

Arjun Kraft, Jeffrey McMurry, Fergus O'Connor, Dania Trippi, and Ali Zaki (editors)

Every—Last—Line:

An Indenture of Dr. Peter Shoenberger's Real Estate Legacy in Pittsburgh (1859)

Shelfmark

California State University, Fullerton (CSUF).

University Archives and Special Collections (UA&SC).

SC-RF-0-13, Box 1, File 8.

Indenture (1859).

September 10, 1859 [indenture date], to November 2, 1859 [final recording date].

1 document (folded).

Introduction

The legal document edited below offers an intricate look at how the affairs of Dr. Peter Shoenberger (1782–1854) were settled after his death. The manuscript is housed in the University Archives and Special Collections (UA&SC) at California State University, Fullerton (CSUF), is in excellent physical condition, and—based on a pencil entry on the document—may have been acquired by CSUF's Patrons of the Library in October 1976. There is some ink bleed-through, but this does not interfere with the text's legibility. In addition to the document's main text, there are sections containing the signatures of the executors, family members, and lawyers involved in the proceedings. The main text consists of 103 lines, and the remaining sections feature an additional 75 lines. When fully unfolded the document measures 46 x 58 cm, and when folded it measures 23 x 11 cm. Almost all of the document is written in black-ink legible cursive, and there are several different hands involved in the proceedings.

Dr. Peter Shoenberger—a prominent Pennsylvania iron baron, who had accumulated considerable wealth, acquired multiple properties, and become a well-known figure in Pittsburgh society—had made his last will and testament on June 14, 1852. Five years after his passing in 1854, the indenture edited below was drawn up on September 10, 1859, and recorded on November 2, 1859. It involved three parties who had an interest in the late Dr. Shoenberger's property affairs: firstly, his acting executors, John G. Miles and Michael Berry; secondly, John W. Duncan and his wife, Martha K. Duncan, Shoenberger's daughter; and thirdly, the trustees of the Orphans Court (i.e., the probate court) of Philadelphia, Richard R. Bryan and Nathaniel Holmes. The indenture shows that most of Dr. Shoenberger's real estate was to be sold by his executors at public or private sale, except for a house on Penn Street in the city of Pittsburgh, which was to be given to his wife Sarah as a residence for her coachman. Part of the indenture serves to rectify mistakes made in an earlier property distribution. Beyond this, the document reveals the precise details of Dr. Shoenberger's last will, describing how his properties were distributed, sold, and settled. The additional notes and signatures outside of the main text show how many individuals were involved in the legal proceedings pertaining to Dr. Shoenberger's estate.

This indenture should be of interest to scholars of America's early Gilded Age, the society of nineteenth-century Pennsylvania, the urban history of Pittsburgh, and legal history. The document's original paragraphs, spelling, punctuation, underlining, and occasional bolding have been retained as much as possible. In the original text, capitalization is not always clear. All editorial insertions, including expanded abbreviations, added punctuation, and page numbers, appear in square brackets. Identifiable individuals, locations, and technical terms have been referenced in the footnotes, usually when they first appear.

ABOUT THE EDITOR: *Arjun Kraft of San Marcos, California, earned his B.A. in History (2022) at California State University, Long Beach (CSULB), and his M.A. in History (2026) at California State University, Fullerton (CSUF), where he is a member of the Theta-Pi Chapter of Phi Alpha Theta (History Honor Society). He also served as an editor for volume 52 (2025) of "The Welebaethan: A Journal of History."*

ABOUT THE EDITOR: *Jeffrey McMurry of Anaheim, California, earned his A.A.s in Liberal Arts and History (2023) at Cypress College, California, and his B.A.s in History and American Studies (2026) at California State University, Fullerton (CSUF), where he is a member of the Theta-Pi Chapter of Phi Alpha Theta (History Honor Society).*

ABOUT THE EDITOR: *Fergus O'Connor of Irvine, California, earned his B.A. in Cinema and Television Arts (2020) at California State University, Fullerton (CSUF). He is currently pursuing an M.A. in History at CSUF, where he is a member of the Theta-Pi Chapter of Phi Alpha Theta (History Honor Society). He also served as an editor for volume 53 (2026) of "The Welebaethan: A Journal of History."*

