

S. A. Tommes, C. C. D.

vs - "Deed" -
H. M. Thomas, Esq.

The State of South Carolina
Greenville District.

This indenture, made the fifth day of September in the year of our Lord, one thousand eight hundred and fifty three, between Samuel A. Tommes, Esquire, Commissioner of the Honorable Court of Equity for Greenville District, at Greenville Court House in the said State, of the one part, and William M. Thomas of the other part:

Whereas George H. Earle, by his next friend George H. Creed did and on about the twentieth day of February in the year of our Lord one thousand eight hundred and fifty three exhibit his Bill of Complaint in the Court of Equity, at Greenville Court House in the said State, against Susan H. Earle, Elizabeth Earle, Mary Earle, Margis Earle, Dray pro Earle, Thomas Earle, Joseph Earle, and C. P. Stone, he praying among other things for partition of the Real Estate of Elias Dray pro Earle Deceased.

And the Cause, being at issue before the Honorable Court, came on to be heard at July Term, in the year of our Lord one thousand eight hundred and fifty three when the said Court, after full hearing thereof, and mature deliberation in the premises, did Order, Adjudge, and Decree that the aforesaid Real Estate should be sold at Public Auction by the Commissioner of the said Court, on the terms and for the purposes mentioned in their Decretal Order, as by reference thereto in the Registry of the said Court, will appear.

And the said Samuel A. Tommes as Commissioner of the said Court, after having duly advertised the said Real Estate for sale, by Public Auction, on the fifth day of September in the year of our Lord one thousand eight hundred and fifty three, did then openly and publicly and according to the custom of Auction, sell and dispose of the said Real Estate, felon decreed, unto the said William M. Thomas for the sum of Three Thousand Dollars being the highest bid for the same.

And the said Samuel A. Tommes as Commissioner of the said Court, under and in virtue of the said Decree, and in

paid him by the said William M. Thomas, the receipt whereof is hereby acknowledged, hath, Granted, Bargained, Sold, and Released, and by these Presents doth, Grant, Bargain, Sell, and Release unto the said William M. Thomas, his Heirs, and Assigns, all that tract of land adjoining the town of Greenville, bounded by the Greenville Road, the corporate line of the Town of Greenville, the Greenville Road & lands formerly belonging to C. W. Esau, but now the property of C. J. Elford, containing fifteen acres more or less. Together with all and singular the Hereditaments, Rights, Members, and Appurtenances in and to the said tract of land belonging, or in any wise appertaining, and the Residues and Remainders, Parts, Issues, and Profits thereof; and also, all the Estate, Right, Title, Interest, Power, Privilege, Property, Benefit, Claim, and Demand what is ever, both at Law and in Equity, of the Heirs and Representatives of the said Elias Dray pro Earle Deceased and of all the parties in this suit, and of all other persons mightfully claiming or to claim, the same or any part thereof by force, or under them, or either of them, to have and to hold the said tract of land with its Hereditaments, Privileges, and Appurtenances unto the said William M. Thomas, his Heirs and Assigns to him and his only proper use, benefit and behoof forever.

In Witness whereof, the said Samuel A. Tommes as Commissioner of the said Court, under and by virtue of the said Decree, hath hereunto set his Hand and the Seal of the Court, on the day and year first above written.

Signed, Sealed, and Delivered in the Presence of
S. A. Tommes.
H. N. Campbell Samuel A. Tommes
State of South Carolina C. C. D.

County of Charleston } Personally appeared H. N. Campbell
and makes oath that he saw the within named Samuel
A. Tommes C. C. D. sign and seal his act and deed
before the within written Deed and that he with H. N.
Campbell witnessed the execution thereof
on the fifth day of September
1853.
H. N. Campbell