

called The New Orchard area whereas the said Jeremiah  
 Schlegel being desirous to conduct the water from  
 said Spring by pipes laid in the ground to his said  
 dwelling house stable Spring house garden and barn  
 yard as also to other points and parts of his said  
 farm on the upper or western part thereof and there  
 fully and freely to use the same at all times in  
 such way or manner as he may think proper in his  
 dwelling house & kitchen and in his Spring house at  
 his stable in his garden at his barn and in his  
 barn yard and in the yard connected with and  
 surrounding his said dwelling house and with  
 the permission of said Fitzhugh for his consideration  
 hereinafter mentioned during the last summer erect  
 a dam & reservoir on the land of said Fitzhugh the  
 dam being built across the branch of water flowing  
 from said spring to collect the water into a pond  
 and the reservoir being built of stone at the south  
 end of said dam to receive the water from the  
 same through a pipe that it might be conducted  
 from thence through pipes laid under ground through  
 the land of said Fitzhugh to and through the land  
 of said Schlegel down to the dwelling house Spring  
 house stable garden barn yard & so forth as herein  
 before stated to be at all times used and enjoyed  
 by said Schlegel for all such purposes as he may  
 deem necessary proper and convenient for him and  
 his heirs and assigns to use the same and whereas  
 the said Schlegel with the free permission of said  
 Fitzhugh has constructed the said dam & reservoir  
 and has laid down the said pipes on & through  
 the land of said Fitzhugh and has ever since  
 the last summer been in the full & free use of  
 said water at and upon his said premises  
 and is now in the full & free enjoyment of the  
 same for all such purposes as he thinks or may  
 hereafter think proper and whereas before the said  
 Schlegel entered upon said land of said Fitzhugh  
 and made said erections and improvements the  
 said Fitzhugh agreed with and promised him to  
 execute and deliver to him a good & sufficient  
 deed of bargain & sale conveying and confirming  
 to him and his heirs & assigns the right and  
 easement of using the water of said spring and  
 conducting and conveying the same through the  
 land of said Fitzhugh in the way and manner  
 and by the means aforesaid with the right of  
 ingress & egress & regress upon the land of said Fitzhugh