ABOUT THE EDITOR: *Dania Trippi of Los Angeles, California, earned her A.A. in History and American Studies (2023) at Santa Ana College, California, and her B.A. in History (2026) at California State University, Fullerton (CSUF), where she is a member of the Theta-Pi Chapter of Phi Alpha Theta (History Honor Society). She is a first-generation college student.*

ABOUT THE EDITOR: *Ali Zaki of Laguna Niguel, California, earned his A.A. in History (2023) at Saddleback College, California, and his B.A. in History (2026) at California State University, Fullerton (CSUF).*

The primary-source edition published below originated in the "History and Editing" course offered by CSUF's Department of History.

This Indenture, in partile, made the twentieth day of September Anno Domini one thousand eight hundred and fifty nine, between John C. Wiley and Michael Berry, acting Executors of the Last Will and Testament of Doctor Peter Shoenberger, late of the City of Philadelphia, deceased, of the first part, John W. Duncan and Martha W. his wife daughter of the said Doctor Peter Shoenberger, deceased, of the second part, and Richard R. Bryan and Nathaniel Holmes, trustees under proceeding in the Orphans Court of Philadelphia County, of the third part.

Whereas, the said Doctor Peter Shoenberger, by force and value of a certain deed of conveyance from Follen DeForest made in force to the said Doctor Peter Shoenberger dated the 5th day of January A.D. 1852 made on the 9th day of May 1859 in the office for recording of deeds in the County of Allegheny in said Book Volume 139, page 196, became in his lifetime seized in his demise as of fee of and in a certain piece of land situate in the City of Pittsburgh, in the County of Allegheny aforesaid and Commonwealth of Pennsylvania, described in said deed as follows, that is to say: Beginning on the Northwesterly side of Town Street at the distance of seventy five feet Eastwardly from Barclay Street, extending thence Northwardly parallel with Barclay Street one hundred feet to Market Street, thence along said Market Street Eastwardly, one hundred feet, thence parallel with Barclay Street Southwardly, one hundred feet to Town Street, and thence along Town Street Westwardly, one hundred feet to the place of beginning, and being so then seized as aforesaid, the said Doctor Peter Shoenberger made his Last Will & Testament in writing, bearing date the fourteenth day of June, Anno Domini 1852, and in said several Codicils thereto, wherein and whereby (amongst other things) he devised as follows: And further, he devised to my dear wife Sarah, for and during her natural life, as a residence for her coachman, the house next to the Canal, (being one of the blocks of yellow house purchased from Follen DeForest) together with the grounds thereto belonging, situate on Town Street in the City of Pittsburgh, and further (inter alia) the said testator the said Doctor Peter Shoenberger, devised the residue or remaining portion of his real estate, not therein before specifically devised, the said testator having therein before specifically devised a large amount of his real estate, to be sold by his Executors, either at Public or Private Sale, whenever they should consider it most to the interest of his said Estate to sell the same, that is to say, having specifically devised to certain named persons a large amount of his real Estate not including therein the above described premises except the above described house & grounds next to the Canal, devised to the above named Sarah, his wife, during life, he devised the remaining portion of his real Estate, not included in his specific devise, to be sold by his Executors, either at Public or Private Sale, whenever they should consider it most to the interest of his said Estate to sell the same; and of his said Last Will & Testament the said Doctor Shoenberger, George W. Shoenberger, John W. Duncan and Martha W. his wife, and the above named John C. Wiley and Michael Berry to be the Executors, as by the said Will and Codicils, duly proved and remaining in the Register's Office in the City of Philadelphia, in the Commonwealth of Pennsylvania aforesaid, reference thereto being had, more fully and at large will appear.

