

this indenture To have and to hold the aforesaid property and all interest which the said Peter H. Fitch may have therein as aforesaid unto the James Rockelle his exec or adm and to their proper heirs and behoof forever. In witness whereof that of the said Peter H. Fitch has hereunto or administration shall at the request of the said John Thomas adm of Henry Lynsey decd his exec or adm pay to the said Levi Fay his hereunto adm or assigns the amount of the aforesaid debt due & owing to the said Levi Fay with all cost and interest which may accrue thereon or shall pay the same to the said John Thomas adm of Henry Lynsey decd his hereunto or adm and shall also pay to the said John Thomas adm of Henry Lynsey decd his hereunto or adm all such balance as may be due and owing to the estate of the said Henry Lynsey decd upon a settlement of the accounts aforesaid and all cost and interest which may become due from the said Peter H. Fitch to the said John Thomas adm aforesaid then this indenture and every thing herein contained as to become void. But if the said Peter H. Fitch has hereunto or adm should fail to pay the aforesaid indebtedness due to Levi Fay and also the aforesaid balances which may be due to the said John Thomas adm of Henry Lynsey decd together with all interest and costs accruing thereon at any time at the request of the said John Thomas his exec or adm then the said James Rockelle his hereunto or adm shall and may sell and dispose of the aforesaid property or the said Peter H. Fitch's interest in the same or any part thereof at public auction to the highest bidder for ready money previously notice of the time and place of sale for two weeks having been given by advertisement at the door of the Court house of this County and at as many other places as the said James Rockelle his hereunto or adm may deem necessary and the proceeds of such sale after paying thereout all the expenses attending the execution of this trust shall be applied by the said James Rockelle his hereunto or adm towards the discharge and payment of the aforesaid debt due to Levi Fay and the aforesaid balances which may be due and to the estate of Henry Lynsey decd or to John Thomas his adm with the interest which may thereon be due and the surplus of any pay to the said Peter H. Fitch his hereunto or adm and no further trust until such sale shall be made it shall be lawful to and for the said Peter H. Fitch to hold and use the aforesaid property and to enjoy the same and to continue his merchandise pursuits with the Capital now vested in that business till a sale of the aforesaid property shall be about to take place and then to surrender to the said James Rockelle his hereunto or adm all the aforesaid property peacefully & quietly together with his stock of goods then on hand books notes and accounts &c. and every other article of property which he the said Peter H. Fitch may be entitled to either in possession reversion or remainder and the said Peter H. Fitch for himself his hereunto or adm doth hereby promise Covenant & agree to and with the said James Rockelle and John Thomas adm of Henry Lynsey decd that he the said Peter H. Fitch and his hereunto or adm shall defend the right and title to the aforesaid property and every part and parcel thereof unto him the said James Rockelle his hereunto or adm against all and every person or persons claiming or to claim right title interest or estate therein or any part thereof and that incase of a sale thereof for the purpose aforesaid he the said Peter H. Fitch his hereunto or adm shall and will on request do all such acts as may be lawful for him to do for the conveyance of a title to the purchaser or purchasers thereof. In testimony whereof the parties to these presents have hereunto set their hand and seal this day. Witness first written signed sealed & delivered in presence of

Peter H. Fitch. *[Signature]*
John Thomas *[Signature]*
James Rockelle *[Signature]*

Southampton County. In the Clerk's Office 21st July 1826 This Indenture was acted by Peter H. Fitch John Thomas and James Rockelle the parties hereto & admitted to record and at a Court held for the aforesaid County of Southampton on the 21st Augst 1826 This Indenture as aforesaid was entered upon the proceedings of the day

[Signature] James Rockelle