

[\[POYTHRESS\] 1848 Deed of Trust Lewis Y Poythress, Williamsson Pearson, David Poythress](#)

Barbara Neal

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The transcription below is re-copied from part of a message I posted to our Poythress List on 12 Aug 1998. This week I searched in vain for the bond this document mentions ("as will more fully appear by bond bearing date the 25th day of Decr., last").

Transcribed by Bpn from FHL film 1,870,885 (a more recent filming than 32,547) Mecklenburg Co, VA Deed Book 32, pp. 537-538, beginning near the bottom of p. 537: [Note that in the original, Williamsson M. Pearson's name is abbreviated as "Wmsson" with the "m" being up high, near the top of the "W" and the double-s-set letter which looked like a modern script lowercase "p." All spellings and punctuation here are as in the original, including the variations in spelling of David's and Lewis' last name.]

* * *

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Poythress

To

Poythress

This indenture made this the 12th day of July 1848 between Lewis Y. Poythress of the first part, Wmsson M. Pearson of the second part, and David Poytress of the third part: Whereas the said Lewis Y. Poythress is justly indebted to the said David Poythress in the sum of forty five dollars, as will more fully appear by bond bearing date the 25th day of Decr., last, which the sd Lewis Y. Poythress is willing and desirous to secure:: Now this Indenture witnesseth, that for and in consideration of the premises and also for the further sum of one dollar lawful money of Va to the sd L.Y. Poytress in hand paid by the said Wmsson M. Pearson at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, he the sd L.Y. Poythress hath sold released & confirmed by these presents to Wmsson M. Pearson his heirs &c forever all his interest in the

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tract of land whereon the sd Poythress now resides containing 100 acres more or less to gether with his interest in one youke of oxen (being the land &c conveyed by Lewis Poythress decd to sd L.Y. & Thomas Poythress) lying & being in the county of Mecklenburg & state of Virginia, with all the appertenances thereunto belonging: to have and to hold the same forever and the said Lewis Y. Poytress further on his part doth agree to warrant & defend forever the said land &c to sd Wmsson M. Pearson his heirs &c; upon trust nevertheless that the said Pearson his heirs &c shall permit the sd

L.Y. Poythress to remain in possession of the sd Land &c & take the profits thereof, until default be made of the payment aforesaid sum of forty five dollars or any part thereof and then upon further trust that he or his legal representatives shall and will so soon after the happening of such default of payment as he or they may think proper or the sd D. Poytress his heirs &c may direct sell the said lands &c for ready money at publick auction after having fixed the time and place of sale at his or their own discretion and given ten days notice thereof at the most publick places in the county aforesaid, and out of the monies arising from such sale shall after satisfying the charges thereof and all other expenses attending this deed, pay to the said David Poytress the said sum of forty five dollars with the legal interest thereon and the balance if any shall pay to the said Lewis Y. Poythress, his heirs &c: but if the whole of the said sum of forty five dollars with interest &c shall be fully paid of by the sd L.Y. Poythress his heirs &c when demand of payment shall be made so that no default of payt be made then this indenture to be void or else to remain in full force and virtue:

In witness whereof the parties to these presents have hereunto set their hands and affixed their seals the day and year first above written

Lewis Y. Poythress (seal)

Wmsson M. Pearson (seal)

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Mecklenburg County court 17th July 1848

The foregoing deed Trust was acknowledged by Lewis Y. Poytress a party thereto to be his act and and [sic] ordered to be recorded
Teste Richd B. Baptist Clk