

109
Warren
to
Hepburn

John Hepburn
appointed Trustee
July Court 1844

This Indenture made and entered into this day of 19th May in the year of our Lord one thousand eight hundred and twenty eight between John Warren of the first part Silas Sumnerell of the second part and John Merguliant of the third part all of the County of Southampton and State of Virginia. Witnesseth that the said John Warren for and in consideration of the sum of One hundred and four Dollars and thirty Cents which said sum is due from the said John Warren to the said John Merguliant by Bond bearing date the 19th day of May one thousand eight hundred and twenty eight as well as all other monies which may be due and owing from the said John Warren to the said John Merguliant by means of any dealings Transfer of debts or paper whatever and also for and in consideration of the sum of one dollar to him in hand paid by the said Silas Sumnerell the receipt of which the said John Warren doth hereby acknowledge. Each part is bargained and sold and by these presents doth hereby grant bargain and sell convey and make over unto the said Silas Sumnerell and his heirs forever all his right and interest in the following property TO-WIT one certain Tract of Land whereon the said John Warren now resides containing one hundred acres and bounded Lands of Benjamin Proctor and others belonging to him the said John Warren To have and to hold with all the right and interest of the said John Warren herein conveyed or intended to be conveyed to him the said Silas Sumnerell his heirs and assigns forever upon this Special Trust nevertheless that the said Silas Sumnerell upon being thereto required by the aforesaid John Merguliant shall proceed to sell all the right and interest of the said John Warren to the above named property hereby conveyed or intended to be conveyed after advertising the time and place in the said County of Southampton for Ten days previous at some public house or store for cash and out of the money arising out of from the said sale in the first place pay and satisfy all costs attending the said sale as well as the expense attending the conveyance and then pay off the Bond aforesaid with interest as well as all other monies which may appear to be due and owing from the said John Warren to the said John Merguliant by means of any dealings Transfer of debts or paper whatever and the surplus of any sum to the said John Warren and the said John Warren for himself his heirs Executors and assigns the right and title of the said property herein conveyed unto the said Silas Sumnerell his heirs and assigns forever doth hereby warrant and defend against the lawful claims claims of him the said John Warren his heirs Executors and assigns and against all and every other person or persons who may claim and the said Silas Sumnerell on his part covenants and agrees that he will make full title of the right and interest hereby conveyed for the best price he can obtain for the same after advertising the time & place for Ten days previous at some public house or store in the said County and with the monies arising from the sale first pay and satisfy all costs attending the same and also the expense attending the conveyance and then pay off the aforesaid Bond with interest as well as all other monies which may appear to the said Silas Sumnerell to be due and owing from the said John Warren to the said John Merguliant by means of any dealings Transfer of debts or paper whatever and then pay over plus of any ^{due} John Warren and the said ^{on his part} covenants and agrees that he will release the said John Warren from the obligation of the incumbrance upon the said John Warren paying him the amount of the aforesaid Bond with interest as well as all other monies which may be due and owing to him from the said John Warren by means of any dealings Transfer of debts or paper whatever the parties to these presents have hereunto set their hands and seals this day and year first above written

Signes sealed & delivered in presence of

John Warren (Sd)
Silas Sumnerell (Sd)
John Merguliant (Sd)
Jesse Thomas Nicholas (Sd)

Southampton County In the Clerk's Office the 2nd June 1828
This Indenture was ack. by John Merguliant one of the parties thereto and having been ack. in the Clerk's Office the 19th May 1828 by John Warren & Silas Sumnerell also parties thereto the same is admitted to record and at a Court held for the County aforesaid the 16th June 1828 the same is admitted to record upon the proceedings of the said