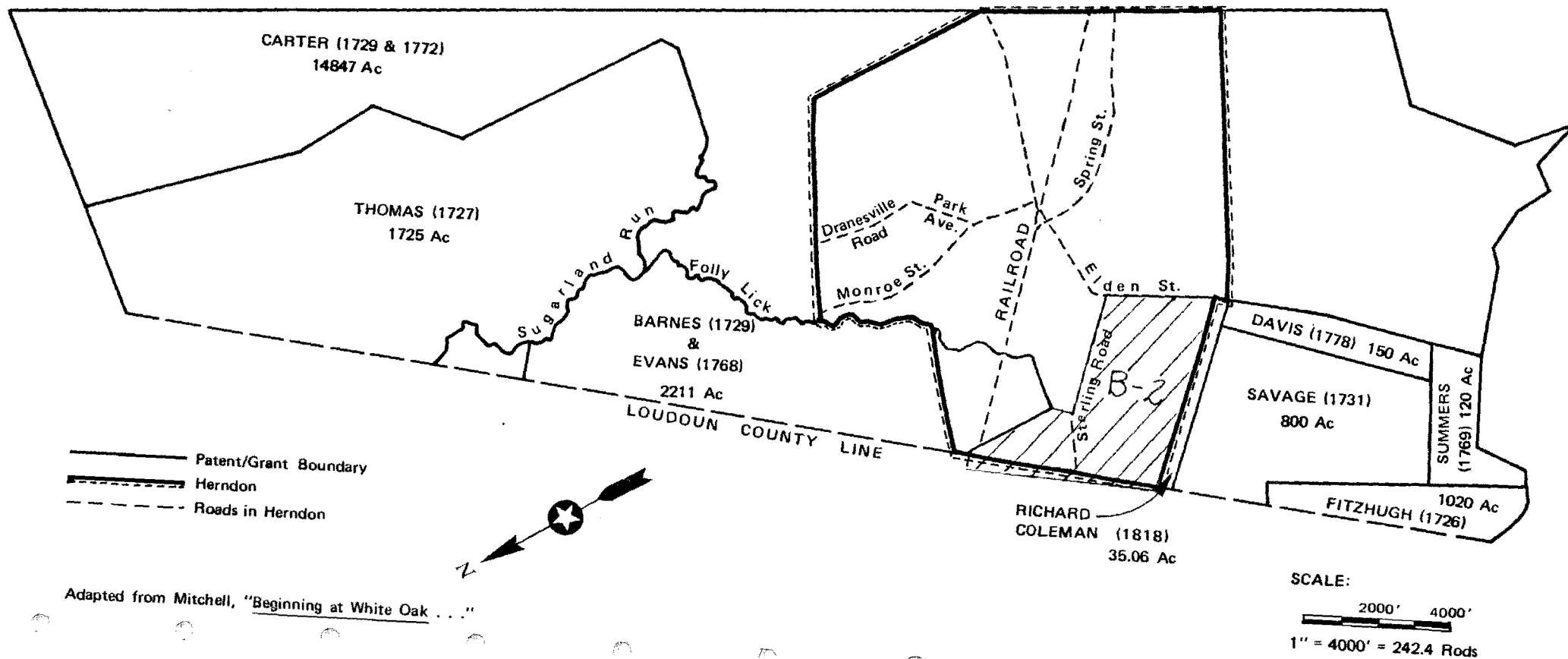


CHAPTER B-2

Figure: _____

DEED BOOK/PAGE: _____

DATE: _____ FROM: _____ TO: _____ ACREAGE: _____



CHAPTER B-2

Samuel Russell's 600 Acres (Lot 2)

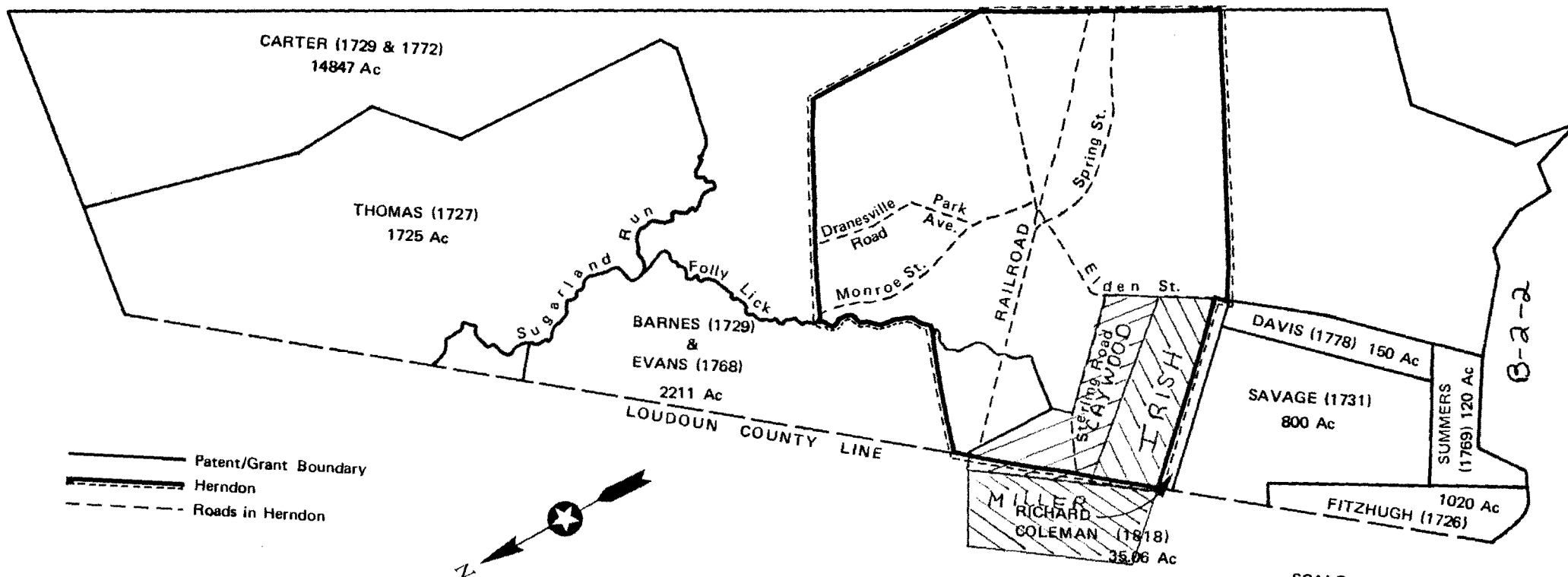
On 3 January 1852 (Q3/351), as a result of a Fairfax Circuit Court decree, Richard H. Cockerille and Henry W. Thomas, Commissioners and executors of the late R. H. Cockerille, combined talents with Samuel Russell to sell 600 acres (more or less) from the estate of R. H. Cockerille to Thomas Hazzard (no sale price is mentioned; rather the deed states that the price is contained in the report of commissioners Cockerille and Thomas to the Court. The author has been too lazy to research this little piece of information). According to this deed, Hazzard paid Briggs Waring the money Russell owed Waring when Waring sold his interest in the lot to Russell. No metes and bounds are given except the general comments that the land is bounded by the "lands of Jos. Orrison, Henry A. Kipp, Thomas Cox, John Hanna, John J. Coleman and others" (is the use of others like the use of etc.--a way of nicely stating that you have not [cannot] think of everything, so just to protect oneself in case of error . . . ?) The accompanying map is reconstructed assuming that the lands Hazzard sold Miller, Caywood and Irish (see below) comprise this 600 acres (more or less) totally. The deeds of sale for each of these three parcels actually state that the land being sold by Hazzard was "part of the larger tract H. W. Thomas and R. H. Cockerille, commissioners, and Samuel Russell" sold to Thomas Hazzard on 3 January 1852.

Figure: _____

DEED BOOK/PAGE: _____

DATE: _____ FROM: _____

TO: _____ ACREAGE: _____



Adapted from Mitchell, "Beginning at White Oak . . ."

SCALE:

2000' 4000'

1" = 4000' = 242.4 Rods

I. Thomas Hazzard sold 200 acres to Martin Irish on 3 January 1852
(Q3/356) for \$1166.66.

a: begin at northeast corner of land occupied by John Hanna in
line of Thomas Cox,

b: -- (ba: N 43 1/2° W 81 chains, 50 links),

c: -- (cb: N 33 1/4° E 28 chains, 25 links),

d: -- (dc: S 39 3/4° E 81 chains, 50 links),

a: beginning (ad: with Thomas Cox's land S 29 1/2° W 23 chains,
13 links),

200 acres.

