

501
Loving further
of
Author

This Indenture made and executed this 21st day of February A.D. one thousand
and Eight hundred and thirty one between Simon Ellerfee and Wellmfer on the part
of Story Com^r of the first part and Thomas Peltor of the second part all of the County
of Southampton and State of Virginia M^r Ellerfee that whereby an inter-
locutory decree made and entered in the County Court of Southampton Sept^r Com^r
1830 in a cause lately depending and pending between Isabella Ellerfee Plaintiff
against Ellerfee and others Frances, William and George Ellerfee
infants under the age of twenty one years by Ulrich Rawls their Guardian ad litem
and James Andrews who interceded with the Warden Richard Ellerfee dec^r 3
defendants It was decreed and ordered that the said Simon Ellerfee James
Ellerfee and Samuel Story Com^r resell the lot and houses at Old Smithway
belonging to the heirs of Richard Ellerfee dec^r? and distribute the same upon
the principles of the former decree made January Com^r 1830 which wherein
fully appears from the records of the County Court of Southampton and in
pursuance of said decree the said Simon Ellerfee James Ellerfee and Samuel
Story Com^r as aforesaid after giving ten days Notice of the time and place of
Sale did resell the above mentioned Lot and houses to the highest bidder
when Thomas Peltor became the purchaser of the said Lot and houses with
every part and parcel thereof and thereunto belonging for the sum of Two hun-
dred and ten dollars which Lot is bounded by Clark Water river on the side
and the lands of Henry W^r Jenkins on all the other sides It being the Lot and
houses at Old Smith Way that Richard Ellerfee died possessed of It was
further decreed and ordered that the said Commissioner who reported on the
Case make to the purchaser a deed without warranty This Indenture
therefore witnesseth that the said Simon Ellerfee James Ellerfee and
Samuel Story Com^r as aforesaid as well for and in consideration of the premises aforesaid
at the said sum of Two hundred and ten dollars to them so handed paid by the said
Thomas Peltor the receipt whereof is hereby acknowledged have granted bargained
and sold and do by these presents grant bargain and sell unto the said Thomas
Peltor his heirs and assigns the said Lot and houses abovementioned and
described To have and to hold the said Lot and houses aforesaid with the
premises and appurtenances as is before mentioned sold or intended to be sold
unto the said Thomas Peltor his heirs and assigns against the claim or
claims of them the said Simon Ellerfee James Ellerfee and Samuel Story
their heirs and assigns and each of them shall will and do warrant and
defend by virtue of the said decree and no more In Testimony whereof the
Simon Ellerfee James Ellerfee and Samuel Story Com^r as aforesaid have hereunto
set their hands and seals the day and year as is before written

J. Ellerfee (Seal)
J. Ellerfee (Seal)
Samuel Story (Seal)

In presence of

after reading and the reference to the final decree
Southampton County In the Clerk's Office the 21st day of February 1831
This Indenture was acknowledged by Simon Ellerfee James Ellerfee &
Samuel Story parties thereto and admitted to record And at a Court held for
the County aforesaid the 21st day of March 1831 The said Indenture
and Certificate were entered upon the proceedings of the day
Test^r James McChesney