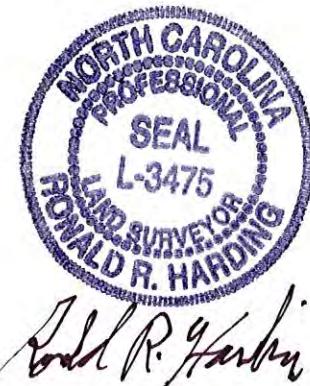


DAVIE-YADKIN

COUNTY BOUNDARY LINE

SUMMARY OF RESEARCH FINDINGS

March 03, 2020



NORTH CAROLINA GEODETIC SURVEY

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HISTORY

Davie County was formed in 1836 from Rowan County

Davie County was formed from Rowan County in 1836. From page 88 and 89 of David Leroy Corbitt's book "*The Formation of the North Carolina Counties 1663-1943*" reads, *beginning at the junction of the North and South Yadkin rivers; thence up the South Yadkin river, to the Iredell county line; and all that part of the present county of Rowan, lying and being north of said river, shall hereafter constitute a separate and distinct county, to be called and known by the name of Davie, in honor of the revolutionary patriot, William R. Davie.* (Laws, 1836-37, Chs. 4, 5; Private Laws 1839, Ch. 66; Manual, 1913, p. 590; Battle, p.27;) (Laws, 1836-37, Ch. 4)

Yadkin County was formed in 1850 from Surry County

Yadkin County was formed from Surry County in 1850. From page 238 and 239 of David Leroy Corbitt's book "*The Formation of the North Carolina Counties 1663-1943*" reads, *That a county be, and the same is hereby laid off and established out of that portion of county of Surry, which lies South of the Yadkin river, and also including that portion of the county of Surry known and called by the name of Little Surry, and county to be called Yadkin.* (Public Laws, 1850-51, Chs. 40, 41; 1852, Ch. 34; Manual, 1913, p. 857; Battle, p.14)

DISCUSSION

The question of the location of the Davie and Yadkin County boundary line continues today as it did in the years following the formation of Davie County in 1836. This is somewhat due to the lack of an adopted survey and the placement of permanent monuments along the county line. At the corner of Davie, Iredell and Yadkin County a monument was set (labeled Monument # 11) and recorded in all three counties Register of Deeds Office in July of 1999. Then proceeding in a southeasterly direction to an existing two-inch iron pipe near Chinquapin Road at the same location as described in Deed Book 9; Page 236 dated 1916 recorded in Yadkin County as being on the county line. Continuing in a southeasterly direction to an existing one-inch iron pipe near Four Corners Road at the same location as described in Deed Book E; Pages 432-433 dated 1877 as a post oak recorded in Yadkin County as being on the county line. Then proceeding in a southeasterly direction to an existing one and half inch iron pipe east of Farmington Road on the Duke Energy transmission line. Being at the same location as described in Deed Book 10; Pages 290-291 dated 1886 as recorded in Davie County as being a stone on the Davie and Yadkin County Line. Then proceeding in a southeasterly direction to the centerline of the Yadkin River; which will define the tri-county corner of Davie, Forsyth and Yadkin County.

CONCLUSION

The earliest record of a survey of the Davie and Yadkin County boundary line is that of the 1850 description forming Yadkin County from Surry. Although adoption and ratification records of this survey aren't available and water ways have been altered over the years, there is still some evidence of the county lines established. Additionally, the survey has been preserved and historically perpetuated through subsequent property deed descriptions and property surveys illustrated on parcel plats of record examined in this research phase. In conclusion, research of the original county line descriptions, historic maps, land grant descriptions, property deed descriptions, and property survey plats illustrate the best witness to the position of the county boundary line starting at the corner of Davie, Iredell, and Yadkin County at a permanent concrete monument; then in a southeasterly direction to an existing two-inch iron pipe near Chinquapin Road; continuing in that southeasterly direction to an existing one-inch iron pipe near Four Corners Road; proceeding in a southeasterly direction to an one and half inch iron pipe east of Farmington Road on the Duke Energy transmission line; then in a southeasterly direction to the centerline of the Yadkin River also know as the county corner of Davie, Forsyth and Yadkin County to be the blue line illustrated on the preliminary plat titled "THE DAVIE AND YADKIN COUNTY LINE" as attached.

Oath and compensation

SEC. 2. The Commissioners, before entering on the duties assigned them, shall be sworn before a Justice of the Peace, and shall be allowed a reasonable compensation for their labours.

[Ratified 10th January, 1837.]

CHAP. IV.

An Act to lay off and establish a county by the name of Davie.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That a county shall be, and the same is laid off and established, in the territory now comprehended in the limits of Rowan county, north of the South Yadkin river, beginning at the junction of the North and South Yadkin rivers; thence, up the South Yadkin river, to the Iredell county line; and all that part of the present county of Rowan, lying and being north of said river, shall hereafter constitute a separate and distinct county, to be called and known by the name of Davie, in honor of the revolutionary patriot, William R. Davie; and it shall be, and is hereby, invested with all the rights, privileges and immunities of the other counties in this State, except as is hereafter provided.

SEC. 2. Be it further enacted, That all justices of the peace and officers of the militia, who reside within the limits of the county of Davie, shall continue to hold and exercise all the official powers and authorities, in and for the said county, that they have hitherto held and exercised in and for the county of Rowan.

SEC. 3. Be it further enacted, That a Court of Pleas

and Quarter Sessions shall be, and the same is hereby, established in and for said county of Davie, to be held by the justices last aforesaid and such others as may be hereafter appointed in and for said county, on the fourth Monday of February, May, August and November, in each and every year; the first session of which shall be held on the fourth Monday in February next, in the town of Mocksville; when the court aforesaid, a majority of the justices of said county being present, shall appoint a clerk of said court, a sheriff, a coroner or coroners, constables and other officers for said county, who shall enter into bond as required by law, and shall hold and continue in said offices until successors to them are duly chosen and qualified according to the acts of the General Assembly in such cases provided. And the said court, at its first session aforesaid, may appoint the place of its future sessions, until a court-house shall be erected for said county.

County
Courts estab-
lished.

SEC. 4. *Be it further enacted*, That the County Court of Davie, a majority of the justices being present, shall appoint five commissioners to select and determine upon a scite for a permanent seat of justice in said county, and shall purchase or may receive by donation, for the use of said county, a tract of land consisting of not less than twenty-five acres, to be conveyed to the chairman of the County Court and his successors in office, upon which they shall lay off a town, the name of which shall be determined by themselves, in which the public court house and jail of said county shall be erected; and after the completion of the same, the courts of said county shall be held, and the clerks' and register's offices shall be kept in said town.

