

1862-001

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BAILEY

VS. HOLLOWAY et UX et al 7/1862

other surnames: Burt,
Urquhart, Baily, Pretlow,
Holloway, Harwell

488.

Wally Bill
Wally or
Hollway
crates

1861 Dec. Dues as filed 1st

1862 Jan. Report.

" Mar. " Confm^d

6000 per paid 1/5.

To the worshipful justices of the County Court of
Southampton in Chancery sitting, humbly complaining
sheweth unto your worship, your orator George Anna
Bailey - that one Sally Bailey widow of the late Edward
Bailey deceased, departed this life - At Oct: 1861 -

That on the death of her said husband, the following
negroes, including the increase of the females, were assigned
to her, the said Sally Bailey, as her dower in the
negro property of her said husband: viz. Charlotte, Peggy,
Malvina, Mary & infant, Manda, Marsha & infant, Caroline,
Antoinette, Malinda, Julisa, Anice, Ida, Alice, Peter,
More, William, Mansfield, Lewis, Peter Jr, Tom, Milton,
Jepe, Claudius, Eupromus. That is to say, the above
named are the dower negroes of the said Sally Bailey
in the estate of her late husband: And it is desirable
to have the same divided among those entitled.
That the said Edward Bailey left eight children -
viz. Alfred S. Bailey, Peyton P. Bailey, B Baker Bailey,
Malinda⁽⁴⁾ formerly Bailey, whose husband died before the
said Sally Bailey, Araminta⁽³⁾ Holloway, the wife of Dr. Jepe⁽⁷⁾ Hollo
way, both of whom are living, Edward C. Bailey, George Anna
Bailey (your orator) and James S. Bailey - in number eight,
so that the said negroes, will be divisible into eight equal
shares: That the six first named were children by a former
marriage, and the two last were children by the said Sally
Bailey. That Baker Bailey died in 1834, unmarried &
without issue (whose estate has long since been settled), leaving
his brothers & sisters above named his distributees at law.
That the said Edward C. Bailey, on the 20 day of
July 1829, conveyed his interest in said negroes, to Joseph
Pretlow trustee to secure a debt due to Rob. Pretlow; that which
as she is informed has been since sold & bought by the said, viz. no
Joseph Pretlow, - that the said Joseph Pretlow has
departed this life, and his R. Briggs & David H. Pretlow are

on his debts ~~as~~ will appear by a copy of the said deed of trust, herewith filed, marked "C" and prayed to be made a part of this Bill.

That on the 24th of August 1832 Alfred Bailey conveyed his interest in the said negro, to James B. Arguehart trustee to secure a debt due to John Arguehart, as will appear by a deed of the aforementioned date herewith filed as a part of this Bill. Your orator is informed that the same was sold in 1843. and bought by Anselm B. Arguehart agent of the said John Arguehart and.

That Peyton Bailey died (next to Baker Bailey) in the year 1840. entitled to his original $\frac{1}{8}$, and $\frac{2}{12}$ of $\frac{1}{8}$ derived from B. Baker Bailey, equal to $\frac{7}{96}$ of the whole and Mrs Ann J. Nicholson is administratrix.

Alfred Bailey died next, in 1842, entitled to $\frac{1}{8}$ + $\frac{2}{12}$ of $\frac{1}{8}$ of which $\frac{1}{8}$ goes to Anselm B. Arguehart agent of John Arguehart and under the aforementioned deed of trust, & the $\frac{2}{12}$ of $\frac{1}{8}$ goes to Timothy E. Atkinson his administrator.

James D. Bailey died (next) in 1844. (August) and Peter J. Holmes is his administrator. he is entitled to $\frac{1}{8}$ + $\frac{2}{12}$ of $\frac{1}{8}$ being $\frac{13}{96}$ of the whole.

Edward C. Bailey died (next) in 1846. entitled $\frac{1}{8}$ + $\frac{2}{12}$ of $\frac{1}{8}$ of which $\frac{1}{8}$ goes to S. B. Briggs & R. H. Prillman and the balance $\frac{1}{8}$ + $\frac{1}{9}$ of $\frac{1}{8}$ + $\frac{2}{12}$ of $\frac{1}{8}$ equal to $\frac{1}{8}$ of the whole and to Peter J. Holmes is his administrator.

