

Deed, Reuben Harrell to Joseph Graham, 7 November 1827

Wythe County Deed Book 10, pp. 689-690, Wythe County, Virginia

R. Harrell
To } T. Deed
Jos Graham
to secure debt due
Wm. Breeding.
Examined

Recorded 7 December 1827

This Indenture made this 7th day of November in the year of our Lord 1827 between Reuben Harrell of the first part Joseph Graham of the second part and William Breeding of the third part whereas the said Reuben Harrell hath this day executed a bond in the penalty of five hundred dollars with certain conditions thereto annexed to the said William Breeding which the aforesaid Reuben Harrell is willing and desirous to secure, Now the Indenture witnesseth that for and in consideration of the premises and also for the further consideration of One dollar of Lawful money of Virginia to the said Reuben Harrell in hand paid by the said Joseph Graham at and before the sealing and delivery of these presents the receipt whereof is hereby acknowledged, he the said Reuben Harrell hath given granted bargained sold aliened enforced released and confirmed to the said Joseph Graham his heirs and assigns forever all that part of tract of land Lying and being in the County of Wythe and State of Virginia to contain Two hundred and Fifty acres be the same more or less adjoining the lands of Andrew Boyd, John Christly, and William Breeding and also adjoining the tract of Land whereas the Said Reuben Harrell now lives with all and Singular the appurtenances to the said tract of land belonging to the said Reuben Harrell unto the Said Joseph Graham and his assigns against all persons whatever shall and will warrant and forever defend by these presents upon trust nevertheless that the said Joseph Graham his heirs as assigns shall permit the said Reuben Harrell to remain in quiet and peaceable possession of the said tract of Land and premises with its appurtenances and to take the profits thereof to his own use until default be made in the performance in the condition of the aforesaid bond either in whole or in part and then upon the further trust the said Joseph Graham his heirs as assigns shall and will so soon after the happenning of such default as he may think proper—as the said William Breeding shall request sell the said tract of land and premises with the appurtenances or such part of the hereby granted premises as the trustee or his representatives hereby authorized to act shall think sufficient for the purpose and shall think proper to sell to the highest bidder for ready money at public auction after having fixed the time and place of sale giving the said Harrell Sixty days notice by advertisement at the Court house of Wythe County and other publick places in the neighbourhood and out of the monies arising from such sale shall after Satisfying the charges thereof and all other expenses attending the premises pay to the said William Breeding his heirs or assigns the amount of any default that may accrue in the aforesaid land, and the balance if any shall pay to the said Reuben Harrell his heirs or assigns, but if no default should accrue in the condition of the

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aforesaid bond to the said Wm Breeding his heirs or assigns then this Indenture to be void or else to remain in the full force and virtue. In Witness whereof the parties to these presents have hereunto set their hands and affixed their Seals the day and year first above written.

Sealed and delivered in presence of } Reuben Harrell {Seal}
Joseph Graham {Seal}

Wythe County to wit

We Randolph Fugate & James Crockett Justices of the peace in the County aforesaid in the State of Virginia do hereby certify that Reuben Harrell & Joseph Graham parties to a certain Deed bearing date on the 7th day of November 1827 personally appeared before us in our County aforesaid and acknowledged the same to be their act and Deed, and desired us to certify the said acknowledgement, to the Clerk of the County Court of Wythe, in order that the s'd Deed may be recorded. Given under our hands and Seals this 7th day of November 1827

Randolph Fugate {Seal}
James Crockett {Seal}

Margin notes: Delivered Wm Breeding 3rd Sep 1833, A. B. Moore D. C.