

## **Deed, Reuben Harrell to Francis Allison, 14 June 1826**

Wythe County Deed Book 10, pp. 297-298, Wythe County, Virginia

Harrell

To } Trust Deed

Allison

Examined

*Recorded 14 June 1826*

This Indenture made this 14<sup>th</sup> day of June in the year of Christ 1826 Between Reuben Harrell of the one part and Francis Allison of the other part both of Wythe County Virginia whereas the said Reuben Harrell is justly indebted to John Allison of said County in the sum of one hundred and thirty one Dollars and fifty cents as will fully appear by his note this day executed to the said John Allison Jr. payable Twelve months after date the payment of which sum to the said John Jr. the said Reuben is willing effectually to secure now this Indenture witnesseth that the said Reuben Harrell as well in consideration of the premises as of one Dollar to him in hand paid by the said Francis Allison the receipt of which he doth hereby acknowledge he hath given, granted, bargained & Sold and by these presents doth give, grant, bargain & Sell to the said Francis Allison a certain tract or parcel of land containing two hundred and Sixty seven acres lying on a branch of New River being the same on which the said Reuben at present resides and the same granted to William Harrell the father of said Reuben as assee of Isaac Runnion assee of Frederick Edwards who was assignee of James Newell by patent bearing date the 10<sup>th</sup> day of July 1784 and devised to the said Reuben by the last will & Testament of his father the said William excepting out of said Tract about nine acres part thereof to wit about eight acres sold by said William in his life time to Henry Honaker and which Thomas Galbreath at present owns and on which he resides and one acre given by said William to Trustees on a site for a meeting house with its appurtenances To have and to hold the said tract of land except as before excepted with its appurtenances to the said Francis Allison and his heirs forever free from the claim of him the said Reuben & his heirs & all persons whatever Upon Trust nevertheless that if the said Reuben his heirs &c shall on or before the expiration of Twelve months from this time pay to the said John Allison Jr. the said sum of \$131.50 together with the costs of drawing & recording this Indenture then this Indenture and every thing therein contained shall become void. But on their further Trust that if the said Reuben Harrell his heirs &c shall fail on or before the expiration of Twelve months from this date time to pay to the said John Allison Jr. his heirs &c the said sum of money or any part thereof that may remain unpaid, then full power is hereby given to the said Francis upon being requested by the said John Allison Jr to proceed to sell on the premises the land aforesaid to the highest bidder for ready money he having previously advertised the time & place of sale at least forty days previous thereto by written advertisement posted at the front door of the Court House of Wythe County and at some public place in the neighbourhood of said land and out of the proceeds of such sale after paying all costs of drawing & recording this Indenture expenses of sale retaining a commission of five per cent on the amt of Sale to himself as compensation for his trouble as trustee

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pay to the said John Allison Jr the said Sum of money or any part thereof that may remain unpaid together with any interest that may be due thereon and the balance if any pay over to the said Reuben his heirs &c and it is expressly agreed that the said land is to remain in the possession of said Reuben until sale (if any under this Deed) takes place he paying all taxes &c which may be charged thereon and the said Francis doth bind himself to faithfully execute the trust hereby reposed in him In Testimony whereof the said Reuben Harrell and Francis Allison have hereunto subscribed their names and affixed their seals the day and year first herein written.

Reuben Harrell {Seal}

Francis Allison {Seal}

Virginia,

At a Court Continued & held for Wythe County the 14<sup>th</sup> day of June 1826.

This Deed in Trust between Reuben Harrell of the one part & Francis Allison of the other part was acknowledged in Court by the said Reuben Harrell & Francis Allison as their act & deed and ordered to be recorded.

Teste

J. P. Mathews Cl