Notice that this land extends slightly into Loudoun County.

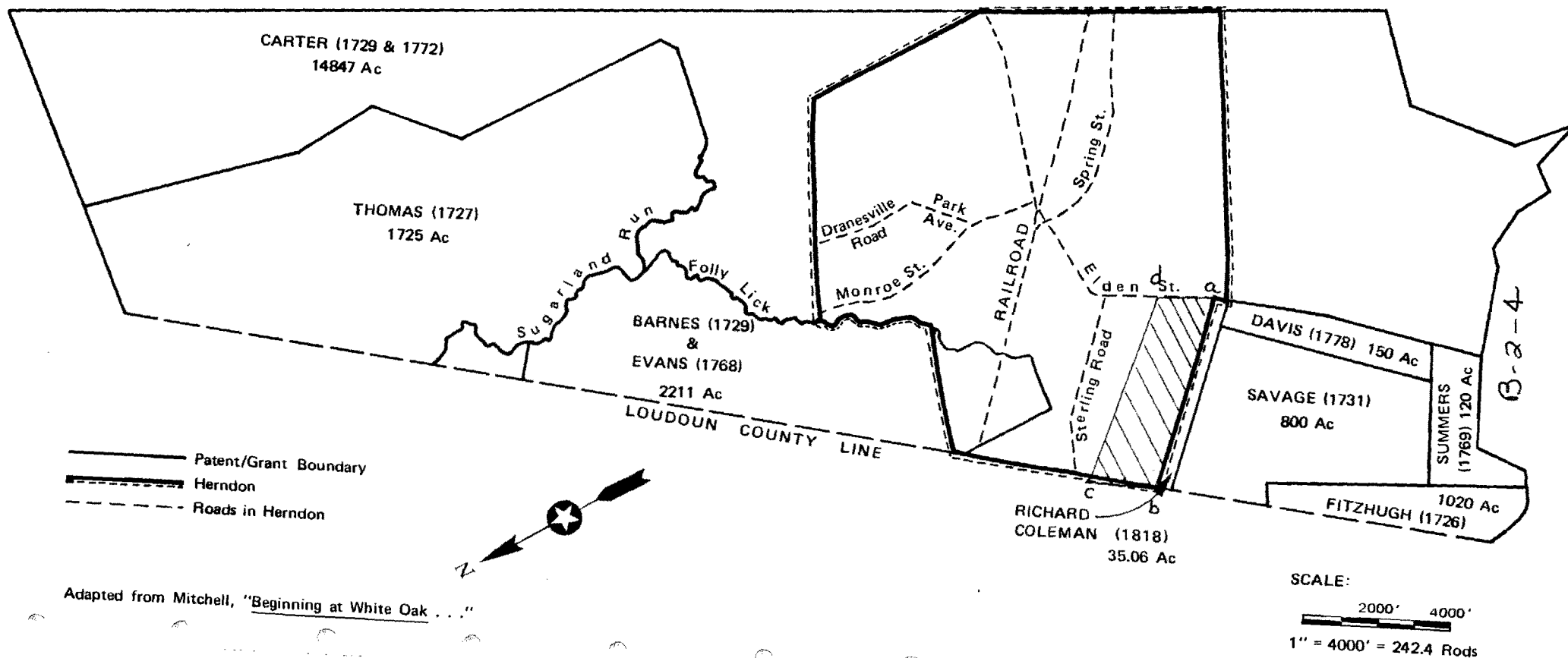
Figure: _____

DEED BOOK/PAGE: Q3/356

DATE: 3 JAN 1852 FROM: THOMAS HAZZARD

TO: MARTIN IRISH

ACREAGE: 200 acres



William Irish of Fairfax sold the identical 200 acres to Lewis Tudor and Nathan Roof of Baltimore for \$4200 on 2 February 1866 (F4/371). The only differences in the description of the land from Q3/356 (above) are in point "d" in which F4/371 adds the phrase " . . . 50 links to land formerly of John McKeldon" and in the second point "a" in which F4/371 deletes all reference to Cox's land. Tudor/Roof then placed a lien on this land on 2 February 1866 (F4/406) as security for \$2800 they owed William L. Irish; John Hawxhurst was appointed trustee of this lien. They agreed to repay \$1400, with interest, on 1 April 1867 and 1 April 1868 as well as to accept the usual provisos about default; the lien was released on 20 May 1868 (I4/180). William Irish must have been Martin Irish's son and inherited the land (however, no will for Martin Irish is listed in the County index of wills) because the deed (F4/371) says that this land is the "same conveyed to Martin Irish by Thomas Hazzard January 5, 1862" and no deed from Martin to William Irish is listed in the index of deeds--since no deed exists, a will (or Court order resulting from a lack of a will) seems reasonable. Another indication that this is correct lies in the County index of deeds: F4/371 is listed as under both Martin and William Irish, even though the land is technically sold only by William; the indexer of deeds might have realized (known, guessed) that this deed also was the formal recognition that Martin "gave" the land to William.

Lewis/Sarah N. Tudor and Nathan Roof of Baltimore did not keep the land long--they sold it to Matilda N. Dennison (wife of Noyes P. Dennison) of Herndon for \$2539 on 7 November 1866 (H4/308).

Noyes P./Matilda Dennison of Fairfax County apparently knew about capitalism, for they sold the same 200 acres to Mary E. Laonhardt (wife of

Jacob Laonhardt) of the "County of Washington of the District of Columbia" for \$6000 (a sizeable profit!) on 20 May 1868 (I4/163).

Mary E./Jacob Laonhardt (referred to as being of Herndon in 1886) were slightly more inclined to keep the land for they did not sell until 22 March 1886 (E5/576) when Oliver M. Hyde of Ellington, Toland County, Connecticut, bought the 200 acres for \$4500 (land values surely went down in 18 years). However, this affinity for the land did not prevent the Laonhardts from placing a lien on their land on 20 May 1868 (I4/181) in order to secure a debt of \$3000 (\$750 due on 1 May 1869, -70, -71, -72) owed Noyes Dennison. Ancel St. John, trustee, released the lien on 5 May 1869 (J4/516).

Just to maintain an interesting history for their land, Jacob and Mary accepted another lien on 8 March 1884 (D5/283) with George F. Appleby and Leigh Robinson of Washington, D.C., as trustees. The avowed purpose of this little transaction was to pacify Francis B. Mohun in order that he would not get agitated over a \$1600 debt the Laonhardts owed him and had promised to pay within one year with 6% interest as a nicety. The debt arose from a decision in the Chancery Court suit of Mohun et al. vs Laonhardt that Laonhardt owed Mohun \$3200; the cause of the suit is not mentioned in the deed. The lien is released on 3 March 1886 (E5/575).

Oliver Hyde died (remember, he bought the land from Mary and Jacob) and willed the land to Mary T. Hyde who sold the land, for \$5000, to Ellen M. Buell (wife of Perez B. Buell of Fairfax County) on 4 June 1898 (B6/109).

This 200 acres is clearly "becoming" feminine--a trend is developing in which the land is not only bought by women (usually married but, unlike

most transactions, they, and not their husbands, are the buyers) but the husbands die or something and the woman sells the land ("normally" only the husband's name is on the deed when land is being purchased while both the husband's and wife's names are included in the deed (and as signees) for the sale of the land). The Buells, being good Herndonites, kept the tradition alive. P. B. Buell died and Ellen M. Buell sold the 200 acres to Margaret J. Madison for "\$10" on 1 March 1912 (M7/77). Madison agreed to assume a trust (F7/109) between Ellen M. (and P. B.) Buell and J.R.H. Alexander, securing the Farmers and Merchants Banking and Trust Co. for \$7000 (14 notes of \$500 each, all payable within 3 years of the signing of F7/109 on 10 March 1910); this lien was released on 7 April 1914 (S7/505).

Mrs. Madison kept up the tradition! Margaret J. Madison, "widow," sold the same 200 acres to Bernard G. Brown on 14 March 1914 (S7/324). At first it might appear that the Browns broke the tradition, but . . . Bernard G./Laura V. Brown "sold" the land to Laura V. Brown for \$10 on 1 September 1917 (F8/465). A lien was placed on the land the same day (F8/466) but released 28 October 1925 (see the marginal note on page F8/466).