Appointment
of clerk and
other officers,
&c.

SEC. 5. *Be it further enacted*, That the commissioners so appointed as aforesaid, after laying off the lots of the town aforesaid, and designating such as shall be retained for public uses, shall expose the residue to sale at public auction, upon a credit of one and two years, and shall take bonds with security for the purchase money, payable to the chairman of the County Court, and his successors in office; and the said chairman shall execute titles therefor, upon the payment of

Sale of lots.

Court may
levy tax.

the purchase money, which shall go into the County Treasury; and the said Court of Pleas and Quarter Sessions may levy taxes for all public uses, under the same rules, regulations and restrictions as the like courts in other counties.

Imprison-
ment of crim-
inals.

SEC. 6. *Be it further enacted*, That all persons who may be liable to imprisonment under any process, either civil or criminal, in said county, before the completion of the public jail therein, may be committed to the jail of any adjoining county, in like manner as when a jail has been destroyed by accident.

Authority of
courts and
transfer of
suits.

SEC. 7. *Be it further enacted*, That the Court of Pleas and Quarter Sessions established by this act, and the Superior Courts of Law and Equity which may be hereafter provided for said county, shall have the like powers, authorities and jurisdictions, as the same courts possess and exercise in other counties; and all suits now depending in any of the courts of Rowan county, wherein the citizens of Davie are both plaintiffs and defendants, and all indictments against them or any of them, shall be transferred to the court having jurisdiction thereof in the county of Davie, in the manner now provided for transferring suits from one county to another.

Offences to
continue un-
der jurisdic-
tion of Row-
an Superior
Court.

SEC. 8. *Be it further enacted*, That all criminal offences which may be committed in the county of Davie, which are cognizable only in the Superior Court of law, shall be and continue under the jurisdiction of the Superior Court of law of the county of Rowan, until a Superior Court of law shall be created for the county of Davie.

Collections
by sheriff.

SEC. 9. *Be it further enacted*, That nothing in this act contained shall be so construed, as to prohibit the sheriff of Rowan county from collecting such sum or sums of money as are due or may become due on any judgment before the first Court of Pleas and Quarter Sessions for said county of Davie.

Representa-
tion of coun-
ties.

SEC. 10. *Be it further enacted*, That the counties of Rowan and Davie shall continue to be represented in the General Assembly as one county, and in the name of the county of Rowan, until a future Legislature shall otherwise

provide and direct: an election shall be held, for members of both Houses of the General Assembly and of Congress, by the sheriff or other returning officers of Rowan county, in all the territory heretofore comprehended in the limits of said county, at the times and places, and under the same rules, regulations and restrictions as have been appointed or may hereafter be appointed by law; and the certificate of said sheriff or other returning officer, to the result of said election or elections, shall be as valid and effectual to all intents and purposes as if this act had never been passed.

SEC. 11. *Be it further enacted*, That provided nothing in this act shall be so construed, as to prevent the sheriff of Rowan county from collecting arrears of taxes in the same manner as he could have done previous to the division of the county: *Provided nevertheless*, that the sheriff of Rowan shall not collect any taxes in the county of Davie, or of the citizens of said county, imposed by the County Court of Rowan, and which are collectable in the year one thousand eight hundred and thirty-seven; but that the same may be collected by the sheriff of Davie county to the use of said county.

Sheriff of
Rowan to col-
lect arrears of
tax.

SEC. 12. *Be it further enacted*, That all the paupers now in the poor house originally from Davie, shall be transferred to the wardens of said Davie county.

SEC. 13. *Be it further enacted*, That this act shall be in force from and after the ratification.

[Ratified 20th December, 1836.]

CHAP V.

An Act supplemental to an act, passed at the present General Assembly, entitled "an act to lay off the county of Davie."

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That there shall be a Superior Court of law and Court of Equity opened and held at the town of Mocksville, until a court house shall be built, as provided for in

Superior and court of equity to be held den.

Davie, on the eighth Monday after the third Monday in February next, and on the eighth Monday after the third Monday in August, and on the same days in each and every year hereafter; which courts shall have the same jurisdiction that the present Superior Courts of Law and Courts of Equity in the several counties in this State now have and exercise.

SEC. 2. *Be it further enacted, That the county of Davie shall hereafter constitute a part of the sixth circuit; and the Judge and Solicitor who shall attend the Superior Courts in said county, shall be respectively entitled to the same pay for attending said courts, that they now by law are entitled to receive for attending other Superior Courts in said circuit.*

SEC. 3. *And be it further enacted, That a clerk and*
Appointment clerk and master in equity, both men of skill and probity,
of clerks &c. and residents in the county of Davie, shall be appointed for
the same, by the Judge attending the first term of said court.
They shall give bond and security, as directed by law for
such officers, and take the oath prescribed for their qualification.
The clerk so appointed shall hold his office until the
regular election and qualification of his successor. The
County Court of Davie shall appoint thirty jurors, to attend

the said court, in the same manner as jurors are appointed to attend other Superior Courts in this State.

SEC. 4. *Be it further enacted*, That all civil causes depending in the Superior Court of Law and Equity for Rowan, the plaintiffs in which causes reside in Davie county, and also all actions of ejectment and trespass, quere clausum fregit, for or concerning lands in Davie county, shall be transferred, with all process and proceedings therein, to the Superior Court of law hereby established for the county of Davie; and the provisions of the act passed in the year eighteen hundred and six, entitled "an act amendatory and supplementary to an act, entitled an 'act for the more convenient administration of justice,'" and all other acts supplemental thereto, for the appointment, summoning and attendance of jurors; for the transmission and receipt of the records, proceedings and papers; for docketing and bringing the causes forward for trial; for summoning witnesses; for issuing original and mesne process, prior to the first term of Davie Superior Court; and generally for all other purposes relative to the preparation for trial and determination of the business of said court, be, and the same are hereby extended to the Superior Court of Davie county. The neglects and failures of the several officers of the Superior Courts of Rowan and of the County Courts of Davie, shall be subject to the same penalties and forfeitures as are prescribed for similar neglects and failures by the said act; and the said officers shall be entitled to the same fees for their services as are established by the said act for like services.

SEC. 5. *Be it further enacted*, That the constables now residing in the county of Davie, shall continue to hold their respective offices, and perform all the duties appertaining thereto, subject to the same rules, regulations and penalties as constables in the other counties in this State, until the first County Court to be held for said county.

