

of the said Wheaton Merritt stating among other things that the
said Wheaton departed this life in the year of Eighteen hundred and
twenty seven intestate seized and possessed of a Valuable real
Estate and prayed that partition might be made of the real Estate
of the said Wheaton between his Heirs at Law agreeably with their
Rights and the Cause being at issue before the Honorable Court
Came on to be heard at last July Term when the said Court
after full hearing thereof and mature deliberation in the premises
did order, adjudge and decree that the said Real Estate of the said
Wheaton Merritt deceased should be sold at public auction by the
Commissioner of the said Court on the terms and for the purposes men-
tioned in the 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 said first day
of November first above mentioned did then openly and
publicly, and according to the custom of auctions, sell and dis-
pose of the said Tract of Land below described, unto the said
John Hodges for two Thousand dollars six and a fourth cents
being at that price the highest bidder for the same Now therefore
this Indenture Witnesseth that the said William Choice as Comm-
-issioner of the said Court and he and by virtue of the said decree
and in consideration of the sum of two Thousand dollars six and
and one fourth cents paid him by the said John Hodges 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 John Hodges his heirs and assigns all that tract of
land containing three hundred acres more or less situate in the
District aforesaid on both sides of the North Fork of Saluda River
beginning at a white oak running N. 80. E. 9 to a haw wood thence N. 8 to
a Hickory thence N. 35. W. to an ash thence by a conventional line
marked on a Locust thence to a poplar thence straight to the top
of the ridge to Hightowers land thence on the said Ridge to the
fork of Wheaton Merritts branch thence a straight line to a red
Oak corner of the old tract thence on the old line to a dogwood
on the bank of the River thence to a stake and thence to the beginning
being the same land conveyed to Wheaton Merritt by B. Merritt by
deed dated the 18 February 1805. and hereunto annexed together with all
and singular the Hereditaments, rights, members and appurtenances what-
soever to the said Tract of land belonging, or in any wise appertain-
ing, and the reversions and remainders, rents, issues and profits thereof
and also all the Estate right title interest, claim, possession