Everett Bailey son of Alfred Bailey died (1850) unmarried & without issue - he is entitled to $\frac{1}{9}$ of $\frac{1}{8}$ + $\frac{1}{12}$ of $\frac{1}{8}$ and

Peter J. Holmes is his administrator.

Mrs Malinda Bent is entitled to $\frac{1}{8}$ + $\frac{2}{12}$ of $\frac{1}{8}$

Jr. Jesse S. Hollaway & Araminta his wife entitled to $\frac{1}{8}$ + $\frac{2}{12}$ of $\frac{1}{8}$

George Anna Bailey, your orator is entitled to $\frac{1}{8}$ in her own right. $\frac{1}{12}$ of $\frac{1}{8}$ from Baker Bailey, and from her mother & James D. Bailey to $\frac{4}{9}$ of $\frac{1}{8}$ + $\frac{1}{12}$ of $\frac{1}{8}$ = $\frac{169}{864}$ of the whole

Your orator prays that the same may be divided if it can be done, if not, that the same be sold or such parts thereof or cannot be allotted to the parties in kind. Your orator is without adequate remedy save in the Hon. Court where matters of this sort are cognizable.

To the End therefore. She prays that Jesse S. Hollaway & Araminta his wife, Malinda Bent, Ann Nicholson agent of Peyton B. Bailey - Timothy E. Atkinson agent of Alfred S. Bailey, and Peter J. Holmes

administrators of James D. Bailey and, and Peter J. Holmes agent of Edward C. Bailey and, and Peter J. Holmes agent of Everett Bailey and.

A. B. Arguehart agent of John Arguehart and - Robert H. Prillman & his R. Briggs executors of Joseph Prillman also be made parties defendants to this Bill and be compelled to answer the same. That the Court will grant a decree causing the said negro to be divided if it can be in kind, if not to be sold, and a division of the proceeds among those entitled according to their several shares, or set forth in this Bill & all other & proper relief which may be necessary & to Equity may seem fit.

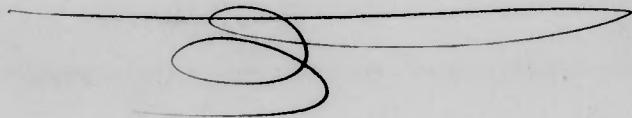
W. H. Whipple P. S.

Baily
4

Baily Aug

The joint & separate answers of Ann J. Nicholson
admx of Peyton P. Bailey ad: Anselmus B. Urganhart admr of
John B. Urganhart ad: Timothy E. Atkinson admr of Alfred
S. Bailey ad: Peter J. Holmes, administrator of James D
Bailey ad: Mrs R. Briggs & R. H. Pullen Executors of Joseph Pullen
ad: Peter J. Holmes, administrator of Ed. C. Bailey ad:
Peter J. Holmes administrator of Everett Bailey ad: Liza S. Hollo
way & Annemette his wife & Malissa Rust. to a Bill filed against them
These respondents saying & accepting &c. for answer to
so much of said Bill as they are advised it is material for
them to answer, answering say that they believe the facts as
set forth in said Bill are true: and write in praying that the
said slaves be divided if practicable, if not then to be sold, or
such portions of them as may remain, in the discretion of the
said Commissioners & having answered pray leave

Ann J. Nicholson admx of P. P. Bailey ad
Anselmus B. Urganhart of Mrs Urganhart ad -
Timothy E. Atkinson admr of Ch. S. Bailey ad
Peter J. Holmes admr of James D Bailey
Mrs R. Briggs & R. H. Pullen Exec of Joseph Pullen ad
P. J. Holmes admr of E. C. Bailey
P. J. Holmes admr of Everett Bailey
Liza Hollings & Annemette Hollings
& Malissa Rust Pr
R. H. Whipple thm atty



Bailey }
 it }
 Bailey }

Secree.