This latter transaction (F8/465) must have been some type of subterfuge and it cost the Browns dearly--breaking tradition can be painful. On 25 March 1927 (Y9/533) Laura V./Bernard G. Brown still owned the land together and, together, placed a lien on the land with Andrew L. Todd of Murfreesboro, Rutherford County, Tennessee, as trustee, as security for a \$12,000 trust they owed New York Life Insurance Company of New York. The Browns took out five \$600 notes, one due each January 1st from 1933 until 1937, and one \$900 note due 1 January 1938. Interest was 5 1/2%

payable annually on 1 January; the interest increased to 6% after the maturity date and continued until the bonds were paid. The Browns also agreed to pay all applicable taxes, keep all building, fences and other improvements in "good repair and condition . . . permit no cutting of timber except for the making and repairing of fences and firewood . . . ," and to insure all of the buildings. If the Browns defaulted at any time, all of the notes became due immediately and the land would be auctioned after the usual four weeks advertisement. The commissioner of sale would receive 5% of the sale price.

This land really had character--Todd resigned as trustee and was replaced, by Court decree, by F. S. McCandlish. McCandlish died and was replaced by Charles Pickett in March 1935. Then the Browns defaulted on the notes and on the taxes (their retribution for trying to inject masculinity into this land's ownership!). Pickett advertised an auction in the Fairfax Herald for 4 weeks and then auctioned the land to New York Life for \$10,000. New York Life paid the taxes and notes and on 12 October 1935 (Y11/257) Charles Pickett, substitute trustee, sold the 200 acres to New York Life for \$5.

New York Life clearly did not want the land, for it sold the same 200 acres to George Albaugh Bready of Herndon for \$13,000 on 29 November 1935 (Z11/191).

Finally, the woman's dominance of the 200 acres appears to be broken--but not quite yet! George A. Bready died and his widow instigated a law suit. In May 1945 Hugh B. Marsh, Charles Henry Smith, and Charles Pickett were appointed, by the Court, as special commissioners to sell the land, known as the Bready Farm. On 14 August 1945 (460/427) Charles Pickett,

special commissioner in the suit of "Emily Galt Bready, in her own right and as guardian of William Alexander Bready and George Galt Bready vs George R. Bready, executor of estate of George A. Bready et al." sold the 200 acres to R. I. Arrington and George W./Paula C. Ritter for \$26,000 (1/3 cash, 1/3 due in 1 year, 1/3 due in 2 years with 5% interest). The probable reason for the court's (and Emily's--a woman) involvement was that George A. Bready's will, dated 11 May 1940, devised all of his property to his two minor sons--William A. and George Galt Bready. The court suit probably was necessary to legalize the sale of land owned by minors.

On 13 April 1948 (625/187) R. I./Linda B. Arrington and George W./Paula C. Ritter sold the 200 acres to George W./Paula C. Ritter.

The Ritters then sold the 200 acres to ETNOM, Inc., on 21 January 1955 (1366/517). This land became part of the Four Seasons development within Herndon. The plat was based upon a survey of B. Calvin Burns, 23 May 1955.

- a: begin westerly line of State Road 657 [Elden], northeast corner of Lock Crippen,
- b: point on easterly line of Route 605 (ba: with Crippen, N 44° 09' 25" W 5343.85 feet),
- c: found monument, northwest corner of Town of Herndon School Board (cb: with easterly line of Route 605, N 33° 31' 00" E 1935.11 feet),
- d: point in southerly line of B. L. Poole (dc: with southerly line of Herndon School Board, S 39° 37' 10" E 1880.80 feet),
- e: point with line of Route 657 (ed: with line of Poole, S 39° 36' 20" E 3450.56 feet),

a: beginning (ae: with Route 657, S 28° 59' 50" W 1528.01 feet),

202.79 acres

The plat was based upon a survey of B. Calvin Burns, 23 May 1955. Notice, again, that the land extends slightly into Loudoun County.

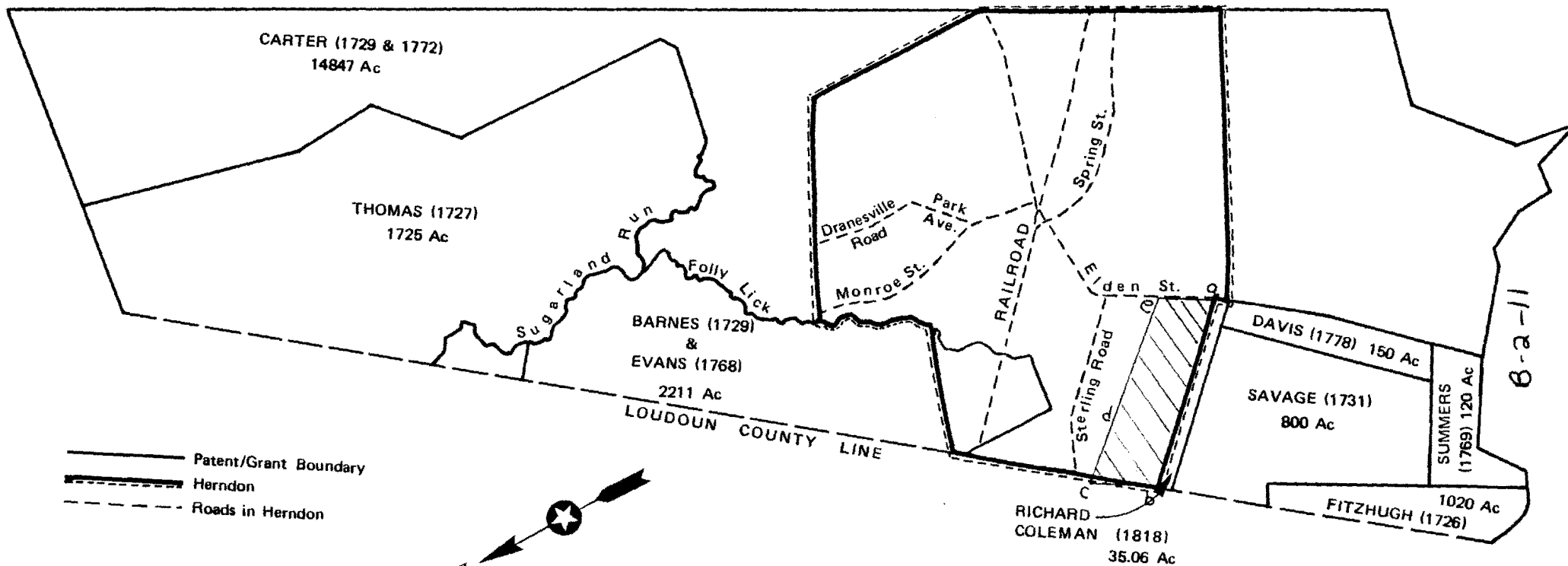
Figure: _____

DEED BOOK/PAGE: 1366/517

DATE: 21 JAN 1955 FROM: GEORGE RITTER

TO: ETNOM, INC

ACREAGE: 202.79 acres



Adapted from Mitchell, "Beginning at White Oak . . ."

SCALE:

2000' 4000'

1" = 4000' = 242.4 Rods

II. On 3 January 1852 (Q3/243) Thomas Hazzard placed a lien on 200 acres of the land that he had bought from Thomas/Cockerille/Russell. Richard H. Cockerille acted as trustee for this lien which provided security for the \$1065 (plus interest) Hazzard owed Samuel Russell as a result of the sale of the 600 acres to Hazzard (Q3/351) on the same day. The description of the 200 acres is identical to the land described below in S3/105. The deed had the usual warning that if Hazzard failed to repay the debt, the land was to be auctioned off to pay Russell his money. The deed states that this is "property now the possession of Benjamin Caywood, containing 200 acres."--possibly Caywood was leasing the land from Hazzard (or, more likely, from Cockerille's estate); Caywood could not have owned the land since Hazzard just bought it and Hazzard actually sold the land to Caywood in 1853. The lien was released 19 July 1852 (R3/38).

On 11 April 1853 (S3/105) Thomas/Dorothy F. Hazzard sold 200 acres (more or less) to Benjamin Caywood for \$1166.66.

- a: begin at white oak corner to Joseph Orrison,
- b: stake and pile of stones (ba: S 46° W 5 chains, 72 links),
- c: planted stone in center of road, corner to H. A. Kipp
(cb: S 45° E 51 chains, 59 [links]),
- d: planted stone in center of road leading from Frying Pan to
Dranesville, corner to Martin Irish (dc: S 29 1/2° W 23
chains, 15 links),
- e: northwest corner of Martin Irish's lot, white oak stake and
pile of stones (ed: N 39 3/4° W 81 chains, 40 links),

f: cedar stake and pile of stones in line of Joseph Orrison
(fe: N 33 1/4° E 44 chains, 50 links--N.B., the deed
actually says S 33 1/4° W but this cannot be correct because
the parcel's boundary will not close upon itself if West is
used),
g: pile of stones, corner to Joseph Orrison
(gf: S 64° E 5 chains, 5 links),
a: beginning (ag: S 3 1/4° E 36 chains, 30 links),
200 acres more or less.

