

Alexander & Alexander,
Attorneys at Law,
Leesburg, Va.

April 28, 1906.

W. R. Graham, Esq.,
Paeonian Springs, Va.

Dear Sir:-

We have examined into the question and find that it is not absolutely clear that the right of way reserved in the deed from Mr. Nichols to yourself is a personal one to David Mercier. The courts are very much inclined to hold such rights of way as appurtenant to the land. They are disposed to let in evidence to show the actual understanding of the parties in regard to such rights of way when any doubt is raised as to what the deed on its face appears to mean.

In such an inquiry in your case it is probable that McCray and Nichols would swear to sustain the claim of Grubb. We think, however, from what passed in an interview between Mr. Nichols and ourselves yesterday, that they are a little afraid of the question. At any rate, he asked us to invite you again to a conference with the Grubbs here, with a view to reaching an amicable adjustment of the matter. In view of the vexatiousness and expense of litigation, as well as the discords which it is liable to breed between neighbors, we think it worth the effort; or, at least worth while to have such an interview, and if you will indicate a day when it will suit you to come we will advise Mr. Nichols so that the Grubbs will be here.

Nichols suggested that the road should be located along the division line between Grubb and yourself, instead of across the field. He did not indicate that they had in their minds any idea of compensating you for the road, though they might come to that in the course of an interview. Yours truly, *Alexander & Alexander*