

S12 W 3.75 to a Rock 3+ thence N60 1/2 W 9.00 to a Pine stump
 3+ thence N7 W 21.50 to a Red oak 3+, going on the South
 bank of said creek, thence along a line ten feet out
 side of, and beyond high water mark of the pond, as
 it now stands, and along an old ditch to the beginning
 corner, together with all and singular the rights, mem-
 bers hereditaments and appurtenances to the said premises
 belonging, or in any wise incident or appertaining, and
 together with all the machinery fixtures furnishings and
 incidents appertaining in any wise to the Batisville
 Factory, situate on said premises and all the buildings and
 improvements in any wise connected with the same, to have and
 to hold all and singular the premises before mentioned unto the
 said Theodor D Wagner James Mc Taylor and James Montgomery
 Trustees and their heirs and assigns forever, But only to for and
 upon the following uses purposes and trusts and to for and upon
 no other use purpose or trusts whatsoever that is to say, to have
 and to hold all and singular the said premises in trust for and
 to the use of James Montgomery, James Mc Taylor & Mc Beach
 Thomas G Budd N W Gale Edward Lebring John G Miller & Co
 and John Fraser & Co for the purpose of manufacturing cotton or
 other materials, or for such other purpose as may be indicated
 or agreed upon by the said parties according to their articles
 of agreement, now or hereafter to be entered into, and under
 such name firm or style as they may determine, and in the
 following shares and property that is to say James Montgomery
 forty (40) shares James Mc Taylor One hundred (100) shares & Mc
 Beach twenty (20) shares Thomas G Budd twenty (20) shares N
 W Gale ten (10) shares Edward Lebring twenty (20) shares John G
 Miller & Co twenty (20) shares and John Fraser & Co four hundred
 and seventy (470) shares being in all together seven hundred
 700 shares, and that the said Theodor D Wagner James Mc
 Taylor and James Montgomery Trustees as aforesaid, shall
 upon the written agreement of all the parties aforesaid
 for whom the said premises are so held in trust sell and convey
 the same or otherwise charge the said investment as may
 be thus agreed upon or stipulated by all the parties aforesaid
 and we the said William Bates, Thomas McCoy and Henry
 P Hammett do hereby bind ourselves our heirs executors
 and administrators, to warrant and forever defend all and
 singular the said premises unto the said Theodor D Wagner
 James Mc Taylor and James Montgomery Trustees as aforesaid
 their heirs and assigns against us and our heirs and against
 every other person whomsoever, lawfully claiming or to claim
 the same or any part thereof, and I the said William Bates
 whose land adjoins the premises hereabove conveyed, on
 the South side of the Pond furnishing the water power for
 running the Factory aforesaid, do hereby covenant and
 bind my self my heirs executors and administrators, that
 the present water power of the said pond to high water mark
 with a space of ten feet, above and beyond the same as