Notice that this land also extends slightly into Loudoun County.

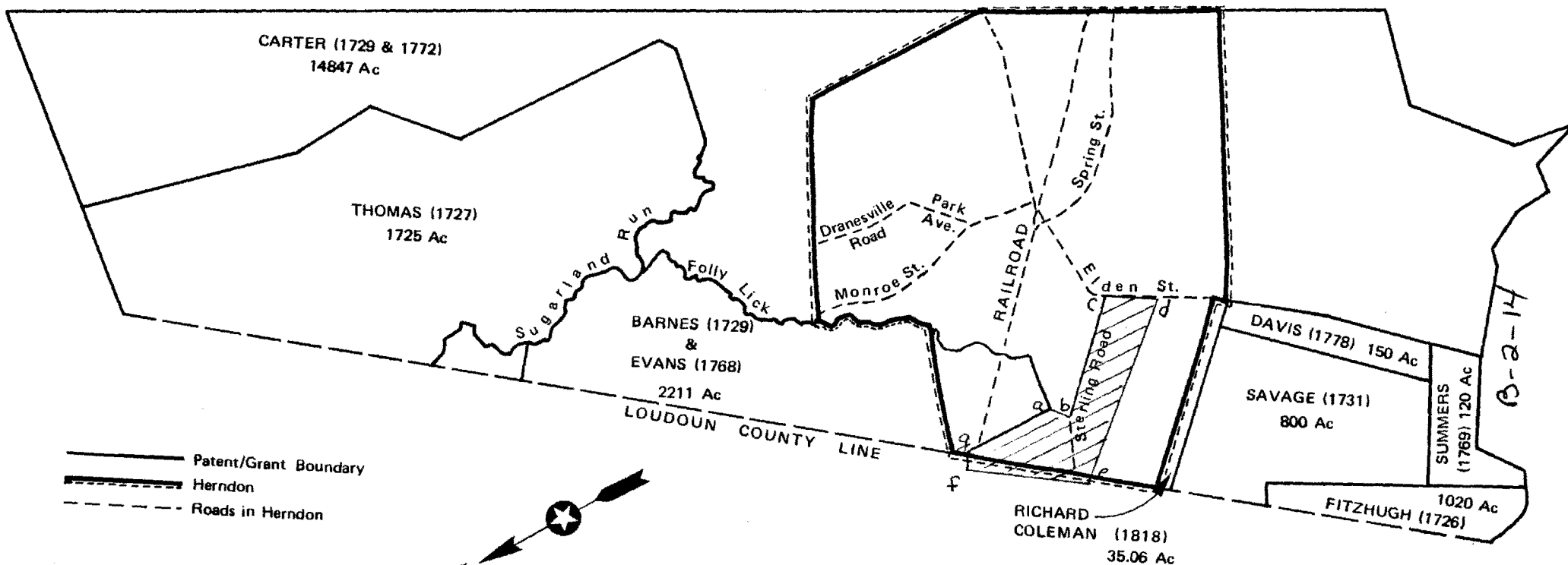
Benjamin/Philena Caywood of Fairfax County owed George W. Gunnell
\$700; in order to assure Gunnell that they would repay the debt in a year
(at 6% interest), the Caywoods placed a lien on their 200 acres on 14 April
1853 (S3/109) with Alfred Moss as trustee. The lien was released on 2
December 1867 (H4/406)

Figure: _____

DEED BOOK/PAGE: S3/105

DATE: 11 April 1853 FROM: THOMAS HAZZARD

TO: BENJAMIN CAYWOOD ACREAGE: 200 acres



Adapted from Mitchell, "Beginning at White Oak . . ."

IIA: On 7 January 1861 (D4/1) Benjamin/Philina Caywood sold 100 acres to Job C. Champlin of Fairfax County for \$2000:

- a: begin at planted stone in center of County road leading to Frying Pan Church and corner to Brady,
 - b: stake and pile of stones, corner to Brady
(ba: N 45° W 206.36 poles),
 - c: large white oak, corner to Brady (cb: N 46° E 22.88 poles),
 - d: pile of stones, corner of Joseph Orrison
(dc: N 3 1/4° W 145.20 poles),
 - e: pile of stones in line of Orrison (ed: N 64° W 22 poles),
 - f: planted stone, corner to this land and land of Caywood
(fe: S 33 1/4° W 95.25 poles),
 - g: planted stone (gf: S 19 1/2° E 120 poles),
 - h: stone (hg: S 43° E 112 poles),
 - i: planted stone in center of Frying Pan road
(ih: S 45° E 10 poles),
 - a: beginning (ai: N 29 1/2° E 29 poles),
- 100 acres.

Figure: _____

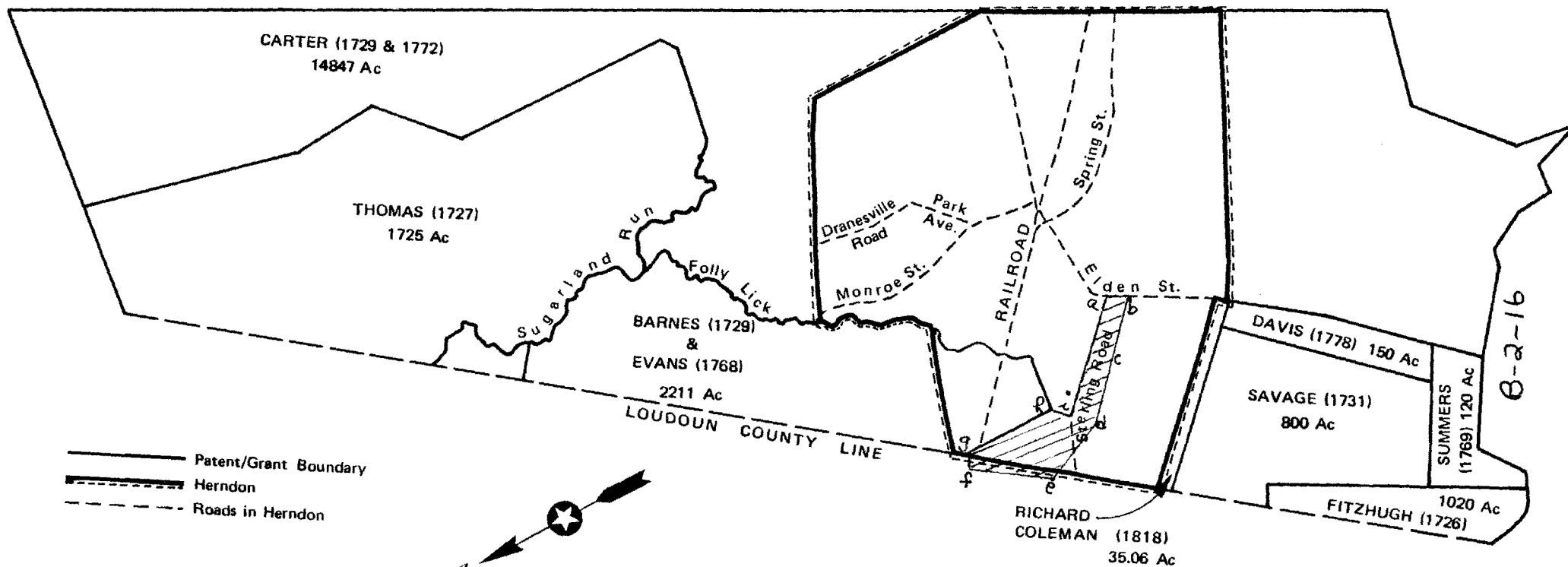
DEED BOOK/PAGE: D4/1

DATE: 7 JAN 1861

FROM: BENJAMIN CAYWOOD

TO: Job C CHAMPLIN

ACREAGE: 100 acre



Adapted from Mitchell, "Beginning at White Oak . . ."

SCALE:

2000' 4000'

1" = 4000' = 242.4 Rods

Job kept the land for awhile and then sold it to John McLane of Washington, D.C. for \$2000 (the Civil War apparently did not "help" increase land values) on 11 July 1867 (H4/349). The land was described as being the same as D4/1 and "a tract of land near the village of Herndon"--Herndon must have meant "downtown" near the depot to people in those long ago days.