And whereas the said George W. Shoenberger, John W. Shoenberger and Henry W. Waddy severally renounced the Executorship of the said Will (Codicils, and the said Sarah W. Shoenberger, has been discharged by the Orphans Court of Philadelphia County from the said Executorship, upon her own petition, as by reference to said several renunciations, and discharge and the record thereof remaining in the respective Offices of the Register of Wills, and Clerk of the Orphans Court in the City of Philadelphia, will fully and at large appear. And whereas in pursuance of a special decree of the Orphans Court of Philadelphia County aforesaid at a public sale made at Pittsburgh on the 26th May 1857, by the Executors above named, parties of the first part, five houses and lots of ground fronting each other on Town Street in the said City of Pittsburgh, measuring in the whole eighty feet on said Street (being part of the heretofore first described piece of land) were (inter alia) purchased by Martha W. Duncan one of the above named parties of the second part, she being one of the necessary legatees of the said Doctor Peter Shoenberger deceased, and allowed by the special terms of the decree of the Orphans Court aforesaid to buy under the limitations therein contained. It is to be noted that the said Martha W. Duncan has previously made a pigment of certain portions of her share of the residue of the Estate of the said Doctor Peter Shoenberger, deceased, under the said Will & Codicils, to certain persons for whom the said parties of the third part are trustees, as designated and provided for in a special report of an auditor, Joseph H. Bay Esq. to the Orphans Court aforesaid, from whose said report the following is an extract, viz: It was agreed by Mr. Bay Esq. Bryan and Duncan's report, viz: Mr. Duncan, and the assignees under the two pigments that deeds for the property purchased by Mrs. Duncan should be made to Richard R. Bryan and Nathaniel Holmes, in trust, and the said deeds and assignments should be made to the proceeds in trust for the respective assignments. And Whereas by a certain deed between the parties to these presents dated December the 2nd A.D. 1858 & recorded in the Recorder's Office of Allegheny County aforesaid in record Book Vol 137, page 198, made in pursuance of the aforesaid sale, to which reference is herein and hereby made as explanatory of these presents, the ground enters

Figure 1: Image of Edition, page 1.

*Edition: Indenture (Estate of Dr. Peter Shoenberger)
September 10, 1859, to November 2, 1859.*

[Page 1]

This Indenture,¹ tripartite,² made the tenth³ day of September Anno Domini⁴ one thousand eight hundred and fifty nine, between John G[eorge]. Miles⁵ and Michael Berry⁶ acting Executors of the Last Will and Testament of Doctor Peter Shoenberger,⁷ late of the City of Philadelphia,⁸ deceased, of the first part, John W[illiam]. Duncan⁹ and Martha K[rug].¹⁰ his wife[,] daughter of the said Doctor Peter Shoenberger, deceased, of the second part, and Richard R. Bryan¹¹ and Nathaniel Holmes,¹² trustees under proceedings in the Orphans Court¹³ of Philadelphia, of the third part.

Whereas, the said Doctor Peter Shoenberger, by force and virtue of a certain deed of conveyance¹⁴ from Pollard M[c]Cormick¹⁵ & wife¹⁶ to the said Doctor Peter Shoenberger dated the 1st day of January A[nno]. D[omini]. 1842 recorded on the 9th day of May 1859 in the office for recording of deeds in the county of Allegheny¹⁷ in Deed Book Volume 139, page 196, became in his lifetime seized in his demesne¹⁸ as of fee of and in a certain piece of land situate in the City of Pittsburg[h],¹⁹ in the county of Allegheny aforesaid and Commonwealth of Pennsylvania,²⁰ described in said deed as follows, that is to say, "Beginning on the Northwardly side of Penn Street,²¹ at the distance of seventy five feet Eastwardly from Factory Street,²² extending thence Northwardly parallel with Factory Street one hundred feet to Mulberry Alley,²³ thence along said Alley, Eastwardly, one hundred feet, thence parallel with Factory Street, Southwardly, one hundred feet to Penn Street, and thence along Penn Street,

¹ Legal contract between two or more parties.

² Involving three parties.

³ The word "tenth" is in a different hand and followed by blank space.

⁴ Latin for "in the year of the Lord."

⁵ (1797–1877), attorney.

⁶ (1818–1863), second executor of Dr. Peter Shoenberger's estate.

⁷ (1782–1854), medical doctor, "Iron King of Pennsylvania."

⁸ City in the southeastern part of the U.S. state of Pennsylvania.