SEC. 6. *Be it further enacted*, That it shall be competent for a majority of the commissioners, who shall be appointed by the County Court of Davie, to select a scite for a

Transfer of causes &c.

Constables to continue in office.

Majority of commissioners to act &c.

seat of justice and for other purposes, to do all things belonging or appertaining to their commission, as fully and effectually as the whole of said commissioners might do; and that the said commissioners, or a majority of them, may let out, to the lowest bidder, or contract for the building of a court house and jail, upon whatever plan or form they may deem advisable; and that the permanent seat of justice shall be in Mocksville, or within two miles of the same; and they may receive any quantity of land for that purpose, not less than fifteen acres; any thing to the contrary notwithstanding.

Tax.

SEC. 7. *Be it further enacted*, That the County Court of Davie, a majority of the justices being present, may lay a tax not exceeding one dollar on the poll, and thirty cents on every hundred dollars valuation of real estate, for the purpose of building the court house and jail.

SEC. 8. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified 9th January, 1837.]

CHAP. VI.

An Act concerning the county of Davie.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That at the holding of the first Court of Pleas and Quarter Sessions of the county of Davie, it shall be lawful for any justice of the peace of the county of Rowan, to administer to the justices of the peace of the said county of Davie, such oaths as may be necessary to qualify them for the du-

*Any justice
of Rowan
may adminis-
ter oath at
first court.*

CHAPTER XL.

AN ACT to lay off and establish a new county by the name of Yadkin.

SECTION

1 Erected out of a portion of Surry county.

Sec. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That a county be, and the same is hereby laid off and established out of that portion of the county of Surry, which lies South of the Yadkin river, and also including that portion of the county of Surry known and called by the name of Little Surry, said county to be called Yadkin; and that said county of Yadkin shall be invested with all the rights, privileges and immunities of the other counties in this State: *provided* a majority of the free white men entitled to vote for members of the House of Commons, in the present county of Surry, shall vote for the same, the sites for the new Court Houses being first fixed on at or near to the centre of the new counties; the manner and time in which such vote shall be taken, and the sites for said Court Houses fixed on, to be prescribed by a supplemental law to be passed at this General Assembly.

[Ratified 28th December, 1850.

CHAPTER XLI.

AN ACT supplemental to an act, passed by the present General Assembly, entitled "An Act to lay off and establish a new county by the name of Yadkin."

Sec. 1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* That the county of Yadkin shall be, and it is hereby invested with all the rights, privileges and immunities of the other counties of this State, except as hereinafter provided.

Sec. 2. *Be it further enacted;* That Alfred W. Martin, William C. DeJournett, Solomon Vestal, John Shores, Sen'r. and Thomas Martin, are hereby appointed commissioners to select and determine upon a site for a permanent seat of justice in said county, who shall locate the same as near the centre of said county, as a suitable location can be obtained, taking into consideration both the extent of territory and population; and a majority of said commissioners shall have power to act; and said commissioners shall have full power and authority, if they should deem it necessary, to employ a suitable surveyor or surveyors to aid and assist them in selecting a county site as aforesaid.

Sec. 3. *Be it further enacted,* That said commissioners, or a majority of them, shall have power to purchase or receive, by donation, for the county of Yadkin, a tract of land containing fifty acres, to be conveyed to the chairman of the county court of said county, and his successors in office, upon which a town shall be laid off and called by the name of Wilson, where the Court House and jail shall be erected, and where, after the completion of said Court House, the courts of said county shall be held, and the clerks and register shall keep their offices; and the said commissioners shall lay off the lots of said town, and, after designating such as shall be retained for public uses, shall expose, after due notice, the balance, or such portion thereof as may be deemed by them

necessary, at public auction, upon a credit of one and two years, and shall take from the purchasers bonds and security for the purchase money, made payable to the chairman of the county court and his successors in office; and upon the payment of the purchase money, the chairman or his successors shall execute title therefor, which money shall be appropriated to the building of a Court House and jail.

Justices
and offi-
cers.

Sec. 4. *Be it further enacted*, That the justices of the peace and officers of the militia who reside within the limits of Yadkin county, shall continue to hold and exercise all the official powers and authorities in and for said county, that they had hitherto held and exercised in the county of Surry.

Sheriff,
trustee,
constabl's.
&c.

Sec. 5. *Be it further enacted*, That Henry G. Hampton, sheriff of Surry county, and Theophilus C. Hauser, county trustee for said county, and Samuel Spears, Sr., Surveyor for said county, and all constables, now residing within the limits of Yadkin county, shall continue to hold their respective offices in said county, and perform all duties appertaining thereto, until the expiration of the term of office for which they have been chosen, under the same rules, and regulations and penalties as sheriffs, trustees, surveyors and constables are subject to in this State.

County
court,
when and
where
held, and
officers to
elect.

Sec. 6. *Be it further enacted*, That a court of pleas and quarter sessions shall be and the same is hereby established in and for the county of Yadkin, to be held by the justices of the peace of said county, on the first Monday in January, April, July and October, in each and every year; and that the first session of said court shall be held at Dowelltown, on the first Monday in July, A. D., 1851, and at the same place, from time to time, until a seat of justice shall be established for said county as is hereby provided; and at the first session of said court, a majority of the justices being present, they shall elect a clerk of the court of pleas and quarter sessions of said county, a county attorney, coroner, register, entry taker, and all other officers for said county, who shall enter into the bonds required by law, and shall hold and con-

tinue in said offices until successors are duly chosen and qualified according to the acts of the General Assembly, in such cases made and provided; that said court may, at its said first session, appoint the place of its subsequent sessions, and also of the Superior Court, until a Court House shall be erected for said county of Yadkin.

Sec. 7. *Be it further enacted*, That the court of pleas Transfer and quarter sessions hereby established, shall possess and ex. of suits. exercise the same powers and authorities and jurisdiction as are possessed and exercised by the other county courts in this State; and all suits of law of which other county courts of other counties in this State have jurisdiction, now pending in the county court of Surry, wherein the citizens of Yadkin county are both plaintiff and defendant, or where the citizens of Yadkin county are defendants, and all indictments and criminal proceeding against the citizens of Yadkin county, in the county courts of Surry, of which other county courts in this State have jurisdiction, shall be transferred in the same manner now provided for transferring suits from one county to another.