This Cause was this day docketed by
 Consent of parties, and by like Consent came on to be heard
 on the Bill, Answer, Replications thereto, exhibits, and
 was argued by Counsel; On Consideration whereof the Court doth
 adjudge, order and decree that, Robt. Prettore, Samuel H. Holmes,
 Peter J. Holmes, and Wm. W. Summell any three of
 whom may act, who are hereby appointed Commissioners
 for such purpose, will proceed to examine & value the
 negroes, to wit the slaves negroes of the late Sally Bailey decd,
 viz: Charlotte, Peggy, Malvina, Mary & infant, Manda, Marsha
 & infant, Caroline, Antoinette, Malinda, Julipa, Anice Lou,
 Alice, Peter, Moses, William, Mansfield, Lewis, Peter Jr.,
 Tom, Milton, Ise, Claudius, & Euphronius - and the
 same divide, if practicable: Among the parties entitled
 as follows: $\frac{1}{8} + \frac{2}{12}$ of $\frac{1}{8}$ equal to $\frac{7}{48}$ of the whole
 to Ann J. Nicholson administratrix of Peyton P. Bailey. And to Ann
 B. Lizabeth administratrix of Geo Lizabeth decd: $\frac{1}{8}$ being the portion of Alfred
 Bailey conveyed by deed of trust to the said James B. Lizabeth, in the Bill
 mentioned; & $\frac{2}{12}$ of $\frac{1}{8}$, being the balance of the said Alfred Bailey will
 pass to Timothy E. Atkinson his administrator: and to P. J. Holmes
 administrator of James D. Bailey decd - $\frac{1}{8} + \frac{1}{12}$ of $\frac{1}{8}$ equal to $\frac{13}{96}$
 of the whole. To Mrs. B. Briggs & R. H. Prettore ~~administrators~~ of
 Joseph Prettore decd: $\frac{1}{8}$ being the original share of E. C. Bailey decd. conveyed
 & sold under the deed of trust in the proceedings mentioned - and $\frac{2}{12}$ of $\frac{1}{8} + \frac{1}{9}$
 of $(\frac{1}{8} + \frac{1}{12}$ of $\frac{1}{8})$ being $\frac{31}{864}$ of the whole, being the balance of the share of the said E. C. Bailey decd
 will pass over to P. J. Holmes administrator of said E. C. B.
 Bailey decd: To P. J. Holmes administrator of Everett Bailey
 $\frac{1}{9}$ of $\frac{1}{8} + \frac{1}{12}$ of $\frac{1}{8}$ being the portion to which the said Everett Bailey is
 entitled. To Malissa Burt $\frac{1}{8} + \frac{2}{12}$ of $\frac{1}{8}$ equal to $\frac{7}{48}$
 of the whole. To Ise & Holloway & Araminta his wife $\frac{1}{8} + \frac{2}{12}$
 of $\frac{1}{8}$ being $\frac{5}{24}$ of the whole, being the share of her wife Araminta. And to George Anna
 Bailey, $\frac{1}{8}$ in her own right, and $\frac{1}{12}$ of $\frac{1}{8}$ from Baker Bailey, and from her mother
 Sally Bailey & James D. Bailey $\frac{4}{9}$ of $\frac{1}{8} + \frac{1}{12}$ of $\frac{1}{8}$ being $\frac{11}{72}$ of the whole

Commissioners shall be unable to effect the division
in kind among the said parties, then the Court doth
adjudge, order and decree that Peter J. Holmes, who
is hereby appointed a Commissioner for said purpose, will
proceed, after having given ~~at least~~ 15 day notice of time & place
of sale, ^{with the consent of the parties interested,} sell the said negroes, or such share of them as cannot
be allotted to the parties entitled in kind, according to the direction
of the said Commissioners: ~~And the parties of~~ six months, taking
bonds with sufficient security from the purchaser, in sum equal
to the share of the several parties & the same pay over to them -
or for cash if the purchaser prefer to pay the same; and
make report. But this decree is to be suspended as to
the sale of the said negroes, until the said Holmes shall
enter into bond before the clerk of this Court, in the penalty of
\$5000. payable to the commonwealth of Va with sufficient
security, conditioned for the faithful discharge of his
duties under this or any future order in the premises -

