

Memorandum. The Deed of trust inserted in the foregoing Indenture
approprie of Henry Daines conveyance of a Tract of Land to John
Fort for the purpose therein mentioned, is received in Norfolk County
Court —

J. Fort

At a Court held for the County of Southampton on the 15th day of May 1840
This Indenture was acknowledged by J. Fort party hereto and is ordered
to be received —

Cobb
To
Fort &
Daines

Examined
& Delivered
For J. Fort
May 1840

To all to whom these presents writing shall come. I Benjamin
Cobb of the County of Southampton send greeting. Whereas by one
certain Indenture bearing date the 25th day of January in the year of
our Lord one thousand eight hundred and eight, between Stephen Barham
of the one part and Saml Wallace of the second part & Benjamin Cobb
of the third part, all of the County of Southampton. Witnesseth that
whereas that said Stephen Barham stands justly indebted to the said
Saml Wallace, by a writing obligatory upon his seal bearing equal date
with these presents (i.e.) with this Extract from the (Deed of trust), in the
sum of eighty seven Dollars & fifty Cents, one demand, and whereas for the
further assurance and securing the payments aforesaid, it is agreed by the said
Stephen Barham & Saml Wallace that a Conveyance in Trust shall be
made to the said Benj^a Cobb for the Benefit of the said Saml
Wallace. Now this Indenture witnesseth that the said Stephen Barham
for and in Consideration of the sum of one Dollar to him in hand paid
the rest whereof is hereby acknowledged, hath granted, bargained, sold
and by these presents, doth for himself, his heirs, executors & assigns grant
bargain and sell make over and confirms, unto the said Benj^a Cobb
& to his heirs or assigns a certain Lot or tenement of Land in the town
of Jerusalem in the County of Southampton and whereas the said Stephen
Barham now heirs. To have and to hold the said Lot or tenement
of Land with all and singular the improvements thereto belonging or in any
wise appertaining, with the appurtenances unto him the said Benj^a Cobb his
heirs and assigns in Trust nevertheless, and upon this express condition, that if
the said Stephen Barham, his heirs, executors or assigns shall or cause to be
paid to the said Saml Wallace his heirs executors or assigns the sum of Eighty
seven Dollars and fifty cents and Interest agreeable to the tenor of the last
aforesaid, on or before the 25th Day of February next ensuing, the said Lot
then the said Benj^a Cobb shall execute proper & legal release for the
property hereby conveyed; but it is agreed by the parties & it is declared