Sec. 8. *Be it further enacted*, That there shall be a Superior court. Court of Law and Equity opened and held at Dowellton, in said county of Yadkin, on the tenth Monday after the fourth Monday in March and September, in each and every year (the first session of which court shall be opened and held on the tenth Monday after the fourth Monday in September, 1851) at the same place, from time to time, until a Court House shall be built as provided for in this act, and then and thereafter, at the town and Court House, on the tenth Monday after the fourth Monday in March and September, in each and every year, which court shall have the same jurisdiction that Superior courts of Law and Equity in the several counties in this State now have and exercise.

Sec. 9. *Be it further enacted*, That all suits in Law or Transfer in Equity now pending in the Superior Courts of Surry of suits. county, of which the Superior Courts of this State have ju-

risdiction, and wherein both plaintiff and defendant are citizens of Yadkin county, or wherein the citizens of Yadkin county are defendants, and all indictments and criminal proceedings against the citizens of Yadkin county, which shall be pending in the Superior Court of Surry county, and which are cognizable in the Superior Courts of this State, shall be transferred to the first Superior Court of Law and Equity to be held for the county of Yadkin, commencing on the tenth Monday after the fourth Monday in September, 1851, in the same manner as is now prescribed by law for transferring suits from one county to another.

Jurisdiction of criminal cases.

Sec. 10. *Be it further enacted*, That until the time of holding of the first Superior Court of Law and Equity as provided for in this act, in the county of Yadkin, the Superior Court of Surry county shall have jurisdiction of all criminal offences, cognizable in the Superior Courts of this State, which shall be committed in said county of Yadkin; and in all such cases, it shall be the duty of the justices of the peace of Yadkin county, when they give judgments against the defendants, in any State warrant for offences aforesaid, to bind over defendants and witnesses, and make their returns to the Superior Court of Surry as they were heretofore bound to do.

Imprison-
ment.

Sec. 11. *Be it further enacted*, That all persons who may be liable to imprisonment under process, either civil or criminal in Yadkin county, before the completion of the jail therein, shall be committed to the jail of Surry county.

Collec-
tions.

Sec. 12. *Be it further enacted*, That nothing in this act contained shall be so construed as to prohibit the sheriff of Surry county, as aforesaid, from collecting such sum or sums of money as are due or may become due on any judgment where the execution shall come to his hands before the first term of the court of pleas and quarter sessions for Yadkin county, nor shall it be construed so as to prevent him from collecting any executions issuing from the Superior Court of Surry county and returnable to the same.

Sec. 13. *Be it further enacted*, That nothing in this act is to be construed so as to prevent the sheriff, as aforesaid, of Surry county, from collecting all arrears of taxes and all public dues and taxes collectable in the year 1851, in the same manner he could have done previous to the erection of the new county of Yadkin, both in the counties of Surry and Yadkin.

Sec. 14. *Be it further enacted*, That the county of Yadkin shall continue to be represented in the next General Assembly of this State, in the name of Surry, as heretofore; and the election for the members of the General Assembly, Members of Congress, Electors of President and Vice President of the United States, and Governor of the State, shall be held by the sheriff of the county of Surry, under the same rules and restrictions as hitherto; and the court of pleas and quarter sessions for the county of Surry is hereby authorized and required to appoint inspectors for holding elections for the Members of the General Assembly, Members of Congress, Electors of President and Vice President of the United States, and Governor as heretofore: *Provided*, That all other elections shall be held in the county of Yadkin in the same manner and under the same rules and regulations as are now provided for holding elections in this State in other counties.

Sec. 15. *Be it further enacted*, That in the distribution of the School fund. nett annual income of the Literary Fund, the Literary Board shall pay over, as heretofore, to the chairman of the Board of superintendents of the county of Surry, and be distributed by them as heretofore until the next General Assembly.

Sec. 16. *Be it further enacted*, That the county of Yadkin shall compose a part of the sixth judicial circuit; and the circuit. Judges and Solicitor of said circuit shall attend said courts, under the same provisions and liabilities and regulations as apply to the other counties of said circuit.

Sec. 17. *Be it further enacted*, That the Judge who shall ride the Fall circuit, in the year, A. D., 1851, of the sixth

Judicial circuit of this State, shall appoint a clerk of the Superior Court, a clerk and master in equity for said county of Yadkin.

Commissioners.

Sec. 18. *Be it further enacted*, That the county court of Yadkin, at its first session, a majority of the justices of the peace being present, shall appoint such number of commissioners as may be deemed necessary to contract for and superintend the building of a Court House and jail for said county of Yadkin.

Paupers.

Sec. 19. *Be it further enacted*, That all paupers now in the poor house of the county of Surry, that came from the county of Yadkin, be returned to the said county of Yadkin, on or before the first day of August, A. D., 1852, and that all moneys belonging to the poor fund of Surry county, be divided, at the same time the paupers are returned, among the several paupers, thus to be divided between the counties of Surry and Yadkin, *pro rata*.

Site for
Court
House for
Surry.

Sec. 20. *Be it further enacted*, That Elisha Bonner, Jacob L. Fulk, John Jarvis, Elijah Thompson and Daniel S. Jones, are hereby appointed commissioners to select and determine upon a site for a permanent seat or justice for Surry county, who shall locate the same as near the centre of said county as a suitable location can be obtained, taking into consideration both the extent of territory and population; and a majority of said commissioners shall have power and authority to act; and said commissioners shall have full power and authority to employ a suitable surveyor or surveyors to aid and assist them in selecting said site.

Laying off
town, &c.

Sec. 21. *Be it further enacted*, That a majority of said commissioners shall have power to purchase, or receive by donation, for the county of Surry, a tract of land containing fifty acres, to be conveyed to the chairman of the county court of said county and his successors in office, upon which a town shall be laid off and called by the name of Dobson, and where the Court House and jail shall be erected, and where, after the completion of said Court House, the courts

COUNTIES.

of said county shall be held, and the clerks and register shall keep their offices; and the said commissioners shall lay off the lots of said town, and, after designating such as shall be retained for public uses, shall expose, after due notice, the balance or such portion thereof as may by them be deemed necessary, at public auction, on a credit of one and two years, and shall take from the purchasers bonds and security for the purchase money, made payable to the chairman of the county court and his successors in office; and upon the payment of the purchase money, the chairman or his successors shall execute title therefor, which money shall be appropriated to the building of a Court House and jail.

Sec. 22. *Be it further enacted*, That the county court of Sur- Building
ry, at May or August term, a majority of the justices of the C. H. and
peace being present, shall appoint such number of the commis- jail.
sioners as may be deemed necessary to contract for and su-
perintend the building of a Court House and jail for the coun-
ty of Surry.

