

thence unto the said Robert & Davis his heirs and assigns
against him the said George Heard and his heirs and all
and every other person and persons whomsoever shall and
will warrant and defend by these presents In Witness
whereof the said George Heard hath hereunto set his hand and
seal the day and year first above written Sealed and delivered
in the presence of
Mr. H. Simpson
J. B. Wilson Jr.
George Heard *LS*

Recorded November 19th 1844
John Glen clk

Georgia 3 This Indenture made this fourth day of
DeKalb County 3 November in the year of our Lord one thousand
eight hundred and forty four between A D Division of said
County of the one part and the Georgia Rail Road & Banking
Company of the other part Witnesseth that the said A D
Division for and in consideration of running their contemplated
Rail Road on and along his land as well as in consideration of
the sum of one dollar to him in hand paid at and before the
sealing and delivery of these presents the receipt whereof is hereby
acknowledged hath given granted bargained and sold and by
these presents doth give grant bargain and sell unto the
said Georgia Rail Road & Banking Company and their
Successors and assigns the right of way over which to pass
at all times by themselves directors officers agents hirelings
and servant in any manner they may think proper and
particularly for the purpose of running erecting and establish-
ing thereon a Rail Road with the requisite number of tracks
pursuant to a charter of incorporation passed the twenty first
day of December eighteen hundred and thirty three and amended
at subsequent sessions of the General Assembly by conferring
banking powers and the privilege of extending the Road from
Madison to the Southern terminus of the Western & Atlantic
Rail Road and to this end the limit of said right of way shall extend
in width thirty three yards on each side of the centre line of the
Roadway of the said Rail Road when completed and to extend in
length through the whole tract of land owned and claimed by the
said A D Division Situate lying and being in DeKalb County adjoining
lands of Sacked Brown George & others and running in such direc-
tion through said tract of land as the Georgia Rail Road & Banking
Company by their Engineers shall think best suited for the purpose
of locating and establishing their works and connected with said
right of way the said Company shall have the right to cut
down and remove all such trees underwood and other growth
and timber on each side of said Road as would by falling on or
loading the same injure the Rails or other parts of said Road
together with all and singular the rights appurtenant and
appertaining to the said strip tract or parcel of land being
any and every one appertaining and more especially

the right of way over the same. It has and to hold the same unto
the said Georgia Rail Road & Banking Company their Successors and
assigns to their own proper use benefit and behoof forever in fee
simple upon condition and it is expressly understood that the
said Rail Road contemplated as aforesaid be not located and
established on and along said strip tract or parcel of land deeded
in the above and foregoing indenture then said indenture is to
be wholly null and void and of no effect and the said A. D. Binion
for himself his heirs and assigns will warrant and defend the title
thereof unto the Georgia Rail Road & Banking Company their
Successors and assigns against the claims of all persons whatsoever.
In Witness whereof the said A. D. Binion hath hereunto set his
hand and Seal the day and year first above written signed and
delivered in presence of

F. A. Williams
L. P. Grant

A. D. Binion

Georgia Before me J. B. Wilson a Justice of the peace
Schall County in and for the county aforesaid personally came
and appeared L. P. Grant who being duly sworn depose and
saith that the within named A. D. Binion executed and delivered
the foregoing deed for the purposes therein mentioned in the
presence of F. A. Williams and this deponent both of whom
I subscribed the same as Witnesses on the day of its date sworn
to and subscribed before me this fifth day of November A.D. 1844
J. B. Wilson J. P. L. P. Grant

Recorded Nov 19th 1844
John Glen Clerk

Georgia This Indenture made the twenty first
day of November in the year of our Lord one thousand
eight hundred and twenty five and in the forty ninth
year of the Independence of the United States of America between
one part and Thomas Stephens of the County of Baldwin of the
other part Zachariah Larnar of the County of Baldwin of the other part
Witnesseth that the said Zachariah Larnar for and in
consideration of the sum of Three thousand dollars in hand paid
at and before the sealing and delivery of these presents the
receipt whereof is hereby acknowledged hath granted bargain
sold aliened and conveyed and confirmed and by these presents
do grant bargain sell alien convey and confirm unto
the said Thomas Stephens his heirs and assigns all the land
lying and being and contained in fraction more or less
thousand and forty two containing twenty eight acres more
or less and No two hundred and thirty two containing
One hundred and Ninety two and a quarter acres more or less
making in the aggregate two hundred twenty and a quarter
acres and situate originally in the County of Baldwin and
aforesaid upon the River Chattahoochee but now in
County in said State and which land is more
known and distinguished by the name of