Armstrong Co

Recorded 7 Aug 1856

5 March 1856

John Varner to Charles Smith ~~No 53 December Term 1850~~

Examined separate and apart from her said husband the contents of the said Indenture being first made fully known to her declared that she did of her own free will and record sign, seal, and deliver the same without any coercion or compulsion on the part of her said husband, as witness my hand and seal the year and date above written

John Cob (Seal)
Justice of the peace

Received 6th August 1856

DEED

Joseph Clark Sheriff
To
Charles Smith

To all people to whom these presents shall come: I Joseph Clark, Esquire, High Sheriff of the County of Armstrong, in the Commonwealth of Pennsylvania send Greeting: Whereas James Anderson (lately) in our county court of Common Pleas, holden at Kittanning, for the County of Armstrong, before the Judges of the same court, to wit: No 53 of December Term, in the Year of our Lord, one thousand eight hundred and fifty by the Judgment of the same Court, did recover against John Varner the sum of twenty six dollars debt as also twenty three dollars & forty one cents which to the said Justice Anderson were adjudged in the same Court for his costs and charges. And whereas afterwards by a writ of the Commonwealth aforesaid of Fieri Facias issued out of the court of Common Pleas aforesaid, tested the twenty second day of March in the Year of our Lord one thousand eight hundred and fifty One and to my predecessor directed, he was commanded, that of the goods and chattels, lands and tenements, of the said John Varner in his bailiwick he should cause to be made and levied, the debt costs & charges aforesaid, which the said James Anderson had also owned against the said John Varner as aforesaid, and that he should have that money before the Judges of the County Court of Common Pleas aforesaid, the second Monday in June (then) next, to render to the said James Anderson for his debt costs & charges and the said writ. By virtue of which said writ of Fieri Facias of the lands and tenements of the said John Varner he having no goods and chattels in his bailiwick whereunto to satisfy the said Execution, he levied and took in Execution all the right title interest and claim of John Varner of in and to the one half of Sec Lot No 56 in the Borough of Freeport Armstrong County (Old plan) bounded on the North by the Pennsylvania Canal, on the East by first Street, on the South by an alley and on the west by Lot No 57, containing sixty six feet in front and about fifty feet in depth, with a small frame house thereon erected. And whereas, by an Inquisition indented, and to the said writ of Fieri Facias annexed, tested the Eighteenth day of March in the Year of our Lord One thousand Eight hundred and fifty-three by the oaths of twelve good and lawful men of his bailiwick, that the rents, issues, and profits of the above mentioned Lot of ground levied and taken in Execution by my predecessor by virtue of the writ aforesaid, were of a clear Yearly Value, beyond all reprises, sufficient, within the term of Seven Years, to satisfy the debt costs and charges in the said writ mentioned, the Execution of said writ; at the day and place therein mentioned, together with the Inquisition annexed thereon, and the writ annexed as aforesaid, he returned to the Judges aforesaid, and that the premises remained in his hands unsold for want of buyers. And whereas the said Inquest did fix the annual rental of said Lot at the sum of Twenty five Dollars and whereas the said defendant did under notice agree to retain the said Lot at the said rental and whereas the said plaintiff filed in our said Court complaint that said defendant has neglected to pay the said rentals according to law. and whereas afterwards by a writ of Venditioni Exponas, of the said Commonwealth, issued out of the Court of Common Pleas aforesaid, tested, the thirteenth day of December in the Year of our Lord One thousand Eight hundred and fifty five and to me directed, I was commanded that the lands and tenements aforesaid, I should expose to sale, and that I should have the money thereof before the Judges aforesaid, at our Court aforesaid, the first Monday of March then next, to render to the said James Anderson for his debt costs and charges in said writ mentioned, and the said writ; And whereas, I, the said Sheriff, having given due and public notice of the time and place of sale, did on the third day of March in the Year