Sec. 23. *Be it further enacted*, That at May Term, 1851, of Surry county court, a majority of the justices of the peace Sheriff
being present, it shall be their duty to elect a sheriff and trustee.
county trustee for said county of Surry, who shall enter into
bond and security, as required by law, until the next regular
election for the same shall take place.

Sec. 24. *Be it further enacted*, That Samuel Spear, Sr., Appor-
and Theophilus C. Hauser, on the part of the county of tionment
Yadkin, and Charles Whitlock and Job Worth, on the part
of the county of Surry, be appointed commissioners to ap-
portion any debt which may be due from the original county
of Surry between the two counties, in such manner as to
them or a majority of them may seem just and equitable; and
that their apportionment and division shall be binding and
final between the two counties.

Sec. 25. *Be it further enacted*, That the commissioners in Commis-
this act appointed to select and determine on sites for the sioners to
Court Houses in said counties of Surry and Yadkin, shall select
sites.

be required (under a penalty of one hundred dollars each, to be recovered in any court having jurisdiction of the same, by any person who may sue for the same,) to select and determine on said sites, on or before the 10th day of April, A. D., 1851, and to advertise the same at the Court House in Rockford and four other public places in each of the counties.

Sec. 26. Be it further enacted, That all the commissioners and the surveyors by them selected to discharge any public duty connected with the division of Surry county, shall receive a fair and reasonable compensation for their services, to be allowed them by the county courts of their respective counties in which they may reside.

Sec. 27. Be it further enacted, That, it shall be the duty of the justices of the county court of Surry county, at the February term, 1851, thereof, to order an election to be held throughout the present county of Surry, at the several election precincts in said county heretofore established, on the first Thursday in May next, to take the sense of the qualified voters of said county of Surry on the question of *division or no division.*

Sec. 28. Be it further enacted, That it shall also be the duty of the said county court, at the said February term, 1851, to appoint judges and inspectors to hold and superintend said election, at the several precincts aforesaid, who after taking an oath honestly and fairly and impartially to discharge their duty, shall hold said election and report the same to the sheriff of the county of Surry, under the same rules, regulations, liabilities and restrictions as are now required by law in holding elections for Members to the General Assembly.

Sec. 29. Be it further enacted, That said election shall be held by ballot, those voting for division putting in a ticket on which shall be written "*Division;*" those voting against the same, a ticket on which shall be written "*No Division;*" and that every free white citizen qualified to vote for members of the House of Commons, in said county, shall be allowed to vote at said election.

Election,
how held.

Compensa-
tion.

Election
on division.

Judges &
inspectors
of election.

COUNTIES.

Sec. 30. *Be it further enacted*, That it shall be the duty of the sheriff of the present county of Surry, on the result of said election being returned to him, to proclaim the same on the next day, on or before 3 o'clock, P. M.; and in case a majority of the qualified voters of said county be found to be in favor of division, it shall be the duty of said sheriff to certify the same to the Governor of the State; and on its appearing to the Governor, from said certificate, that there is a majority of the qualified voters in said county of Surry in favor of the division purposed by the act, to which this act is supplemental, then and in that case the Governor shall make that fact known by proclamation; upon which this act and the act passed at this General Assembly to which this act is supplemental, shall be operative and take effect; otherwise, both of said acts shall be null and void.

Sec. 31. *Be it further enacted*, That the sheriff of Surry county shall be entitled to the same compensation, for making the return of result of said election to the Governor, that he is now by law for making the return of the election for members of the General Assembly, and shall return the same to the Governor within ten days from and after the day of election.

Sec. 32. *Be it further enacted*, That this act shall be in force from and after its ratification.

[Ratified 28th January, 1851.]

Election,
result of

SEC. 8. That said finance committee shall have power, when in Employment of auditor. their judgment it shall be necessary, to employ a competent auditor to assist them in their duties and fix his compensation, to be paid by the county. They may also, when they deem it necessary, employ an attorney to advise them as to their duties and to prosecute any suit or matter in their behalf before the court. That Pay of committee. said finance committee shall receive the same per diem and allowances for the time they are engaged in their duties as the commissioners of Wilkes County now receive.

SEC. 9. In case of a vacancy in said finance committee by death, Vacancies. resignation or otherwise, the said vacancy shall be filled in the same manner prescribed for election of said committee by the county commissioners of Wilkes County at their next monthly meeting after such vacancy occurs, that is, if the vacancy is made by death, resignation or otherwise, of one of the opposite political party from the majority of the county commissioners. The said commissioners shall fill said vacancy with the person recommended by the chairman of the county executive committee of the opposite political party to the one to which the majority of the board of county commissioners belong. Any refusal or neglect on the part of the county commissioners to do any and all things required of them in this act, relative to said finance committee, shall be a crime, punishable by a fine or imprisonment in the discretion of the court. Refusal or neglect by county commissioners a crime. Punishment.

SEC. 10. That all laws and clauses of laws in conflict with this Repeal clause. act are hereby repealed.

SEC. 11. That this act shall be in force from and after the first When act effective. Monday in December, nineteen hundred and twelve.

Ratified this the 4th day of March, 1911.

CHAPTER 588.

AN ACT TO CHANGE THE LINE BETWEEN THE COUNTIES OF YADKIN AND FORSYTH AND TO AUTHORIZE SAID COUNTIES TO ERECT BRIDGES ACROSS THE YADKIN RIVER.

The General Assembly of North Carolina do enact:

SECTION 1. That all that portion of Yadkin County included within the boundaries hereinafter set out, shall be and hereby is annexed to and made a part of the county of Forsyth. Said boundaries are as follows: Beginning on the line between the counties of Yadkin and Forsyth at the northeast corner of Little Yadkin Township, on the Yadkin River; thence down said river a distance of one mile; thence a straight line to the point where the public road from Lewisville to West Bend, sometimes called the

Part of Yadkin to Forsyth.

Boundaries.

Nading's Ferry road, crosses the county line; thence northwardly with the county line to the beginning.

Construction of bridge authorized.

Location.

Apportionment of expense.

Condemnation of land.

Procedure for assessment of damages.

Right of appeal.

Assessment before beginning work.

Proviso: power of abandonment.

Funds for work.

Special tax.

Rate.

SEC. 2. That the boards of commissioners for Forsyth and Yadkin Counties are authorized and empowered to construct and maintain one or more public bridges across the Yadkin River, at such places as may be mutually agreed upon by them, said bridge or bridges to be constructed and maintained by the said counties in the proportion that the taxable polls of each county bear to each other, or upon such other terms as may be agreed upon between said boards.

