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hold the said tract or parcel of land, containing one hundred acres as
 aforesaid, with all singular the appurtenances thereto in any manner
 only proper use and behoof of him the said Henry Gurley his heirs execs or adms. To the
 power but upon this special trust and confidence nevertheless that if
 the said Jonathan Pope his heirs execs & adms. do shall will and truly pay
 or cause to be paid unto the said James Scott and Griffin within their lives or
 adms. or assigns the said several sums of money to them due as aforesaid so as
 not in any manner to harass or burthen the estate of the said Josiah Vick
 died within the payment thereof then this indenture to be void & of no
 effect and the said tract or parcel of land is to be recovered to the said Jonathan
 Pope or his heirs but should the estate of the said Josiah Vick die in
 danger of being burthensome with the payment of the debts or either of them
 or any part thereof by being sued therefor then upon the request of said
 Henry Gurley either of the said Josiah Vick died made to the said Henry
 Gurley his heirs execs or adms. having first advertised the same at Sampson
 Court house and at least five other public places for the space of
 four weeks to sell the said tract or parcel of land for ready money
 in so much thereof as shall be sufficient to pay and satisfy the amount
 of the said debts and interest if said shall be depending for them all at
 the same time together with the costs of such suits and if said shall
 not be depending for them all at the same time then it shall be lawful
 for the said Henry Gurley his heirs execs or adms. only to sell so
 much of the said tract or parcel of land as will pay and satisfy the
 sum or sums & amount of costs for which said or suits shall be actually
 depending which said part to be sold as last above mentioned may be
 pointed out by the said Jonathan Pope or his heirs. Provided however that if
 that part of the said land pointed out to be sold be insufficient to raise
 the money required it shall then be lawful for the said Henry Gurley his
 heirs execs or adms. to sell any other part thereof to make up the deficiency
 and where only a partial sale of the said land shall take place
 and any other surplus of money remain in the hands of the said
 Henry Gurley his heirs execs or adms. after paying the debt or debts
 with interest & costs then required to be paid & the necessary costs
 attending such sale then the surplus is to be applied by the said Henry
 Gurley his heirs execs or adms. to the credit of one of the said debts
 then remaining due and unpaid and in case more than one
 of the said debts due remain due and unpaid then the
 said Henry Gurley may apply to the credit to such one of the
 claims as he may prefer but if neither of the debts should
 then remain due and unpaid or if upon a total or impartial
 sale of the said land or any surplus money should remain
 in the hands of the said Henry Gurley his heirs execs or adms.
 after paying and satisfying the said debts interest & costs &
 the necessary charges attending such sale then such
 surplus in either case is to be paid by the said Henry