The McLanes really liked the land--not until 25 September 1907 (X6/509) did John/Mary McLane sell their 100 acres to Guy E. Mitchell of Glen Carlyn, Virginia, for \$5000. The land was described as being the same as D4/1 and lying between the properties of Groh and Bready at the intersection of Old Herndon-Frying Pan (now Floris) Road with the Herndon-Guilford (now Sterling) Road.

The Mitchells were not so fond of the land; Guy E./Madeleine A. Mitchell sold these 100 acres to Carolyn H. Eccles of Herndon on 25 September 1907 (X6/510).

Carolyn was not overly fond of the land either; however, before she sold it she placed a lien on the land on 25 September 1907 (X6/511) in order to guarantee Ernest L. Robey of Herndon that she would repay a debt of \$1000 (plus 6% interest) within one year. Carolyn cajoled Thomas Keith of Fairfax and Claude G. Stephenson of Herndon to act as trustees and to oversee that she paid the money at the Peoples National Bank of Leesburg. This lien was released on 27 November 1909 (E7/304) but not until Owen I. Thomas took over as trustee.

Before the lien was released, Carolyn (unmarried and living in Herndon) sold the 100 acres to Amanda F. Eccles of Herndon on 2 December 1907 (Y5/542).

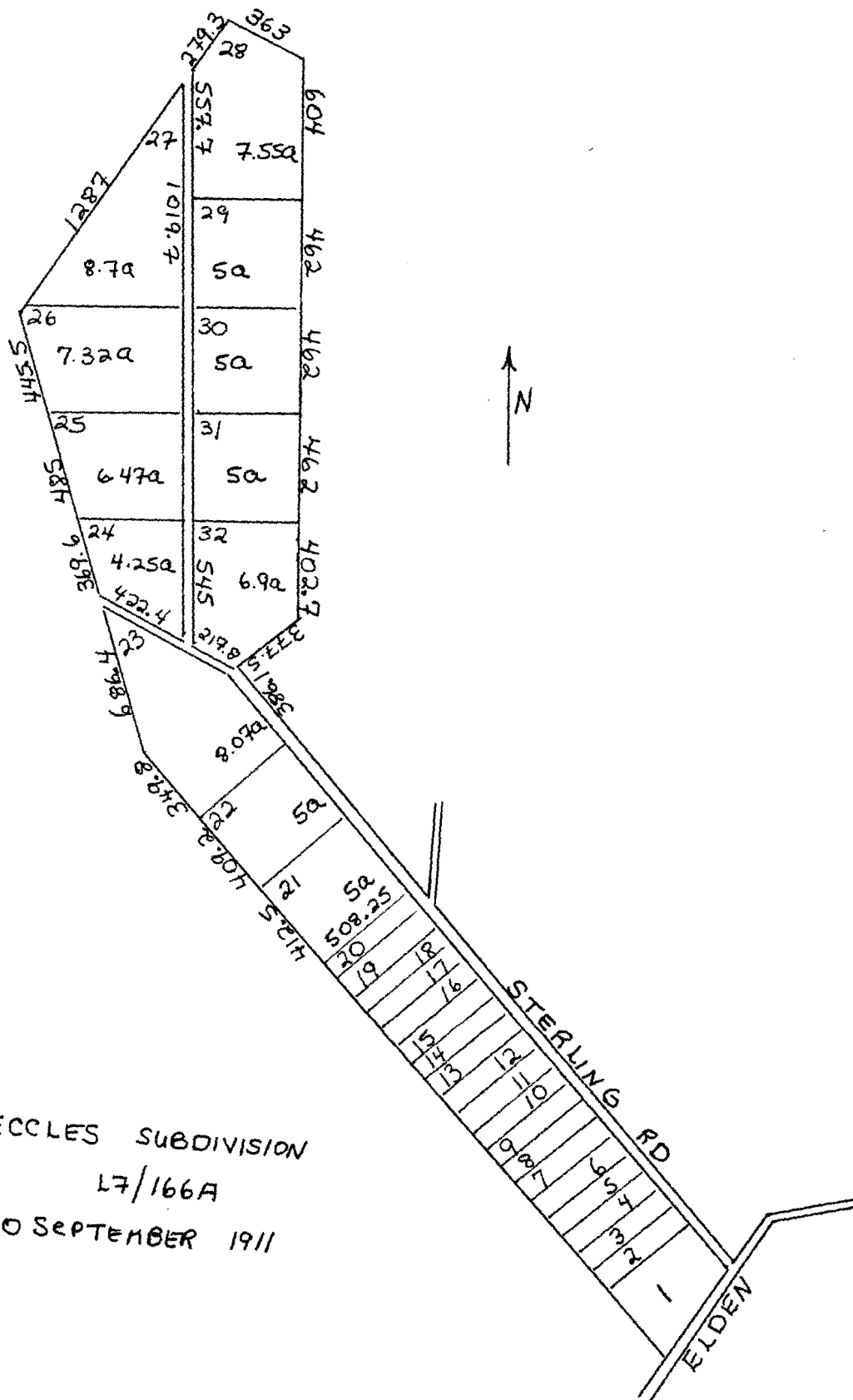
Amanda Eccles, widow, subdivided the 100 acres on 30 September 1911 (L7/166A) according to a survey made by Alfred Stanton on 30 September 1911. The Eccles subdivision plat is:

<u>Lot Number</u>	<u>Acreage</u>	<u>E-W Dimension*</u>
1	3.85 acres	**
2	1.17	477.5 feet
3	1.1	480
4	1.1	482.6
5	1.112	485.2
6	1.118	487.7
7	1.124	490.3
8	1.13	492.9
9	1.136	495.4
10	1.142	498
11	1.148	500.5
12	1.154	503.1
13	1.16	505.7
14	1.17	508.25
15	1.17	508.25
16	1.17	508.25
17	1.17	508.25
18	1.17	508.25
19	1.17	508.25
20	1.17	508.25

*The North-South dimension is 100 feet on both sides of each lot except for lot 1.

**Lot 1 is 477.5 feet on the north E-W side, 478.5 feet on south E-W side, 298 feet on the east N-S side and 510 feet on the west N-S line.

ECCLES SUBDIVISION
 L7/166A
 30 SEPTEMBER 1911



B-2-19

IIB. Benjamin/Philena Caywood decided to place a lien on their remaining 100 acres in order to give a sense of security to Mary F. McCafrey of Washington, D.C.--she probably needed some since anyone who charges 12% interest on a \$500 debt* which is due in one year probably will not accept just a verbal agreement. William A. Meloy acted as trustee for this lien which was taken out on 13 February 1872 (04/72) and released on 5 October 1874 (R4/271).

Maybe the experience with 12% interest (note that 6% was the prevalent rate at the time) started the Caywoods thinking (about what?)--on 24 July 1878 (W4/307) the Caywoods of Washington, D.C., sold the 100 acres to Mrs. Julia Liesman, also of Washington, for \$7000.

a: begin at H, a corner to Laonhardt in the Frying Pan Road,
b: I (ba: N 29 1/2° E 63** poles),
c: K (cb: N 45° W 100 poles),
d: J (dc: N 43° W 112 poles),
e: F (ed: N 19 1/2° W 126 poles),
f: G (fe: West 176 poles),
a: beginning (af: S 39 3/4° E 325.5 poles),
100 acres.

*The initial part of the lien claims a debt of \$200; elsewhere the amount is several times referred to as \$500.

**This deed uses 92 poles; this cannot be correct since the entire length along Elden Street of Caywood's 200 acres is 92 poles. Since the Eccles subdivision is precisely 29 poles along Elden, ba "must" be 92 - 29 = 63 poles.

