

Deed, Jacob Harrell to James Ward, 4 March 1822

Wythe County Deed Book 9, pp. 155-157, Wythe County, Virginia

J. Harrell

To } T. Deed

James Ward

Examined

Recorded 4 March 1822

This Indenture made this 4th day of March in the Year of Christ 1822 Between Jacob Harrell & Hannah his wife of the One Part and James Ward of the other Part all of Wythe County Virginia; Whereas the Said Jacob Harrell is indebted to the Trustees of the Town of Evansham in the Sum of One hundred & two Dollars the payment of which with legal interest from this day the Said Harrell is desirous to Secure to the Said Trustees; Now this Indenture therefore Witnesseth that the Said Harrell in Consideration of the premises as well as of one dollar to him in hand paid by the Said James Ward the receipt Whereof he doth hereby acknowledge, hath given granted bargained & sold & by theses presents doth grant bargain and Sell unto the Said James Ward his heirs &c. the following real property to with, One Lot of Land in the Town of Evansham known by No. 92 lying on the South East Side of Spring Street adjoining the lots of John Johnston Containing One half acre conveyed to the Said Harrell by the Trustees by deed dated the 12th day of August 1818, and of Record in the Clerks Office of Wythe County Court, also a tract of land conveyed to Said Harrell by Henry Hufford & wife by deed dated the 10th day of August 1819 and of record in the Clerks Office of Wythe County Court Containing Twenty Six acres thirteen poles lying on a South branch of Reed Creek at the foot of the north side of the Lick Mountain and bounded as followeth to wit; Beginning at a large Black Oak and two White Oaks in a draft & with a line of division North 1 ½° West 80 poles to a black oak & white oak on a ridge N 8° W 70 poles to a black oak in a draft near a Corner of Said Hufford land and as his line South 70° W 30 poles to three White oaks on a ridge, South 4° West 90 poles to three White oaks in a draft North 59° East 72 poles to the Beginning. Also the said Harrells interest in a tract of Land Supposed to contain about 200 acres purchased by the said Harrell from John P. Nye lying on the Waters of Reed Creek the legal Title of which is yet in the said John P. Nye, with their appurtenances To have & to hold the Said real property to the Said James Ward his heirs & assigns forever; and the Said Harrell & wife for themselves & their heirs the Said real property to the Said James Ward his heirs & assigns against the claim or claims of all persons Shall will and do Warrant & forever defend; Upon Trust nevertheless that if the Said Jacob Harrell Shall on or before the first day of October next pay to the Said Trustees the Said Sum of \$102 with the interest due thereon as also the Expenses of drawing & recording this Indenture then this Indenture & every thing herein Contained is to become void. But upon this further Trust that if the Said Jacob Harrell Shall fail on or before the 1st day of October next to pay to the Said Trustees the Said Sum of \$102 or any part thereof With Interest & Expenses as aforesaid then & in that case it Shall be lawful for the Said James Ward by giving three weeks previous notice by advertisement at the front Door of Wythe C House to proceed to sell the lot

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Land & Interest aforesaid at the Said front Door of Wythe CH to the highest bidder for ready money & out of the proceeds thereof; after paying the Expenses of this Trust and retaining to himself a commission of five percent on the amt of Sale for his trouble as Trustee pay and Satisfy the Trustees of Evansham aforesaid the Said Sum of \$102 With the interest due thereon and the Overplus if any restore to the Said Jacob Harrell and the Said James Ward doth bind himself faithfully to Execute the trust hereby reposed in him on Testimony Whereof the Said parties have hereunto Set their hands & affixed their Seals the day and year first written.

Jacob Harrell {Seal}

James Ward {Seal}

Virginia

In the Clerks Office of Wythe County Court the 4th day of March 1822

This Deed in Trust Between Jacob Harrell and Hannah his wife of the One part and James Ward of the other part was acknowledged by the Said Jacob Harrell & James Ward as their act & Deed & admitted to be recorded

Test

J. P. Mathews CC

Margin Notes:

Delivered to R. Gibboncy, exor

Jno P. Mathews dec'd 1st April 1851

H. S. Mathews Cl