⁹ (1826–1887), major, Dr. Peter Shoenberger's son-in-law (married to Martha).

¹⁰ (1826–1863), Dr. Peter Shoenberger's daughter.

¹¹ Presumably Richard Rush Bryan (1817–1891).

¹² Presumably Nathaniel Holmes Jr. (1820–1866).

¹³ Probate court.

¹⁴ Legal document about the transfer of ownership.

¹⁵ (1799–1860), Dr. Peter Shoenberger's son-in-law (married to Rebecca).

¹⁶ Rebecca Shoenberger McCormick (1807–1844), Dr. Peter Shoenberger's daughter.

¹⁷ County in the southwestern part of the U.S. state of Pennsylvania.

¹⁸ Property ownership, possession, domain.

¹⁹ City in the southwestern part of the U.S. state of Pennsylvania.

²⁰ U.S. state in the Mid-Atlantic region, uses the title "Commonwealth."

²¹ Today's Penn Avenue in Pittsburgh's Strip District.

²² Today's 14th Street in Pittsburgh's Strip District.

²³ Today's Mulberry Way in Pittsburgh's Strip District.

Westwardly, one hundred feet to the place of beginning."²⁴ And being so thereof seized as aforesaid, the said Doctor Peter Shoenberger made his Last Will & Testament in writing, bearing date the fourteenth day of June, Anno Domini 1852, and Six Several²⁵ Codicils²⁶ thereto, wherein and whereby (amongst other things) he devised as follows "And further, I do devise to my said wife Sarah,²⁷ for and during her natural life, as a residence for her coachman,²⁸ the house next to the canal,²⁹ (being one of the block of yellow houses³⁰ purchased from Pollard M[c]Cormick,) together with the ground thereunto belonging, situate on Penn Street, in the City of Pittsburg[h]," and further (inter alia)³¹ the said testator,³² the said Doctor Peter Shoenberger, directed the residue or remaining portion of his real estate, not thereinbefore specifically devised, (the said testator having thereinbefore specifically devised a large amount of his real estate,) to be sold by his Executors, either at Public or Private Sale, whenever they should consider it most to the interest of his said Estate to sell the same, that is to say, having specifically devised to certain individuals therein named a large amount of his real Estate not including therein the above described premises except the above described "house" & "ground" next to the canal, devised to the above named Sarah, his wife, during life, he directed the remaining portion of his real estate, not included in his specific devises,³³ to be sold by his Executors, either at Public or Private sale, whenever they should consider it most to the interest of his said Estate to sell the same; and of his said Will appointed Sarah K[rug]. Shoenberger,³⁴ George K[rug]. Shoenberger,³⁵ John H[opson]. Shoenberger,³⁶ Henry M[iller]. Watts,³⁷ and the above named John G. Miles and Michael Berry to be the Executors, as by the said Will and Codicils, duly proved and remaining in the Register's office³⁸ in the City of Philadelphia, in the Commonwealth of Pennsylvania aforesaid, reference thereunto being had, more fully and at large will appear. And whereas the said George K. Shoenberger, John H. Shoenberger and Henry M. Watts severally renounced the Executorship of the said Will & Codicils, and the said Sarah K. Shoenberger has been discharged by the Orphans Court of Philadelphia County³⁹ from the said Executorship, upon her own petition, as by reference to said several renunciations, and discharge and the records thereof remaining in the respective offices of the Register of Wills,⁴⁰ and clerk of the Orphans

²⁴ Approximately the plot of today's 1421 Penn Avenue, Pittsburgh, PA 15222.

²⁵ Distinct.

²⁶ Amendments modifying the stipulations of a will.

²⁷ (1789–1879), Dr. Peter Shoenberger's wife.

²⁸ Carriage driver.

²⁹ Presumably the Pennsylvania Canal, today's 11th Street in Pittsburgh's Strip District.

³⁰ As of today, no longer standing.

³¹ Latin for "among other things."

³² Person making a will.

³³ Stipulations.

³⁴ Sarah Krug Schoenberger(1789–1879), Dr. Peter Shoenberger's wife.

³⁵ (1808–1892), Dr. Peter Shoenberger's son.