1861 December 6th

Wm. J. Holmes
Clerk

Report of
P. J. Holmes
Comman

To the County Court of Southampton

The undersigned Commissioner appointed by a decree of your Court at its December term 1841 to sell any portion of the negroes, belonging to the dower interest of the late Sarah Bailey in the Est of her husband Edward Bailey dec, which it was ~~found~~ impracticable to divide begs leave to report

That the commissioner found themselves unable to divide the share which would have accrued to Baker B. Bailey, ^{and} which ^{they} were directed to distribute among the legacies and therefore placed them in the hands of your Commissioner to be disposed of according to the direction of the said decree - said lot consisting of the following named negroes, Mansfield, Claudius and Malvina valued at \$1500.00 - this interest to receive an additional sum of 71.87¹/₂

After a due notice of more than thirteen days, the said negroes were exposed to public sale on the 30th of December on a credit of six months the purchasers giving bonds with approved security and sold as follows

Mansfield -	bot by	Trinity E. Atkinson	\$350.00
Claudius	" "	R. M. Stephenson	385.00
Malvina	" "	W. Kealey	330.00
			<u>7065.00</u>

But Mrs. Kealey & Stephenson paid cash

Interest was deducted for six months on their debts
New results of sale

	\$	21.45
	<u>\$</u>	<u>1043.55</u>

This interest is also entitled to draw from the other shares as above stated

	71.87 ¹ / ₂	
	<u>\$</u>	<u>1115.42¹/₂</u>

The following ^{one, two} expenses arising from the obtaining the decree & attending the sale

Mr Whitfield's fee \$100.00 & Thrup	\$	12.50
Advertising in the P. Express 5.00 & Jan 135		6.35
Business Bill		3.00
Commissioners on said sale		14.86
Monies fees per decree 4.00 & Thrup		1.12 ¹ / ₂
Collected fees 5.00 & Thrup		.63

P. J. Holmes (Clerk)

Report of
Comms
in
"Bailey vs Hollaway et al"

1862 January 6th.

To the worshipful County Court of Southern
The undersigned Commissioners appointed
by a decree of your Court at its December
Term 1861 in order to accomplish the purpose
of said decree met on the 30th of December
to divide the dower interest of the late Sarah
Bailey in the Est of her husband Edward Bailey
dec among the legatees of said Bailey.

And they made the only division which
seemed to them practicable by dividing the
whole lot into eight parts valuing them
together at twelve thousand seven hundred
Dollars minus one hundred and twenty five
Dollars for the support of one aged and infirm
And the eight shares were distributed by lot
as follows, each share amounting in money to \$1571.87 1/2

1st Share consisting of Amanda & Child, William, &
Peggy valued at \$1550.00 fell to Dr J. D. Mollaway
& wife and they are to receive additionally
twenty one Dollars & eight seven & half cts

2nd Share consisting of Maria, and infant, and
Julipa valued at \$1600.00 fell to R. W. Prettow
& Mrs R. Briggs Executors of Joseph Prettow dec
and they are to pay twenty eight Dollars & twelve cts

3^d Share consisting of Caroline, Ida and Moses
valued at \$1575.00 fell to A. B. Wyzahost admr
of John Wyzahost dec and he is to pay three Dollars $\frac{12 \frac{1}{2}}{100}$

4th Share consisting of Mary & infant and Milton
valued at \$1600.00 fell to Ann J. Nicholson admr
of Peyton P. Bailey dec and she is to pay \$28.12 1/2 cts

5th Share consisting of Antoinette, Peter, Peter Jr and
Charlotte (aged & infirm) to support whom there
was an allowance of \$125.00 fell to Malipa

Bate. The lot was valued at $1675.00 - 125.00 = 1550.00$
 and Mr Bate will receive $\$1.87\frac{1}{2}$
 6th share consisting of Manfield, Claudius & Malvina
 valued at $\$1500.00$ fell to the Commr P. J. Holmes
 to sell it being impracticable to divide them
 This share will receive $\$1.87\frac{1}{2}$ to equalize it
 7th share consisting of Alice and Jeph
 valued at $\$1000.00$ fell to Georgeanna Bailey
 who is to pay $\$28.12\frac{1}{2}$
 8th share consisting of Malinda, Lewis & Lou
 valued at $\$1400.00$ fell to P. J. Holmes admr
 of Jos. D. Bailey dec and he will pay back
 twenty eight Dols $\frac{12\frac{1}{2}}{100}$

The parties will pay or receive the several amounts.
 in money above mentioned as their shares were larger
 or smaller than the specified sum to which they were
 entitled.