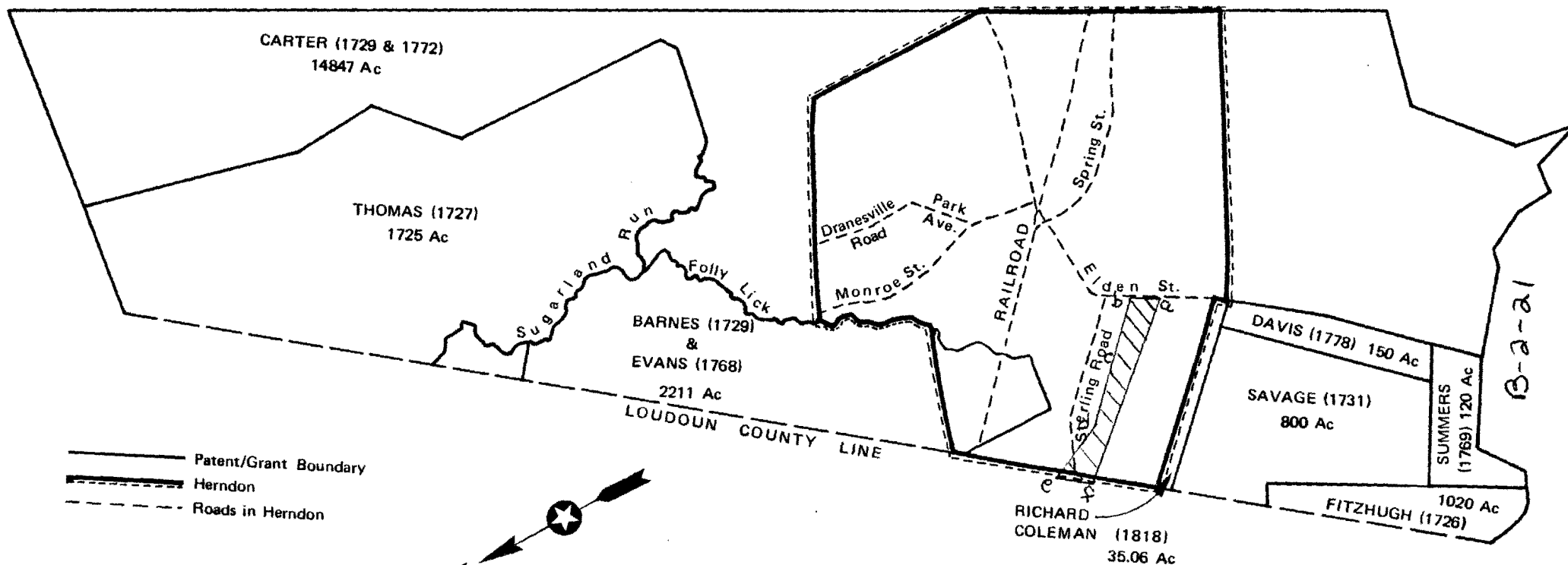
Figure: _____

DEED BOOK/PAGE: W4/307

DATE: 24 July 1878 FROM: BENJAMIN CAYWOOD

TO: JULIA LIESMAN

ACREAGE: 100 acre



Adapted from Mitchell, "Beginning at White Oak . . ."

SCALE:

2000' 4000'

1" = 4000' = 242.4 Rods

Julia and Henry Liesman must not have been extremely enthusiastic about this land for they sold it to Poynton Musson for \$3000 (a loss of \$4000 in 2 years) on 29 October 1880 (Z4/342). In addition to the land the deed listed:

- 1 mowing machine
- 1 one-horse hay rake
- 1 cradle
- 1 hoe and pick, spade, shovel mowing scythe
- lot of peach boxes, berry boxes
- lot of straw, stack of hay
- 2 swarms of and hives of bees
- pruning shears
- manure fork
- grindstone
- 2 shoats [she goats?] and 2 pigs
- 4 mulch cows
- 1 horse [for the 1-horse hay rake?]
- 1 spring wagon
- 1 2-horse plow [where is the other horse?]
- 1 single shovel plow
- 1 cultivator
- 1 two-horse harrow
- 1 double set of wagon harness
- 1 cider and wine mill and press
- all crops now standing and growing

Interestingly, neither the previous nor the following deeds of sale include a listing of farm animals and implements--the Liesmans must have had some reason for the long list, I presume (naively).

Poynton/Elizabeth E. Musson placed a lien on their 100 acres on 29 October 1880 (Z4/346) in order to secure the \$2000 debt they owed Liesman; they agreed to repay the money (with 6% interest) in 10 years. R. W. Moore accepted the task of being trustee; he released the lien on 17 April 1888 (G5/668). At the time of the release Andrew Longdon had been "assigned" the loan by the Liesmans and the release actually released William Urich, not Musson, since Urich accepted responsibility for the debt in 1882.

For a mere \$3000 William Urich of Herndon bought these 100 acres from Poynton/Elizabeth E. Musson of Washington, D.C. on 2 October 1882 (B5/121); Urich also agreed to repay the Mussons' lien.

The Urichs (William and Kate) kept the land for 6 years and then sold it, again for \$3000, to Levi J. Groh of "near Presect, Lebanon County, Pennsylvania," on 3 April 1888 (H5/591).

IIB1 Levi J./Anna Groh sold 157 square rods (0.98 acres) of this land to William S. Groh on 1 May 1896 (X5/112) for \$75.

- a: begin in the center of County road, corner to P. B. Buell,
- b: -- (ba: with Buell N 30° W 19 rods),
- c: -- (cb: N 20° E 5 rods),
- d: County road (dc: S 60° E 18 rods, 4 links),
- a: beginning (ad: with road S 32° W 12 1/2 rods),

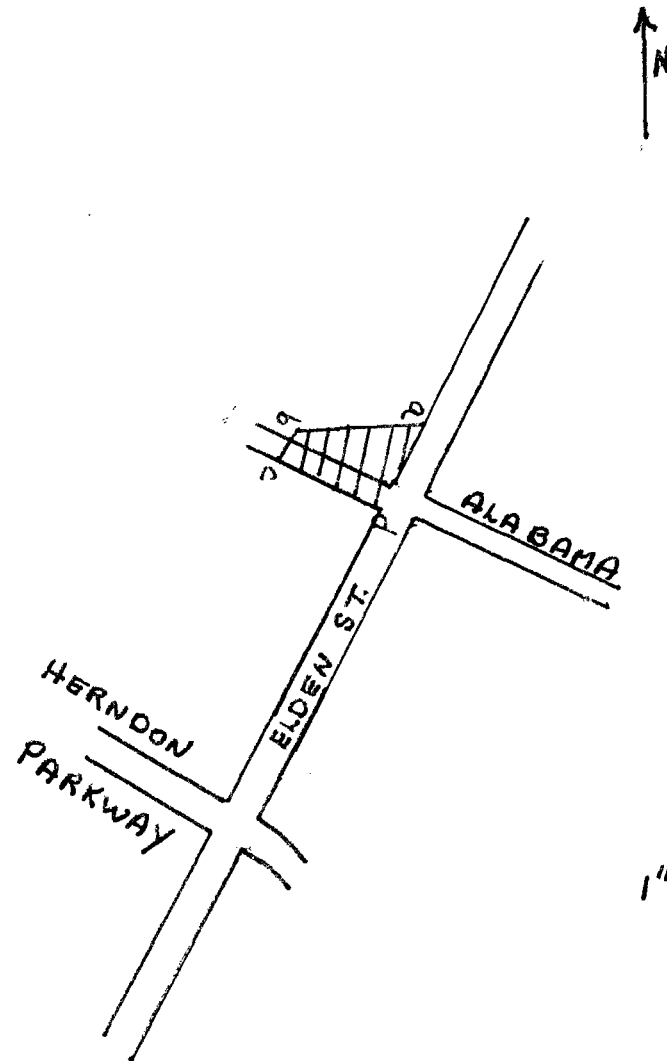
0.98 acres.

Just to add interest to this land, the metes and bounds are simply in error. Studying IIB2 for awhile, plus realizing that the only land Buell owned near Groh was Irish's 200 acres, coupled with the observation that the only County Roads around were Sterling and Elden, leads one (or, rather, me) to insist that the 0.98 acres lie near the present intersection of Elden and Alabama. This conclusion requires that X5/112 is misoriented as to where things are, and should read:

- a: begin on the County Road,
- b: --(ba: N 30° W 19 rods),
- c: corner to P. B. Buell (cb: N 20° E 5 rods),
- d: County Road (dc: with Buell S 60° E 18 rods 4 links),
- a: beginning (ad: with the road, S 32° W 12 1/2 rods).

0.98 acres.

X5/112
1 MAY 1896
LEVI/ANNA GROH →
WILLIAM GROH
.98 ACRES



5e-2-25

William S.S./Minnie M. Groh of Herndon accepted a lien on their land on 21 December 1897 (A6/133) in order to appease the insecurity of George W. Bell to whom they owed \$744. The Grohs agreed to pay \$12 per quarter for 11 quarters and then pay \$612 in 36 months; all of this was at the bargain rate of 6% interest. W. Floyd Middleton, the popular trustee, released the lien on 7 September 1899 (D6/268).

