

viz: On tract of land lying and being in the County of Southampton Virginia on the north side of Meherrin River and adjoining the lands of Peter Edwards, John Whitehead, and Mack S. Datta, and containing from fourteen to sixteen hundred acres more or less, it being all the lands on that side the river formerly belonging to the estate of the late Abner S. Smith together with all the privileges and appurtenances thereto belonging, except the said parcels of the first part reserve the Beaver yard, and also the right and claim to the damages which have been or may be assessed on account of the Sea Road and Roanoke Rail Road running through said lands, also another tract of land lying on the south side of the Meherrin River adjoining the first named tract, and lying in the Counties of Greenville, Virginia, and Northampton, North Carolina, called the Delach tract adjoining the lands of Green Stancel and Joseph M. Rogers, containing, four hundred and eight acres more or less being the lands purchased by the said Smiths of the first part from William S. Macklin and wife as appears by Deeds of record in Greenville and Northampton aforesaid, together with all and singular the appurtenances to said lands belonging. To have and to hold the above conveyed lands, the said James Johnson, John C. East, A. S. B. Merritt and John A. Smith, Mary A. C. Smith and Octavius A. Smith for themselves their heirs, Exrs + adms jointly and severally covenant with the said James Johnson, John C. East, A. S. B. Merritt + John A. C. Merritt to forever warrant all the title and interest in which they are entitled to the said lands, together with any title land which they have and the said Smiths further covenant that if John B. Byrum and Virginia A. Byrum his wife should fail to make a good and perfect title to the said lands or any portion thereof when the said Virginia A. Byrum arrives to the age of twenty two years, then the said John A. Smith and wife and Octavius A. Smith covenant to assign to the Vendors in this Deed one fourth of the sum agreed and given for the whole land mentioned in this Deed or any hereby conveyed, that is, they bind themselves and their heirs to pay back to the Vendors the sum of Two thousand Eight hundred and seventy five dollars, in the event John B. Byrum and Virginia A. his wife shall fail to make a good title when said Virginia A. Byrum arrives to the age of twenty two years or within a reasonable time thereafter.

In testimony whereof, the said John A. Smith, Mary A. C. Smith and Octavius A. Smith have hereunto set their hands and affixed their seals the day and date first above written.

John A. Smith
Mary C. Smith
O. A. Smith

Greenville County, Tenn.

We Ira C. Woyche and Baxter R. Wilson Justices of the peace in the County aforesaid in the State of Virginia, do hereby certify that Mary A. C. Smith, wife of John A. Smith parties to a certain Deed being date on the first day of November and hereunto annexed, personally appeared before us in our County aforesaid, and being examined by us privately and apart from her husband and having the Deed aforesaid fully explained to her, she the said Mary A. C. Smith acknowledged the same to be her act and deed, and declared that she had willingly signed, sealed and delivered the same, and she would not to retract it.

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