents do grant, bargain, and sell unto the said **WILLIAM HOWE** and **JOHN HOWE** one tract, piece or parcel of land situate lying and being in the province of North Carolina and Anson County on the said south side of the Catawba River on the north side of Crowder's Creek.

Beginning at a Red Oak running S49W 40 chains to a White Oak; S2E 20 chains to a [torn]; then S67E 32.50 chains to a Spanish Oak; thence S5W 22 chains to a Pine; then S84W 18 chains to a White Oak; then S5W 40.50 chains to a Hickory; then S76W 20 chains to a Pine; then N45W 15 chains to a White Oak; N 9 chains to a Red Oak; N55W 31 chains to a Red Oak; N5W 26 chains to a Pine; then N20W 19 chains to a Hickory; then N13E 15 chains to a Black Oak; then N67 43 chains to a White Oak; then N 32 chains to a stake; then to the beginning.

CONTAINING 750 Acres as by patent granted by his late Majesty King George II, etc., to the said **FRANCIS MACKILWEAN** and **JOHN CATHEY** bearing date the 29th day of March in the XXVI year of the said Kings reign Anno Domini 1753, reference being thereunto had may more fully appear. And all houses, buildings, orchards, enclosures, ways, water courses, commodities, hereditaments, appurtenances, reversions, remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD these described tracts or parcels of land, as above butted and bounded, be the same more or less and all and singular other the premises granted with and every of their appurtenances unto the said **WILLIAM HOWE** and **JOHN HOWE**, their heirs and assigns, from the day before the date hereof for and the full time and term of one whole year, from thence next ensuing, fully to be completed and ended yielding and paying therefore the rent of one peppercorn on ??? day next if the same shall be lawfully demanded by the intent and purpose that these presents and the statute for transferring into possession the said **WILLIAM HOWE** and **JOHN HOWE** may be an actual possession of the premises and thereby enabled to accept and take a grant and release the reversion and inheritance to them, their heirs and assigns forever.

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IN WITNESS WHEREOF the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** have hereunto set their hands and seals the day and year above written.

**FRANCIS MACKILWEAN** {seal}  
**JOHN CATHEY** {seal}

Signed, sealed, and delivered in the presence of

NB. the inter-lineation between the first and second lines was made before the execution hereof

RICHARD BARRY [BERRY]  
name not legible

**Deed, NC, Mecklenburg, FRANCIS Mackilwean to WILLIAM HOWE, 1764**

THIS INDENTURE made the 11th day of February in the year of Our Lord 1764.

BETWEEN **FRANCIS MACKILWEAN** of Dobbs County in the province of North Carolina and **JOHN CATHEY** of the county of Anson and province aforesaid of the one part and **WILLIAM** and **JOHN HOWE**, late of the county aforesaid of the other part.

WITNESSES that for and in consideration of the sum £50 to the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** in hand paid by the said **WILLIAM HOWE** at or before the sealing and delivery of these presents the receipt whereof they do hereby acknowledge and thereof exonerate, acquit, and forever discharge the said **WILLIAM** and **JOHN HOWE**, their heirs, executors, and administrators the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** have given, granted, bargained, sold, aliened, released, and confirmed and by these presents doth bargain, sell, alien, release, and confirm unto the said **WILLIAM** and **JOHN HOWE** an actual possession now being by virtue of a bargain and sale to them their have made the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** for one whole year by indenture bearing the date and day next before the date of these presents and by force of the statute for transferring use into possession and their heirs and assigns forever one tract or peace or parcel of land situate, lying and being in the county of Anson and province of four said on the south side of the Catawba River on the north side of Crowder's Creek.

Beginning at an Oak running S49W 40 chains to a White Oak; then S2E 20 chains to a Red Oak; S76E 32.50 chains to a Spanish Oak; then S5 west 22 chains to a Pine; S84W 18 chains to a White Oak; S6thW 41.50 chains links to a Hickory; S76W 20 chains to a Pine; N45W 15 chains to a White Oak; N 9 chains to a Red Oak; N55W 31 chains to a Red Oak; N5W 26 chains to a Pine; 28W 19 chains to Hickory; N13E 15 chains to a Black Oak; N67.43 chains to a White Oak; then N 32 chains to a stake; then to the beginning.

CONTAINING 750 Acres as by patent granted by his late Majesty King George II, etc., to the said **FRANCIS MACKILWEAN** and **JOHN CATHEY** bearing date the 29th of March in the XXVI year of the said Kings reign Anno Domini 1753, reference being there into had made more fully appear.

AND all houses, buildings, enclosures, improvements, ways, water courses, profits, commodities, hereditaments, and appurtenances with the privileges of hunting, hawking, referring, and fowling on the said premises here by granted the reversion and remainders, rents, issues, profits here of and also all the estate, right, title, interest, use, trust, claim, and demand whatsoever of them the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** either in law or equity of, and, or two the said premises and all deeds, records, evidence, and writings touching or in any wise concerning the same.

TO HAVE AND TO HOLD the said described 750 acres of land, hereditaments, and premises above butted and bounded, be the same more or less, and all and singular other the premises here by granted and released and every part and parcel and remember thereof with their and every of their appurtenances, privileges, incomes, and advantages whatsoever under the said **WILLIAM HOWE** and **JOHN HOWE** their heirs and assigns forever.

AND to the only proper use and behoof of them, the said **WILLIAM** and **JOHN HOWE**, their heirs and assigns forever.

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AND the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** for themselves, their heirs, executors, and administrators for either or every of them does covenant and promise and grant to and with the said **WILLIAM** and **JOHN HOWE** their heirs and assigns by these presents that they, the said **JOHN CATHEY** and **FRANCIS MACKILWEAN**, now at the time and sealing and delivery of these presents are seized of a good, sure, perfect estate of inheritance, in fee simple, of and in that they have not done, omitted, committed, or suffered any act or matter or cause whatsoever whereby the said 750 acres of land or hereditaments thereof, are, is or shall or may be impeached, changed or encumbered in title, charge, or otherwise and that these said promises now are free and clear and freely and clearly acquitted and discharged well insufficiently saved and kept harmless and indemnified and from all manner of person and persons whatsoever and that these the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** have good power, lawful and absolute authority in their own persons to grant and convey the same to the said **WILLIAM HOWE** in manner and form aforesaid, quit rents and royalties to grow due and payable to our sovereign Lord the King his heirs and successors for and in every respect of these premises only foreprized.

AND lastly the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** and their heirs and all and singular the premises here by granted and released and there and every of their appurtenances unto the said **WILLIAM** and **JOHN HOWE** their heirs and assigns against the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** their heirs all and every other or persons whomsoever shall and will warrant and forever defend by these presents.

IN WITNESS whereof the said **JOHN CATHEY** and **FRANCIS MACKILWEAN** have hereunto set and affixed their seals the day and year above written.

**FRANCIS MACKILWEAN** {seal}  
**JOHN CATHEY** {seal}

Signed, sealed, and delivered in the presence of

RICHARD BERRY [BARRY]

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PLAT POINTS

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S49W	40c
S2E	20c
S76E	32.5c
S5W	22c
S84W	18c
S6W	41.5c
S76W	20c
N45W	15c
N	9c
N55W	31c
N5W	26c
N28W	19c
N13E	15c
N67W	43c
N	32c
S84.50.2E	116.39c

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