³⁶ (1809–1889), Dr. Peter Shoenberger's son.

³⁷ (1805–1890), Dr. Peter Shoenberger's son-in law (married to Anna Maria).

³⁸ Keeps public legal documents.

³⁹ County in the southeastern part of the U.S. state of Pennsylvania.

⁴⁰ Keeps last wills and testaments.

Court in the City of Philadelphia, will fully and at large appear. And whereas in pursuance of a special decree of the Orphans Court of Philadelphia County aforesaid at a public sale made at Pittsburg[h] on the 26th May 1857, by the Executors above named, parties of the first part five houses and lots of ground fronting sixteen feet each on Penn Street in the said City of Pittsburg[h], measuring in the whole eighty feet on said street, (being part of the hereinbefore first described piece of land) were (inter alia) purchased by Martha K. Duncan one of the above named parties of the second part, She being one of the residuary legatees⁴¹ of the said Doctor Peter Shoenberger[,] deceased, and allowed by the special terms of the decree of the Orphans Court aforesaid to buy under the limitations therein contained. And whereas the said Martha K. Duncan had previously made assignments of certain portions of her share of the residue of the Estate of the said Doctor Peter Shoenberger, deceased, under the said Will & Codicils, to certain persons for whom the said parties of the third part are trustees, as designated and provided for in a special report of an auditor, (Joseph A. Clay Esq[ui]re⁴²) to the Orphans Court aforesaid, from whose said report the following is an extract viz.⁴³ "It was agreed by Mess[ieu]rs⁴⁴ Holmes, Bryan and Duncan representing Mrs. Duncan, and the assignees⁴⁵ under the two assignments that deeds for the property purchased by Mrs. Duncan should be made to Richard R. Bryan and Nathaniel Holmes, in trust to sell and dispose thereof, and hold the proceeds in trust for the respective assignments." &c[etera].⁴⁶ And whereas by a certain deed between the parties to these presents dated December the 21st A[nno]. D[omi]ni. 1858 & recorded in the Recorder's Office⁴⁷ of Allegheny County aforesaid in record Book Vol[ume] 137 page 198, made in pursuance of the aforesaid sale, to which reference is herein and hereby made as explanatory of these presents, the ground intended to be conveyed to the parties of the third part herein named, is erroneously described as beginning at the distance of seventy five feet Eastwardly from Factory Street (and by such misdescription the said deed is made to include the House and Lot of Ground hereinbefore described as devised during life to Mrs. Sarah K. Shoenberger, the said House & Lot of Ground of sixteen feet in width, being the Westernmost part of the piece of land herein first described and being "the house next to the canal" and one of the block of yellow houses purchased (by the testator) from Pollard M[c]Cormick, with

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the ground thereunto belonging situate on Penn Street, in the City of Pittsburg[h]) whereas the same should have been described as beginning at the distance of ninety one feet Eastwardly from Factory Street, so as to have excluded the House & Lot devised to Mrs. Sarah K. Shoenberger during life as a residence for her coachman, and to have included other sixteen feet in width of the Easterly part of said piece of land. And whereas the purpose and

⁴¹ Beneficiaries of leftover assets once all other heirs have been satisfied.

⁴² Presumably Joseph Ashmead Clay (1806–1881).

⁴³ Abbreviation of the Latin "videlicet," meaning "that is to say."

⁴⁴ Plural of "Mr.," from the French "Messieurs."

⁴⁵ Receivers of rights, properties, or duties.

⁴⁶ Abbreviation of the Latin "et cetera," meaning "and others."

