

Deed, NC, Mecklenburg, ABNER NASH & JOHN POWELL

This indenture made the 5th day of February in the year of Our Lord 1771 between **ABNER NASH** and **JUSTINA** his wife of the one part and **JOHN POWELL** the other part.

Witnesseth that the said **ABNER** and **JUSTINA** for and in consideration of the sum of £10 Proc money in hand paid by the said **JOHN POWELL** at or before the signing, sealing and delivery hereof the receipt whereof he the said **ABNER** and **JUSTINA** do hereby acknowledge have granted bargained sold aliened and she offed and confirmed and by these presents do grant, bargain, sell, alien, enfeoff, and confirm unto the said **JOHN POWELL** is heirs and assigns a certain tract or parcel of land containing, by survey, 70 Acres be the same more or less lying and being in a tract called the Welsh tract.

Beginning at a black oak on the Northside of Muddy Creek Running fence South 57 degrees West 108th to a white oak then South 40 degrees East 100 polls to a Black Oak then north 60 degrees east 100 polls to a pine then 55° West 104 poles to the beginning.

And all wood and under-woods, feedings, pastures, waters, water-courses, profits advantages, and hereditaments whatsoever thereunto belonging or in anyways appertaining and also all mines and minerals (saving and excepting one fifth part of all gold and silver mines and one tenth part of the or of all other mines and minerals) together with the liberty of hunting, fishing, and fowling and the reversion and reversions, remainder and remainders, thereof and every part thereof and also all the estate, right, title, interest, claim, and demand whatsoever of the said **ABNER** and **JUSTINA** in and to the 70 acres of land with the appurtenances and every part thereof.

To have and to hold such tract of land, hereditaments & and premises aforesaid except as by accepted onto the side **JOHN POWELL** his heirs and assigns to the only proper use and behoof of the said **JOHN POWELL** is heirs and assigns forever and the said **ABNER NASH** for himself and his heirs doth covenant and grant to and with the said **JOHN POWELL** his heirs and assigns that he, the said **ABNER**, now is the true and lawful and rightful owner of the said 70 acres of land and promises hereby bargained and sold and also have full power and lawful authority to grant and convey the same with the premises before mentioned unto the said **POWELL** his heirs and assigns according to the true intent and meaning hereof, and further, that the said 70 acres of land and premises hereby granted, bargained conditions limitations and encumbrances whatsoever to other charge or determine the same (one fifth part of ore of gold and silver mine and one tenth part of the or of mines and minerals as aforesaid) and also the yearly quit rents of four shillings proc money for every hundred acres of land hereby granted and conveyed due and payable on to our Sovereign Lord the King his heirs and successors forever only accepted and for (fore prized) and the said **ABNER** and **JUSTINA** for themselves and their heirs to covenant and grant to and with the said **JOHN POWELL** his heirs and assigns that the said **JOHN POWELL** and his heirs and assigns shall and may from time to time and at all times here after quietly and peaceably have holed except possess and enjoy the said 70 acres of land hereditaments and premises aforesaid (except as before accepted) without any let, hindrance or molestation of or from the said **ABNER** and **JUSTINA** their heirs and any other person or persons whatsoever lawfully claiming or to claim the same free and clear of all and from all other or greater interest that what have been here in before mentioned to be due and payable on to our Sovereign Lord the King his heirs and successors or as aforesaid and that he the said **ABNER** and his heirs will cause and provide the same to be entered in the king's book by said quantity of 70 acres to the end that the said 70 acres of land may be subject and liable to no other quit rents than at and after the rate of 4 shillings proc

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money for every hundred acres of land hereby granted and conveyed and no other and greater quantity of land whatsoever and lastly that he's a said **ABNER** and **JUSTINA** and their heirs shall and will at all times here after at the reasonable request and the proper cost of the shed **JOHN POWELL** and his heirs and assigns make do and execute all and every the further and other act deed and devise in the law whatsoever for the more perfect conveying and confirming the said 70 acres of land and premises under the said **JOHN POWELL** his heirs and assigns according to the true intent and meaning hereof as he the said **JOHN** and his heirs, assigns, or their council, learned it in the law, shall demand.

In Witness whereof where of the said **ABNER** and **JUSTINE** these presents have hereunto interchangeably set their hand and a fix their seals the day and year first above written

A. NASH
JUSTINA NASH

Signed sealed and delivered in the presence of

CLEMENT NASH

February 5th 1771 received the within content in full

A. NASH
CLEMENT NASH

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North Carolina

There was indeed was proved by **CLEMENT NASH** the subscribing witness thereto in due form of law. Therefore let it be registered.

Given under my hand and seal this 9th day of February AD 1771

RICHARD HENDERSON

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