Your Commissioners report also the following expenses
 attending the said decree which will be divided among the eight
 shares.

- Adm. R. H. Whitfield & Bill for procuring decree	$\$100.00$
- The fees of three Commissioners for one day	$\$3.00$
- The clerks fee	$\$5.00$
	<u>$\\$108.00$</u>

Your Commrs beg leave further to state that
 Georgeanna Bailey was compelled after the
 death of her mother to provide for the support
 and clothing, &c. considerable expense of the family
 for two months and that she is willing to be satisfied
 with the hire which accrues for that time from
 the remainder of said negroes
 And we upon examination of the circumstances

and the amount of expense & hire think she will
 not be more than fairly compensated by this prop.

Sam ^l H. Holmes	}	Comm
P. J. Holmes		
Wm. C. Mumme		

v 510.

Division of Negroes

Georgianna Bailey's ^{Est.} of the division
of the negroes belonging
to the Estate of Georgianna

1862 Dec. Ret^d Bailey & Co

Certificate of the
Heirs at Law

85-
5-
425
16-
2125
425
6375

In compliance with the wishes of Dr Jesse A. Hollaway, Mrs Caroline M. Burt Dr W^m H. Maxwell Miss Pocahontas Bailey and Miss Clara J. Bailey, who claim to be the sole heirs at law of Georgiana Bailey, dec^d, being all of lawful age, we, Robert Pulton, W^m H. Summell and Saml W. Holmes met at the late residence of said Georgiana Bailey, dec^d, on the 14th of July 1862 and appraised to the best of our judgment the following named negroes, being all the negroes left by the deceased (Georgiana Bailey), and divided them into three lots as follows

No 1	No 2	No 3
William Jr \$900.	Madison \$900.	Joshua \$900.
Jesse 600.	Junius 925.	William jr 600.
Anice 900.	Richetta 800.	Clara 900.
Melinda 700.	Roberta 800.	Margianna ^{child} 750.
Poca 600.	Euphrosine 300.	Elliot 400.
\$37.00.	\$3725	\$3550.
Charlotte ^{old woman} 150.	Sally ^{old woman} 200.	
\$3550.	\$3525.	\$3550.

The appraised value of the whole number was \$10975.00
 For keeping two old women (Charlotte & Sally) 350.00
 Leaving net value \$10625.00

These could not be divided without a payment of money and as each share (there being three shares) would be entitled, to equalize them to thirty five Hundred & forty one & $\frac{90}{100}$ Dollars. No 1 will pay to No 2 Eight Dols & forty cts (\$8.40^{cts}) & No 3 will pay the same amt to No 2.

Dr W^m H. Maxwell in right of his wife Sallie formerly Sallie Bailey Pocahontas H. Bailey & C. J. Bailey children and surviving heirs of Peyton Bailey dec^d who was the half brother of Georgiana Bailey dec^d drew collectively the lot marked above "No 1"

Do Jeph S. Holloway in right of his wife Araminta H.
formerly Araminta H. Bailey being the half sister
of Miss Georgiana Bailey, do draw lot "No 2"

Mrs Maria M. Busto formerly Maria M. Bailey
in her own right as half sister of the dec'd drew^{lt} "No 3"
as will be shown by the receipts of the parties
herewith filed

Most respectfully submitted

Wm. P. Patton
Wm. H. Sammuel
Sam. H. Holmes

We the undersigned claiming to be the sole heirs at
law of Georgiana Bailey do & do certify to the correctness
of the above Report, that the appraisement and division
of the negroes belonging to the estate were made
at our request and that we are perfectly satisfied
with such division and have received our respective
shares as above stated. And we do further
certify that we are each of us of lawful age
and capable of acting for ourselves. Given under
our hands this the 4th day of August 1862

J. B. Colclough Seal
Marion L. Futral
William H. Harwell
Fokie H. Bailey Seal
Clara J. Bailey Seal

John A. Hollaway

July 14th 1862 Rec of the Adm
the within share of negroes
allotted me
J. A. Hollaway.