⁴⁷ Keeps public legal documents, especially property deeds.

intent of this Instrument are that said mistake and misdescription in said conveyance shall be rectified and remedied, and the said deed in effect reformed by the conveyance, by said parties of the first part with the consent and concurrence of the parties of the second part, to the said parties of the third part, of the before described Easterly sixteen feet of ground fronting on Penn Street aforesaid which ought to have been included in said deed, and the reconveyance and release by said parties of the third part to the said Executors, the parties of the first part, as of their former estate, of the said Westernmost Lot of Ground devised as aforesaid during life to the said Sarah K. Shoenberger, and which ought to have been excluded from said deed. Now This Indenture Witnesseth that the said parties of the first part, in consideration of the premises and of one dollar to them in hand now paid, have granted, bargained, sold, released, conveyed and confirmed, and by these presents, under and by virtue of the powers conferred upon them by the Last Will and Testament of their testator, the said Dr. Peter Shoenberger, deceased, in accordance with the decree of the Orphans Court hereinbefore recited, and by and with the consent of the said John W. Duncan and Martha K. his wife, testified by their joining in the execution hereof, do grant, bargain, sell, alien, release, convey and confirm unto the said parties of the third part, all that certain lot or piece of ground, parcel of the hereinbefore first described piece of land, and bounded and described as follows: to wit,⁴⁸ Beginning at a point on the Northwardly side of Penn Street, distant one hundred and fifty five feet Eastwardly from the Eastern line of Factory Street aforesaid extending thence Northwardly and parallel with said Factory Street, by the Easterly line of said five lots of ground as described in the deed hereinbefore recited dated the 21st December, 1858 (but as corrected and reformed by these presents, by the Easterly line of the fourth lot intended to have been conveyed by said deed,) one hundred feet to Mulberry Alley, thence along said Alley Eastwardly sixteen feet, thence Southwardly, parallel with Factory Street, by the line of a small strip of land five feet in width parcel of the hereinbefore first described piece of land not included in the purchase aforesaid of the said Martha K. Duncan, one hundred feet to Penn Street, and thence along Penn Street, Westwardly, sixteen feet to the place of beginning: **TO HAVE and TO HOLD**⁴⁹ the same with the Hereditaments⁵⁰ and appurtenances⁵¹ unto the said parties of the third part, and the survivor of them, their and his heirs and assigns⁵² forever: **In trust**⁵³ nevertheless to see and dispose of the same at public or private sale, at their discretion, and to pay over the net proceeds thereof to the assigns of John W. Duncan and Martha K. his wife aforesaid, or to those entitled, according to their priorities under the auditor report hereinbefore referred to, without liability, however, on the part of the purchasers, for the application of the purchase money.

And the said parties of the third part, the said Richard R. Bryan and Nathaniel Holmes, for and in consideration of the premises, and of one dollar to them in hand by the said John G.

⁴⁸ That is to say.

⁴⁹ Legally own.

⁵⁰ Hereditary properties and property rights.

⁵¹ Accessory items or rights.

⁵² Receivers of rights, properties, or duties.

⁵³ Describes property held and administered by a trustee or trustees.

Miles and Michael Berry acting Executors as aforesaid and parties of the first part, do hereby grant, bargain, sell, reconvey and confirm unto them, as of their former estate therein, prior to their execution of the deed hereinbefore recited dated the 21st day of December A[nno]. D[omini]. 1858, and as of the Estate of their testator prior to the execution of the said recited deed, with like effect as of said deed had never been executed, and have hereby granted, bargained, sold, reconveyed, confirmed, remised, released and forever quit claimed,⁵⁴ unto the said John G. Miles and Michael Berry acting Executors of the said Doctor Peter Shoenberger, deceased, and to their heirs and assigns, all that the hereinbefore described Lot of ground of sixteen feet in width being the Westernmost part of the piece of land hereinbefore first described and being the Lot of ground devised during life to the hereinbefore named Sarah K. Shoenberger: **Together** with all and singular the buildings, improvements, ways, woods, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in any wise appertaining,⁵⁵ and the reversions and remainders, rents, issues and profits thereof, and also all the Estate, right, title, interest, property, claim and demand whatsoever of them the said Richard R. Bryan and Nathaniel Holmes, parties of the third part, of, in, to or out of the same, under the deed hereinbefore recited dated as aforesaid, the 21st December A[nno]. D[omini]. 1858. **TO HAVE** and **TO HOLD** the same unto them and the survivor of them, Executors as aforesaid, their heirs and assigns forever, to the only proper use, benefit and behoof,⁵⁶ of them the said John G. Miles and Michael Berry as the survivor of them, Executors as aforesaid, their and his heirs and assigns forever as of their former Estate prior to the execution of the deed hereinbefore recited dated as aforesaid the said 21st December A[nno]. D[omini]. 1859 [sic]⁵⁷ - and with like effect as if the said recited deed had never been executed. **In trust** nevertheless to dispose of the same - or hold the same under the trusts created by the Last Will & Testament of the said Doctor Peter Shoenberger deceased

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with like effect precisely as if the hereinbefore recited deed had never been executed.