SEC. 3. That the boards of commissioners of each county are empowered to condemn, in their respective counties, the necessary lands for the purpose of constructing public roads, and approaches leading to such bridge or bridges, wherever such lands shall not be donated, or the price thereof can not be agreed upon. The board of each county shall have authority to go upon the land to make necessary surveys, and after five days notice to the landowner may make and enter an order of condemnation, which order shall not be subject to review. The board shall then have the election to proceed at once with the work of construction. Any landowner who shall consider himself damaged, may, within sixty days after the completion of the work on or through his land, apply to the clerk of the superior court, upon five days notice to the board, for an assessment of damages. The clerk shall appoint three disinterested freeholders to act as jurors. After five days notice said jurors shall go upon the land to assess the damages, and in determining the damages the jury shall take into consideration the benefits, if any, to the land and make their report to the clerk of the superior court, who shall render judgment thereon. Either party may appeal to the superior court. If the board shall elect to have the damages assessed, before proceeding to the work of construction, they shall make application to the clerk for assessment of damages, and the proceeding shall be as hereinbefore set out: *Provided*, that the board may at any time before final judgment, abandon the proposed work, in which event judgment shall be rendered, striking out the order of condemnation and awarding to the landowner costs and such damages as may have been sustained.

SEC. 4. That the boards of commissioners of said counties are authorized to defray the cost of said bridge or bridges and roads leading thereto, out of the general fund or road fund of their respective counties, as may not be required for other necessary purposes; or if such funds are insufficient, said boards are authorized to annually levy and collect a special tax in their respective counties not to exceed ten cents on the one hundred dollars worth of taxable property and thirty cents on the polls, until the cost of said bridges and roads shall be paid.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 4th day of March, 1911.

CHAPTER 72

AN ACT TO MAKE CERTAIN AND DEFINE THE BOUNDARY LINE BETWEEN THE COUNTIES OF DAVIE AND FORSYTH.

The General Assembly of North Carolina do enact:

SECTION 1. That the Yadkin River be and the same is hereby made, fixed and designated as the true and correct boundary line between the counties of Davie and Forsyth.

Boundary
between Davie
and Forsyth.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Conflicting
laws repealed.

Ratified this the 10th day of February, A.D. 1925.

CHAPTER 73

AN ACT TO INVALIDATE CERTAIN PROCEEDINGS FOR THE SALE OF BONDS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the proceedings of the board of commissioners of Burke County for the execution, issuance and sale of one hundred thousand, face value, coupon bonds of said county to bear date as of February first, one thousand nine hundred and twenty-five, and purporting to have been sold without advertising, are hereby declared utterly void, and said bonds purporting to have been issued under said authority shall constitute no obligation of Burke County.

Issuance of
bonds
declared void.

SEC. 2. That it shall be unlawful for said board of commissioners of Burke County to deliver bonds, issued, or purporting to be issued, under the authority of said proceedings.

Unlawful.

SEC. 3. All conflicting laws are hereby repealed.

Conflicting
laws repealed.

SEC. 4. This act shall be in force and effect from and after its ratification.

Ratified this the 10th day of February, A.D. 1925.

CHAPTER 489

AN ACT TO AMEND CHAPTER 183 OF THE PUBLIC LAWS
OF 1925, RELATING TO PENALTIES IN THE COLLECTION
OF TAXES, RELATING TO ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Rowan County
not affected.

SECTION 1. Amend section one of chapter one hundred and eighty-three of the Public Laws of North Carolina of the year one thousand nine hundred and twenty-five by adding at the end of said section after the word "taxes" in line nine thereof, the following: "that this act shall not apply to Rowan County and that no penalties on taxes shall be collected in Rowan County by any sheriff or tax collector on taxes levied in the years one thousand nine hundred and twenty-six, one thousand nine hundred and twenty-seven and one thousand nine hundred and twenty-eight."

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act, in so far as they apply to Rowan County, are hereby repealed.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 7th day of March, A.D. 1927.

CHAPTER 490

AN ACT TO CHANGE THE BOUNDARY LINE BETWEEN THE
COUNTIES OF FORSYTH AND YADKIN BY TRANS-
FERRING LITTLE YADKIN TOWNSHIP AND ANNEXING
THE SAME TO FORSYTH COUNTY.

Preamble: Isolation of territory.

Whereas, all of Little Yadkin Township, Yadkin County, which is all of Yadkin County lying east of Yadkin River and adjoining Forsyth County, is separated from the remainder of Yadkin County by a natural boundary line, which is the Yadkin River; and

Preamble: Wishes of commissioners of counties and of residents of territory.

Whereas, the board of county commissioners of Forsyth County and the board of county commissioners of Yadkin County, each are unanimously in favor of transferring said territory from Yadkin County to Forsyth County, and a large majority of the residents of said territory are in favor of said transfer; and

Preamble: Agreement for transfer.

Whereas, it has been agreed by and between the respective boards of commissioners of said counties, that said territory

might be transferred and annexed to Forsyth County on the conditions and terms hereinafter embodied in this act: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all that territory known and designated as ^{Description of} Little Yadkin Township, Yadkin County, which is all that portion ^{territory.} of Yadkin County lying east of the Yadkin River and adjoining Forsyth County, be and the same is hereby transferred Transfer. from the said Yadkin County and annexed to the county of Forsyth, and the boundary line between said counties of Forsyth ^{Boundary line.} and Yadkin be and the same is hereby changed and fixed so that the Yadkin River shall be the boundary line between said counties.

SEC. 2. That all the territory transferred by this act from ^{Township of an-} the county of Yadkin to the county of Forsyth shall be and the ^{nexed territory.} same is hereby annexed to and become a part of Lewisville Township in Forsyth County.

SEC. 3. That the board of county commissioners of Forsyth ^{Payment to} County, within thirty days after the ratification of this act, be ^{Yadkin County.} and it is hereby authorized, empowered and directed to pay to the board of county commissioners of Yadkin County the sum of seventy thousand dollars, out of the road and bridge fund of said county, and the board of county commissioners of Yadkin ^{Application of} County is hereby authorized, empowered and directed to apply ^{payment.} said sum of seventy thousand dollars to the retirement of outstanding bonded or other indebtedness of said county, and if no such indebtedness be due at the time of the payment by Forsyth County of the amount herein provided, then it shall be applied to the first such indebtedness falling due thereafter.