No. 2

Madison

\$900

Juniors

925-

Richetta

800

Roberta

800

Euphonia

300

37 25-

Old Sally off

200

35 25-

John Bull

July 14th 1862 Recd of the
Admiralty the within share
of messons allotted me

I & Co. accy.
for Mrs. M. L. Bull

1803

Joshua

\$900

William

Jun

600

Clara

900

Margaret & Child Milton

750

Ellis

400

3550

No 1

William

~~\$~~900.

Jesse

600

Annie

900

Melinda

700

Poea

600

3700

Chantree

off

130

3550

Certificate
of
Legatus'
Consent

13
94
52
117
1222
40

To the County Court of Southampton County

The undersigned being entitled to their several shares of the
Dower negroes of the late Mrs Sally Bailey, in & to the negro
property of Edward Bailey ad, her husband, are willing and
desire that the Court of Southampton will decree a division
of the same if practicable, - if not a sale thereof, or of such
shares as cannot be so divided. Given under our hands.

Attest
of John Morgan

Georgianna Bailey
John Morgan & John R. Briggs

Adm of the estate of
of Peyton D. Bailey &c

P. J. Holmes Adm of E. D. Bailey &c

P. J. Holmes Adm of J. D. Bailey &c

P. J. Holmes Adm of Edward Bailey &c

Like a Holloway for
himself & wife &c
ment. and for Mr.

Trusty &c
of Alfred J. Bailey

This Indenture made this 20th day of July in the year 1829 between Edward C Bailey of the County of Southampton and State of Virginia of the one part and Joseph Pretlow of the same State and County of the second part and Robert Pretlow of the third—
Witnesseth, that whereas the said Edward C Bailey became indebted to the said Robert Pretlow by bond executed this 20th day of July 1829 to the amount of four hundred dollars for value received of him and in consideration of one dollar to him in hand paid by the said Joseph Pretlow at or before the sealing—delivering of these presents, the receipt whereof is hereby acknowledged, he the said Edward C Bailey hath granted, bargained and sold and by these presents doth grant, bargain and sell unto the said Joseph Pretlow all of his interest in the land and negroes which the said Edward C Bailey is or may be, entitled to by the death of his father. To have and to hold the said property herein mentioned to be hereby granted unto the said Joseph Pretlow his heirs, Exors., admors. & assigns forever. Upon trust nevertheless if the said Joseph Pretlow should be called on to pay the above mentioned debt then the said Joseph Pretlow shall as soon as he conveniently can after giving ten days previous notice of the time and place—sell for cash the above mentioned property and after discharging the above debt and costs pay the overplus to the said Bailey or his order. In Witness whereof we have affixed our hands and seals this day & year above mentioned
Signed, Sealed and acknowledged in the presence of.

Witness

E. C. Bailey (Seal)

Southampton County In the Clerks Office the 20th July 1829.
This Indenture was acknowledged by Edward C Bailey one of the parties thereto and admitted to record. And at a Court held for the said County aforesaid the 17th August 1829 the said Indenture was entered upon the proceedings of the day
Teste

James Rockwell Clk

at Copy

Teste

L. R. Edwards Clk

Nov 13 1861.