In Witness whereof the said parties have hereunto set their hands⁵⁸ and seals the y day and year first hereinbefore written.

Sealed & Delivered in the presence of

J[ohn]. Geo[rge] Miles (Seal)⁵⁹

Michael Berry (Seal)

John W. Duncan (Seal)

Martha K. Duncan (Seal)

⁵⁴ Released of legal claims or property interests.

⁵⁵ Relating.

⁵⁶ Advantage, benefit, or profit.

⁵⁷ Should be "1858" (see a few lines above).

⁵⁸ Signatures, which appear in different hands.

⁵⁹ "(Seal)," here and hereafter, written and circled with a flourished line.

Nathaniel Holmes (Seal)

Richard R. Bryan (Seal)

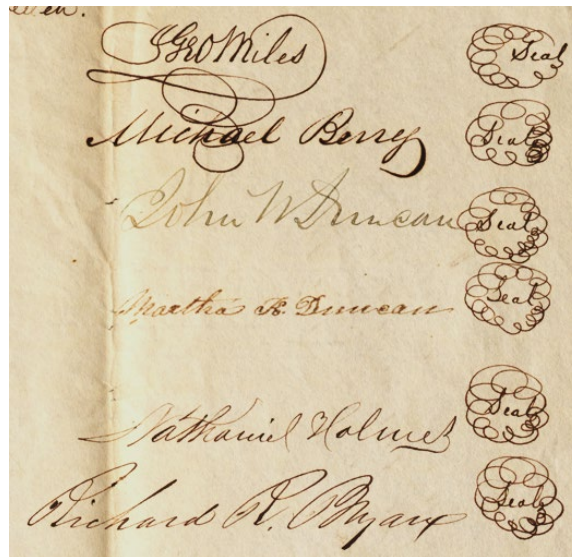


Figure 2: Image, Excerpt of Edition, page 3.

Witness to the signature of John G. Miles[:] David Snare⁶⁰

Witness as to the signature of Michael Berry[:] W[illia]m Smith⁶¹

The Com[monweal]th of Penn[sylvani]a

Huntingdon County⁶² ss.⁶³

Before me the subscriber one of the Justices of the Peace⁶⁴ in and for Huntingdon County afore said - personally appeared, on the tenth⁶⁵ day of September Anno Domini one thousand eight hundred and fifty nine, John G. Miles one of the above named parties of the first part, and acknowledged the forgoing instrument - or Indenture tripartite, to be his act and deed, and desired that as such it may be recorded according to law. In Witness whereof I have hereunto set my hand and seal the day and year aforesaid.

David Snare J[uris]. D[oc]tor]. (Seal)

Pennsylvania

Blair County⁶⁶ ss.

Be it remembered that on the twenty first day of September A[nno]. D[omi]ni. 1859 Michael Berry one of the above named parties of the first part, personally appeared before me the subscriber one of the Justices of the Peace in and for the County aforesaid and

⁶⁰ Presumably David Snare (1798–1874), justice of the peace, Huntingdon County.

⁶¹ Presumably William Smith (dates unknown), justice of the peace, Blair County.

⁶² County in the south-central part of the U.S. state of Pennsylvania.

⁶³ Abbreviation of the Latin "scilicet," meaning "namely," "it is permitted to know."

⁶⁴ Local judicial officers.

⁶⁵ Blank space before and after "tenth."