One lien was not enough--on 1 August 1899 (D6/269) the Grohs took on another lien, this time to secure a \$600 debt (due in 1 year with 6% interest) owed Mrs. Laura Hanna. Mr. Middleton, again, accepted the "chore" of being the trustee.

Why let a good thing lie; on 8 February 1911 (I7/313) the Grohs placed a second trust on their land (apparently the one year of D6/269 got drawn out many times). This lien also was organized to protect Laura Hanna, this time for \$342 (at 6%) which was supposed to be paid in 3 years. Yes, Middleton was trustee.

Time (or was it finances) finally caught the Grohs. For some reason, Groh was taken to Court (Sweetnam V. Groh) and the Court decreed in September 1912 that C. Vernon Ford, Commissioner of Sale, should sell Groh's land. In January 1913 the Court also appointed Thomas Keith to be a commissioner. The commissioners advertized the land for 4 successive weeks in the Fairfax Herald and auctioned the land at 12 noon on 20 March 1916 at the Fairfax County Courthouse; Laura Hanna bought the land for \$1000. The sale was confirmed by the Court in March 1916 and Keith was ordered to convey the land to Hanna after she paid the \$1000 plus the costs of the Court suit and the expenses of the sale.

Laura did this, but, just to fool everyone a little, she sold the land for \$1300 to Eliza Lee before a deed could be recorded. Lee paid \$1000 to Laura and gave her an unsecured note for \$300 using her husband, Basset Lee, as cosigner.

Keith finally got to issue a deed on 10 May 1916 (A8/213) giving title to the 0.98 acres to Eliza Lee.

Presumably this little series of actions effectively released the two liens--D6/269 and I7/313--since there is a sentence in the deed stating that Hanna is "entitled to all of the purchase price on account of her deed of trust lien." This argues for both liens still to be outstanding on 10 May 1916; the lack of any mention of any hinderance to Eliza having clear title to the land suggests that she did not need to accept responsibility for the liens--i.e., they were released somewhere in the Court proceedings. What probably occurred was that along with buying the land at auction, Laura also accepted responsibility for the liens, but since she was the person to whom the debts were owed she, effectively, paid herself the debts and released herself from the liens.

IIB2 On 10 January 1913 (P7/111) Levi J./Anna Groh of Herndon sold 100.1 acres (minus the land of IIB1*) to David Shaw of Pittsburgh, Pennsylvania, "for \$9000 cash."

- a: "A," stake, northwest side of Herndon, Floris County road which is 40 feet wide, corner to Mrs. Eccles,
- b: old stake (ba: N 42° 05' W [all bearings calculated from "A") with Eccles and continuing the same course with E. L. Robey and George F. Harrison 1632.3 feet),
- c: stone by a bar post (cb: with lines of Harrison N 40° 43' W 1843.5 feet),
- d: old stake and stones, corner to Harrison on southeast side of road (dc: N 17° 19' W 1986.5 feet),
- e: stake, east of road (ed: with southeast side of road and crossing Loudoun road S 36° 04' W 1344 feet),
- f: -- (fe: with line of Madison, following the average line of the fence S 37° 01' E 1804 feet),
- g: corner William Groh (gf: still with line of Madison, following average line of fence, S 35° 20' E 3213 feet),
- h: -- (hg: with Groh N 21° 28' E 89.7 feet),
- i: northwest side of Herndon-Floris Road (ih: S 59° 33' E 285.4 feet),
- a: beginning (ai: with road N 32° 55' E 838.4 feet),

100.02 acres.

*The deed says the land is the same as H5/591 except for X5/112; thus the 100.1 acres (vs the "expected 99.02 acres) must reflect a resurvey or, at least, a recalculation of the size of the land.

David/Mary A. Shaw sold the land to Marion K. Humphries on 29 May 1920 (Q8/193).

Humphries (a widower) placed three liens on his land:

- 29 May 1920 (Q8/195) to secure a debt of \$8000 due David Shaw; he agreed to pay \$1000 in 1, 2, and 3 years and to repay \$5000 in 4 years all at 6% interest. Thomas R. Keith was trustee and the lien was released (marginal note Q8/195) on 6 December 1923.

- 14 November 1923 (F9/75) to secure a debt of \$6000 owed the New York Life Insurance Company. The repayment schedule is not quite clear--\$47 was due on 1 January 1934, that is easy enough; however, the deed states that there were 35 notes for \$413.88 each and they were due, one per year, for the next 35 years. There are two problems with this: (1) 35 years is much too long, the deed must have meant 35 months, and (2) why \$413.88? $413.88 \times 35 = \$14,485.80$ which is slightly more than the \$6000 debt. Whatever the arithmetic was, the lien was released on 13 March 1934 (marginal note of F9/75). Andrew L. Todd, Murfreesboro, Rutherford County, Tennessee, was the trustee--he, hopefully, knew what was going on.

- 14 November 1923 (F9/197) to secure a \$2000 debt owed David Shaw and due in 3 years. This lien was "subordinate to F9/75" (i.e., a second mortgage), had F. S. McCandlish and George F. Buell as trustees and was released on 1 October 1929 (marginal note of F9/197).

Marion K. Humphries must have gotten a little weary of his liens for he sold this 100 acres to Cecil Connor on 14 January 1929 (K10/151); the sale was subject to 3 liens:

- F9/75--Humphries still owed \$6110.16: this only confuses things more since 6 years after he took out a lien for \$6000 he owed \$6110!

Clearly the \$6000 total is wrong, F9/75 did mean 35 years and not months
or . . . ;

- F9/197--\$2140 was still owed. Humphries surely did not repay
loans quickly but he must have a way with words to keep out of default all
these years;

- a 1928 lien for State, County and corporation taxes of \$150.

III: On 3 September 1859 (B4/240) Thomas/Dorothy F. Hazzard of Monroe County, N.Y., sold approximately 210 acres from their 600 acre tract to Sidney G. Miller of Alexandria for \$2500.

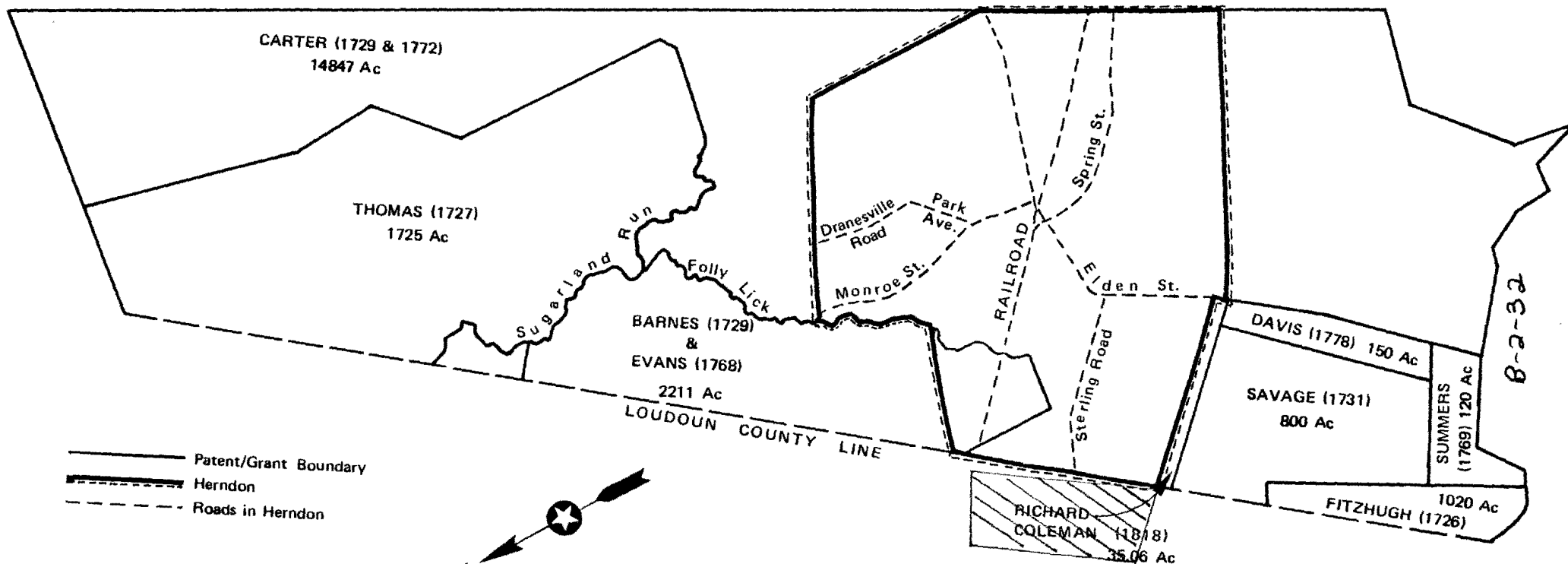
- a: begin at stake at foot of large pine tree at southwest corner of Martin Irish's land,
- b: to adjoining land of J. J. Coleman to pile of stones corner to A. Blundell's land (ba: N 43 1/2° W 130 poles),
- c: adjoining Blundell to planted stone corner to D. Blundell (cb: N 33 1/4° E 240 poles),
- d: cedar staked corner of Benjamin Caywood (dc: S 64° E 128 poles),
- a: adjoining lands of B. Caywood and M. Irish to beginning (ad: S 33 1/4° W 282 poles)

210 acres.