SEC. 4. That all that territory hereby transferred from ^{Relief from tax-} Yadkin ^{ation by Yadkin} County and annexed to Forsyth County be, and it is hereby, ^{County.} relieved from the levy or collection of any taxes by the board of county commissioners of Yadkin County for the payment of any indebtedness now outstanding or to be hereafter incurred by the said county of Yadkin: *Provided*, that all taxes levied ^{Proviso: Taxes} upon the property within said territory for the year one thousand ^{for 1926 and} nine hundred and twenty-six, and years prior thereto, shall be ^{prior years.} collected by the sheriff of Yadkin County and carried into the treasury of Yadkin County as other taxes; and *Provided further*, that the present term of the public school now operated in said territory shall be maintained and paid for by the proper authorities of Yadkin County: *Provided further*, that none of the provisions of this act shall affect the validity of any present outstanding bonded or other indebtedness of Yadkin County: *Provided further*, that the remaining portion of Yadkin County shall first

^{Proviso: Existing debts not affected.}

^{Proviso: Adjustment of existing debt.}

be subject to taxation to the limit allowed by the Constitution of the State for the payment of the present outstanding bonded and other indebtedness, before any tax shall be levied on or collected from that part of said county hereby annexed to Forsyth County.

Joint maintenance of bridge.

SEC. 5. That the Dixon Hill Bridge across the Yadkin River between Little Yadkin Township and the remainder of Yadkin County shall be hereafter maintained jointly by the boards of county commissioners of Forsyth County and Yadkin County, and the cost of maintenance shall be apportioned between said counties in proportion to the taxable property listed for taxation in the counties respectively.

Repealing clause.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 7. That this act shall be in force and effect from and after its ratification.

Ratified this the 7th day of March, A.D. 1927.

CHAPTER 491

AN ACT TO AMEND CHAPTER 120, PUBLIC LAWS, EXTRA SESSION, 1924, SO AS TO INCLUDE JACKSON COUNTY.

Law amended.

Jackson stricken out.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred twenty, Public Laws, Extra Session, one thousand nine hundred twenty-four, be amended by striking out the word "Jackson" in line twenty-six between the words "Iredell" and "Johnson."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 7th day of March, A.D. 1927.

CHAPTER 492

AN ACT TO REGULATE FILLING STATIONS IN CAMDEN, CHOWAN, CURRITUCK AND PERQUIMANS COUNTIES.

Complaint of filling stations.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Camden, Chowan, Currituck and Perquimans counties are hereby authorized and empowered, upon complaint from as many as five persons, of drinking or disorderly conduct at any filling station

FROM A. M. Huff and wife TO Murline Robertson

STATE OF NORTH CAROLINA—Yadkin County

THIS DEED, Made this 26 day of September, 1916, by Ann Huff and wifeR. B. Huff of Yadkin County and State of North Carolina of the first part, to Murline Robertsonof Surry County and State of North Carolina of the second part:WITNESSETH, That said Ann Huff and wife R. B. Huff in consideration of One Thousand Dollars, to Murline Robertsonthe receipt of which is hereby acknowledged, have bargained and sold, and by these presents do theirs grant, bargain, sell and convey to said Murline Robertson heirs and assigns, all the right, title, interest and estate of the party of the first part in and to a certain tract or parcel of land in 2 1/2 Acre County, State of North Carolina, adjoining the lands of A. J. Chamber.A. C. Dillard — and others, and bounded as follows, viz.:

Beginning at a stake, Dr. Wilkins corner, in County line
Thence North, some few (about 3°) West 17 chains + 16 links
to a stone in Pitters tree, Thence West 2° North 19.60 Chs.
to a small hickory bush, Thence $5^{\circ} 2^{\circ}$ West 4.38 Chs. to
a maple bush, Thence West 2° North 19.58 chains to a
Spanish oak, A. Drugg's line, Thence South with his line
13.06 to a stone in County line, Thence E. to the beginning
Containing Sixty Acres more or less.

This Indenture made this the Eleventh day of December in
the year of our Lord one thousand Eight hundred and Seventy
Seven between Nathan Cranfill and his wife Honor of the
County of Yackin and State of North Carolina
of the one part and Lele Cranfill of the County of Davie
and State of North Carolina of the other part witnesseth that the said
Nathan Cranfill and wife for the sum of Seven Dollars
Dollars to them in hand paid by the said Lele Cranfill
before the signing and sealing of these presents the receipt
whereof is hereby fully acknowledged by the said Nathan
Cranfill and wife that they the said Nathan Cranfill
and wife hath this day bargained and sold and by these
presents doth bargain and sell unto the said Lele Cranfill
a certain piece of land lying and being in the
County of Yackin on the waters of Shingquin Creek
bounded as follows Beginning at a post oak in the County
line D. W. Bailey's corner runs East ninety rods to a
perchmon in the County line thence North Eighty three
rods to a perchmon thence East Seventy two rods to a post
 oak thence South Sixty Seven rods to the Beginning including
thirty Eight acres being the same more or less to have and
hold unto the said Lele Cranfill his heirs or assigns the said tract
of land with appurtenances and all rights privileges and
improvements in any way belonging to the said Nathan
Cranfill and wife or their heirs and the said Nathan Cranfill
and wife for themselves their heirs Executors administrators or
assigns doth covenant and agree to and with the said Lele Cranfill
that he the said Lele Cranfill his heirs executors administrators
or assigns shall and may forever have and quietly
have hold and occupy possess and enjoy the before mentioned
land and premises with out the hindrance or molestation of
any person or persons whatsoever and free and clear from all
incumbrances and to the said Nathan Cranfill and wife
doth warrant and forever defend the said Land to the said
Lele Cranfill and all post heirs of all persons what so ever
in witness whereof the Nathan Cranfill and wife have
hereunto set their hands seals the day and date first written
before them and acknowledged in presence of

J. H. Cranfill State of North Carolina Nathan Cranfill
Yackin County Honor ^{her} Cranfill

I J. H. Reavis the undersigned Justice of the Peace do
hereby certify that Nathan Cranfill and Honor Cranfill his wife
personally appear before me this day and acknowledge with due
execution of the foregoing deed of conveyance and the said

Honor to witness being by me examined Separately and apart
from her said Husband Touching her Voluntariness execution
of the same oath State that She signs the same freely and
Voluntarily without fear or compulsion of her said husband
or any other person and that she still voluntary signs this
given under my hand and seal this 9th day of March A.D. 1880