⁶⁶ County in the south-central part of the U.S. state of Pennsylvania.

acknowledged the foregoing instrument or Indenture to be his act and deed[,] and desired that as such it may be recorded according to law [-] In Witness whereof I have hereunto set my hand & seal the day & year aforesaid Witness
W[illia]m Smith J[uris] D[oc]tor] (Seal)

City of Pittsburgh, ss. -

Before me, an alderman⁶⁷ of said city personally came John W. Duncan and Martha K. Duncan, his wife, and acknowledged the foregoing indenture to be their act and deed, and desired the same to be recorded as such. And the said Martha, being by me examined separate and apart from her said husband, and the contents of said indenture first made fully known to her, upon such examination, being of full age declared that she did sign, seal and as her act and deed deliver the same of her own free will and accord, without any coercion or compulsion of her said husband. Witness my hand and seal this 21st day of October, 1859.

R. MORROW⁶⁸ (Seal)

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City of Pittsburgh, ss. -

Before me, an alderman of said city personally came Nathaniel Holmes, and acknowledged the foregoing indenture to be his act and deed, and desired that the same might be recorded as such. Witness my hand and seal the 25th day of October, 1859.

R. MORROW (seal)

Blair County ss. -

Before me, a Justice of the Peace in and for said County, this day came Richard R. Bryan and acknowledged the foregoing Indenture to be his act and deed, and desired that the same might be recorded as such - Witness my hand and seal this 26th October 1859

J. Gourley⁶⁹ J[ustice of the] P[ea]ce]. (Seal)

3256-141-181 Nov 2/59

DEED

John G. Miles & Michael Berry[,]

Acting Ex[ecuto]rs of Dr. Peter Shoenberger[,] of the 1st part &

John W. Duncan & wife of the 2nd part

to Rich[ar]d R. Bryan & Nathaniel Holmes of the 3rd part -

&

Rich[ar]d R. Bryan & Nathaniel Holmes of the 3rd part -

to

⁶⁷ Member of a municipal council or assembly.

⁶⁸ Presumably Robert Morrow.

⁶⁹ Perhaps a John Gourley, must have been 21 or older in 1859 to qualify.

John G. Miles and Michael Berry[,]
 Acting Ex[ecuto]rs of Dr. Peter Shoenberger[,] dec[eased]
 [flourish]

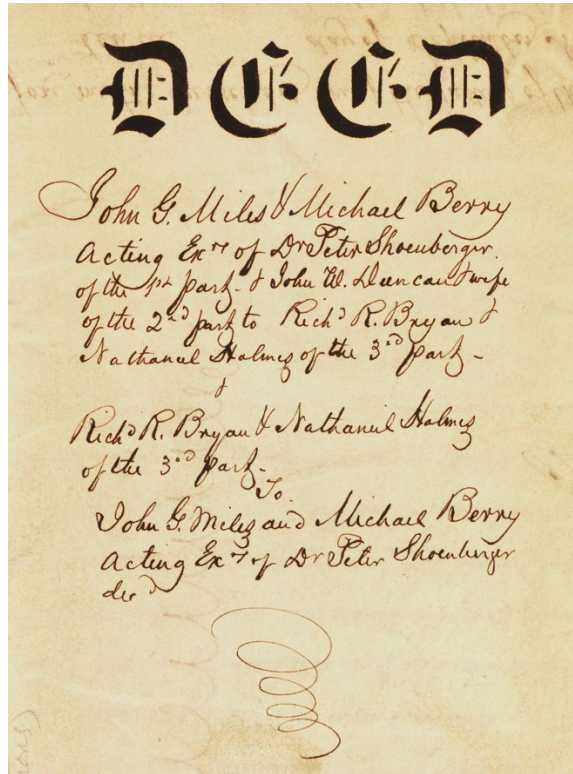


Figure 3: Image, Excerpt of Edition, page 4.

Tax & fee 3.25 paid

[in pencil]

21st Oct[ober]

[ink]

Alleghany County

Received in the office for the Recording of deeds in and for said county in deed book
 vol[ume] 141 page 181 Given under my hand and the seal of said office the 2nd day of
 November A[nno] D[omini] 1859

H. Patterson[,]⁷⁰ Recorder

[in pencil, modern hand]

10-76 Nash Coll[ection]. (Patrons 5.—) 3 0500 00814 6220

⁷⁰ Presumably Henry Whitely Patterson (1836–1882).