Bailey
Is { Copy deed.
Wright's note

This Indenture made and entered into this
24th day of August in the year of our Lord
One thousand eight hundred and thirty two Between
Alfred S Bailey of Sunny County of the first part
James P. Argueant of said County of the second part
and John Argueant of said County of South-
-ampton of the third part Witnesseth that the
said Alfred S Bailey for and in consideration
of the sum of two hundred and eighty dollars
which said sum is justly due from the said
Alfred S Bailey to said John Argueant by bond
bearing date in the 24th August one thousand
eight hundred and thirty two as well as all
other moneys which may be due and owing from
the said Alfred S Bailey to the said John Argueant
by means of any dealings, transfer of debts or paper
whatevers as also for and in consideration of the
sum of one dollar to him in hand paid by the
said James P. Argueant the receipt whereof the
said Alfred S Bailey doth hereby acknowledge
hath granted bargained and sold, and by these
present doth hereby grant bargain and sell convey
and make over unto the said James P. Argueant
and his heirs forever all his right and interest in
and to the following property: to wit two negro
boys named Burke & Dawson. Also all the
right and title that I have in my fathers
estate, of every description, as well as the interest
that I shall hereafter have in the slaves estate
now in the possession of Sarah Bailey widow
of Edward Bailey deceased belonging to him the
said Alfred S Bailey. To Have and to Hold
with all right and interest of the said Alfred

S Bailey herein conveyed or intended to be conveyed
to him the said James P Urquhart his heirs
and assigns forever. Upon this Special Trust never
to be broken the said James P Urquhart upon
being thereof required by the aforesaid John Urqu-
hart shall proceed to sell all the right and
interest of the said Alfred S Bailey herein con-
veyed or intended to be conveyed to him the said
James P Urquhart his heirs and assigns forever to
the above mentioned property hereby conveyed
or intended to be conveyed after advertising the time
and place in the said County of Sunny for ten
Days at some public house or store for Cash and
out of the money arising from or out of the said
Sale in the first place pay and satisfy, all costs
attending the said sale, as well as all the expenses
attending the said conveyance and then pay
off the bond aforesaid with interest as well as
all other monies which may appear to be justly
due and owing from the said Alfred S Bailey
to the said John Urquhart by means of any
dealings, transfer of debts, or paper whatsoever and
the surplus if any pay to the said Alfred S
Bailey. And the said Alfred S Bailey for him-
self, his heirs executors and assigns: the right and title
to all the above mentioned property unto the said
James P Urquhart his heirs and assigns forever
both hereby warrant and forever defend against
the lawful claim or claims of him the said
Alfred S Bailey his heirs executors and assigns:
and against all and every other person or persons
whomsoever. And the said James P Urquhart
on his part covenants and agrees that he will

make Sale of the right and interest hereby conveyed
for the best price that he can obtain for the same
after advertising the time and place for ten
Days previous at some public house or store in
the said County of Sunny, and with the monies
arising from the said sale first pay and satisfy, all
costs attending the same as well as the expenses
attending this conveyance and then pay off the
aforesaid bond with interest as well as all
other monies which may appear to the said
James P Urquhart to be justly due and owing
from said Alfred S Bailey to the said John Urqu-
hart by means of any dealings, transfer of debts
or paper whatsoever and then pay the surplus
if any, to the said Alfred S Bailey. And the
said John Urquhart on his part covenants and
agrees that he will release the said property hereby
conveyed from the obligation of this incumbrance upon
the said Alfred S Bailey's paying to him the
amount of the aforesaid bond and interest as
well as all other monies which may be justly
due and owing to him from the said Alfred S
Bailey by means of any dealings, transfer of
debts or paper whatsoever. In witness whereof the
parties to these presents have hereunto set their
hand and seals the day and year first above
written
Signed Sealed and delivered
In presence of
Robert Prettons
Minchen Edwards
James Alfred King.
In Sunny County Court Clerk's Office To wit.
J S Bailey
J P Urquhart
J Urquhart

I do Certify that this deed from Alfred Bailey
to James W. Wychant trustee for John Wychant
was proved before me on the 27th day of August
1832, by the oath of Robert Duffens a subscribing
witness and continued. I do further Certify that
on the 28th day of August 1832 the said deed
was fully proved before me by the oaths of Kinchen
Edwards and James A. Jenkins two other subscri-
-bing witnesses to said deed, and thereupon admitted
to record. Given under my hand as Clerk of
the Court of said County this date above mentioned.

Walter S. Booth Clk.
A Copy

Seal
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