Figure: _____

DEED BOOK/PAGE: B4/240

DATE: 3 SEPT 1859 FROM: THOMAS HAZZARO TO: SIDNEY G. MILLER ACREAGE: 210 ACRES



Adapted from Mitchell, "Beginning at White Oak . . ."

Even a cursory look at the figure shows that I have placed these 210 acres entirely within Loudoun County. Why?

a. The 210 acres do not lie southwest of Herndon, in Fairfax County (area B);

- according to B4/240, these 210 acres were "part of the larger tract H. W. Thomas and R. H. Cockerille, commissioners, and Samuel Russell" sold to Thomas Hazzard on 3 January 1852 (Q3/351),
- this "larger tract" very clearly was part of Richard H. Cockerille's estate (Q3/351),
- Richard H. Cockerille bought this land from James Govan in about 1835 (see Chapter B),
- James Govan bought this "larger parcel" (plus another 1900 acres) from the Page family on 6 June 1821 (U2/355),
- Page received this land from Robert Carter, Jr.'s estate and Ferdinando Fairfax (Chapter B),
- The metes and bounds of the "Page Lott" as well as Carter's patent (see Chapter B) do not extend into area A of the next figure,
- in addition to this logic, the Davis and Savage patents encompass the land of B (see Appendices d and e).

b. The 210 acres do not lie south of Herndon (area A);

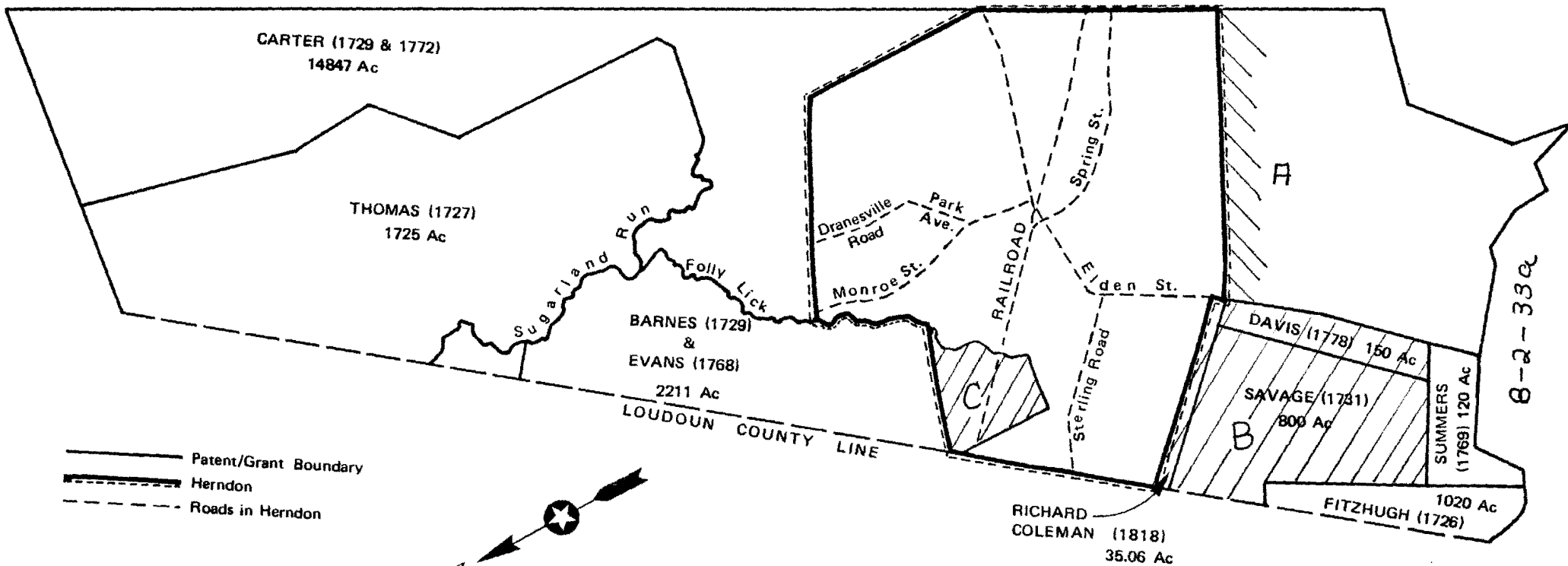
- the land of A very clearly was sold to Richard Coleman by Ferdinando Fairfax as part of a 1079 acre parcel (see Chapter E).

Figure: _____

DEED BOOK/PAGE: _____

DATE: _____ FROM: _____

TO: _____ ACREAGE: _____



Adapted from Mitchell, "Beginning at White Oak . . ."

SCALE:

2000' 4000'

1" = 4000' = 242.4 Rods

- the history of the ownership of this land does not involve Richard A. Cockerille; in fact, Richard Coleman's family owned the land at least until 1850.
- c. The 210 acres do not lie north of Herndon in area C:
- this land is the Barnes patent and the history of it is totally accounted for in Chapter A.
- d. The 210 acres do not lie within Herndon:
- all of the land comprising Herndon is accounted for by Chapters A through H.
- e. The metes and bounds of the 210 acres imply in themselves that they lie in Loudoun County:
- point a is the southwest corner of Martin Irish.
 - line "ba" clearly lies on the same straight line as segment "ba" of Irish--N 43 1/2° W.
 - point "d" is a corner to Benjamin Caywood.
 - line "ad" lies along the adjoining lands of Caywood and Irish and on a shared boundary line (S 33 1/4° W).
 - given the known placement of Irish and Caywood, there is no other way for Miller's land to be except as drawn--in Loudoun!

These arguments are too strong to ignore.

If this is so convincing, then why do the deeds argue for 1200 acres in Fairfax County and why are Miller's deeds in the Fairfax deed records? The most plausible (i.e., comes to mind the easiest) rationale is that since the dominant portion of Govan's 1200 acres (he must have divided the land into two parcels--1200 and 1300 before selling any of it) lies in Fairfax, the deeds affecting it were recorded in Fairfax.

When Govan sold the 600 acres to Cockerille (about 1835), this tradition was maintained. After Cockerille's death, the Courts had to settle his estate; it was easier to treat the 600 acre parcel as a single unit--to appoint commissioners of sale, record the deed of sale to Hazzard, etc., all in Fairfax, where 2/3 of the land actually lay.

After Miller bought the land from Hazzard, the authorities realized that these 210 acres were now a sovereign parcel and needed eventually to be moved into Loudoun county. Presumably this slowly happened (no search of Loudoun County records has been made).

Regardless of this latter hypothesis, the land must be within Loudoun; if that is not clear, surely it is undeniable that the 210 acres do not lie in Herndon. Consequently, the further history of these acres will be ignored, except for the following:

- Miller placed a lien on this (plus other) land to secure a debt owed E. and W. Bishop as "evidenced by a judgment of the Alexandria County Court rendered April 1860 for \$14,700 with interest and \$6.90 Court costs." This occurred on 19 September 1860 (G4/236--also see G4/55, G4/56).

- In June 1867 the Court ordered the land to be sold; the sale occurred on 21 October 1867. John F. Hanna bought the land for \$5.75 per

acre (\$1270 total); John Hanna assigned a third interest in the land to William Hanna and a third to Milton Hanna in November 1869 and the legal transfer to the three Hannas occurred on 1 December 1869 (K4/427).

- On 25 February 1879 (A5/289) the three Hannas of Dranesville District, Fairfax County, sold "3/8 interest in John Hanna's homestead . . . 200 acres more or less" for \$1000 to Rhoda, Nancy, Ellen, Maggie Hanna and May Vandersloot, all of the Dranesville District.