

and wife, Robert Cox and wife, Susan McCoy, Ira D. McCoy, Kittina McCoy, Chichosa McCoy, and Waddy J. McCoy, heirs at law of David McCoy dec'd. Stating that David McCoy died intestate possessed of a considerable real estate and prayed for a partition thereof according to their respective rights. And the cause being at issue before the Honorable Court came on to be heard at June 1825 Term when the said Court after full hearing thereof and mature deliberation in the premises did order and decree that the said real estate of the said David McCoy deceased 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 William Choice as Commissioner of the said Court after having duly advertised the said land for sale by public outcry on the fifth day of September 1825. did then openly and publicly, and according to the custom of auctions, sell and dispose of the said tract of land below described unto the said Francis Powers for one hundred and thirty eight dollars being at that price the highest bidder for the same. Now therefore this Indenture witnesseth that the said William Choice as Commissioner of the said Court under and by virtue of the said decree and in consideration of the sum of one hundred and thirty eight dollars paid him by the said Francis Powers the receipt whereof is here by act and acknowledged, hath granted, bargained, sold and released, and by these presents doth grant bargain sell and release unto the said Francis Powers his heirs and assigns all that tract of land containing one hundred acres more or less situate in the district of Greenville on the waters of Saluda which is more particularly described in the deed hereto annexed for the same land hereby conveyed from Jacob Gardner to the said David McCoy dec'd and which is to be taken as part of this together with all and singular the hereditaments, rights, menses and appurtenances whatsoever to the said tract of land belonging, or in any wise appertaining; and the reversions and remainders, rents, issues and profits thereof; and also all the estate right, title, interest, claim, possession, property, benefit, claim and demand whatsoever, both at law and Equity, of the heirs and representatives of the said David McCoy deceased and of all the parties to this deed and of all other persons rightfully claiming or to claim the same or any part thereof, by, from, 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 Francis Powers his heirs and assigns to his and their only proper use benefit and behoof for ever. In witness whereof the said William Choice as Commissioner