J. G. Reavis J. P. G.

State of North Carolina

Yadkin County, I do swear Court May 3rd 1880

The foregoing certificate of J. G. Reavis is acknowledged to be correct and
in due form according to law for the area with the certificate
be registered

J. W. Vestal P. J.

23 This Deed made this the 19th day of Feb 1880 Between
Gracy Millard of the 1st Part and A. E. Shore of the 2nd
part, party of the first part and A. E. Shore party of the
second part witness that the said A. E. Shore part 2nd of the
part for and in consideration of the sum of three hundred
Dollars to the party of the first part in hand paid by the party
of the second part the receipt of which is hereby acknowledged
have bargained sold and conveyed and by these presents does
bargain sell and convey to the said A. E. Shore party of the
second part and his heirs all of land situated in the County
of Yadkin in the State of N.C. adjoining the lands of
Elkanah Millard A. E. Shore Ben Millard and others and
bounded as follows Beginning at a Sower's oak South 9 chains
+ 15 links to a white oak South 68" West 2 chains + 20 links
to a ash tree 16 chains + 35 links to a white oak South 78"
West 15 chains + 55 links to a red oak South 40" West 8
chains to a Blazer oak North 31" West 18 chains to a Stake
B. N. Millard's corner North 60" East 6 chains 50 links to
a post oak North 10" West 7 chains + fifty links to a
stake below the Spring East 23 chains to a Stake South
5 chains to a chestnut 31 and so links to the beginning
including 70 acres more or less. To have and to hold
said tract of land to the said A. E. Shore party of the
second part and his heirs for the consideration of one
The said Gracy Millard party of the first part does
convey and agree to warrant and defend the title
of said tract of land to the said A. E. Shore party
of the second part his heirs and assigns against the claims
enters and titles of all persons whatsoever, for the
aforesaid consideration the said Gracy Millard

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State of North Carolina ³ This execution of the foregoing Deed was this
Davee County ³ day duly proven before me D. P. Grant
 Clerk of this Superior Court and for the County aforesaid, by the
 oath and examination of J. R. Williams the subscriber witness
 Hents Let this date with this Certificate be registered.

This 20th day of Dec 1888 -
 Registered Jan 6th 1889

A. P. Grant, C. S. L.

State of No. N. Carolina ³ This Deed, Made this 15th day of February
Davee County ³ 1889, by David R. Rich and Sarah Rich
 his wife of Davee County, and State of North Carolina to D. H.
 Bassett of Davee County, and State of North Carolina witness
 that said David R. & Sarah Rich, in consideration of one
 hundred & Sixty Three ^{1/2} Dollars, to them paid by D. H. Bassett the
 receipt whereof is by us acknowledged, have bargained and sold
 and by these presents do bargain, sell and convey to said D. H.
 Bassett, and his heirs, a tract or parcel of land in Davee County,
 State of North Carolina, adjoining the lands of Dr. S. G. Hunt, D. R.
 Rich and others, bounded as follows, viz. Beginning at a
 corner in the Davis & Godwin line, hence East Eighteen Chains
 to a stone, thence South Nine Chains to a stone thence West
 Eighteen Chains & 38 links to stone on the West side of the Bluffville
& Davis Chorville Road, thence North Nine Chains to the beginning
 and running thence East 837 feet & 100 (10. 0710)

To have and to hold the aforesaid tract of land with all privilege and
 appurtenances there to belonging to the said D. H. Bassett and
 his heirs and assigns to his heirs only use and behoof.

And the said D. R. & Sarah Rich do warrant that they are seized of
 said premises free, and have right to convey the same in full
 simple, that the same are free from all incumbrances and
 that they will warrant and defend the said title to the same
 against the claims of all persons whatsoever
 And the testimony whereof the said D. R. Rich & Sarah Rich
 have hereunto set their hands and seals, the day and year
 above written,

D. R. Rich *Rich*
 Sarah Rich *Sarah*

State of North Carolina ³
 Davee County ³ Be it remembered, that on the 19
 day of February 1889, before me H. F. Swain Justice of the Peace for
 said County, personally appeared D. R. Rich and Sarah
 Rich the subscribers named in the foregoing Deed who
 acknowledged the due execution thereof, by them as their act.

And deed; And thereupon the said Sarah Pickering by me privately
examined separate and apart from her said husband, touching her free consent
to the execution of said Deed, she, on each her examination, declared that
she executed the same freely, of her own will and accord, and without
any force, fear or undue influence of her said husband, or any other
person, and does still voluntarily accept the same and hereby relinquishes
right of dower, and entail, and her husband and private seal.

W. G. Seaside Jr.

State of Carolina. The foregoing Certificate of W. G. Swain as Justice of the
Peace of Davis County, is adjudged to be in due form
and according to law. Therefore, let the same, with this Certificate registered
Witness (My Hand) this 21 day of Dec 1885.

Registered Jan 7th 1884

A. T. Grant & Co.

This Indenture made this 20th day in the Year of Our Lord, 1751, and of the Reign of King George the Third, of the County of Dauphin and State of Pennsylvania, witnesseth, That the subscriber, Philip, of the County of Dauphin and State of Pennsylvania, a citizen of the said part, and Samuel Longmire of the County of Dauphin and State of Pennsylvania, of the other part, witnesseth, That the said party of the first part for and in Consideration of the sum of One thousand Dollars to the said party of the first part in hand paid, the receipt whereof is hereby acknowledged, have sold and conveyed to the said party of the second part all that tract or parcel of Land lying in the County of Dauphin, State of Pennsylvania bounded as follows, Beginning at a Pine and running North East 1/2 of a mile 3 1/2 chains to a Chestnut, thence South 1/2 East along the line of 1/2 of a mile running 3 1/2 chains to a Stone fence built 87 feet from the Chestnut to a Black Pine, thence to the N. E. 1/2 of a mile by estimation 27 chains 185 links to a Black Pine, and so forth 1/2 of a mile, so corner thence to 200 1/2 chains 75 links to that Beginning & continuing One hundred and two acres more or less, to have and to hold the same with the appurtenances thereto, also going to the use of the said party of the second part his heirs, and assigns forever and the said party of the first part for the Consideration aforesaid do hereby pay and deliver, agrees to warrant and defend the premises aforesaid, so far as they are Prosecuted and defended by the Office of Samuel Longmire Deed and Deed, to a further, to the Office of the Clerk of the County of Dauphin, the first day of October, in the year of Our Lord, 1751.

Mr. Phillips Esq;
W. Phillips
C. Phillips