

page 272

James S. Husum
Henry Settlway

Southampton County In the Clerk's Office the 15th day of September 1835.
This Indenture was acknowledged by John C. Settle, James S. Husum & Henry Settlway parties thereto and admitted to record And at about twelve for the County of record the 20th day of October 1835 the said Indenture was entered upon the proceedings of the day
Tale James Rochelle Clerk

This Indenture made this 15th day of September in the year of our Lord one thousand eight hundred and thirty four by and between Williams Rice of the first part Joshua Rice of the second part and John C. Turner of third part, all of which are residents of the County of Southampton State of Virginia, Whereas the said Williams Rice stands justly indebted to the said Joshua Rice in the sum of Five hundred Dollars by note payable on demand and bearing the same date of this Indenture, the payment of which the said Williams Rice is willing and desirous effectually to assign and secure to the said Joshua Rice, Now this Indenture is Made so that the said Williams Rice as well in consideration of the premises as of the sum of One dollar current money of the United States to him in hand paid by the said John C. Turner Trustee, and before the making of and delivery of these presents the full sum is hereby acknowledged and from every part of which the said John C. Rice and all his legal representatives are forever released, absolved and discharged have granted bargained and sold and do hereby grant bargain and sell unto the said John C. Turner Trustee his heirs Executors & assigns as follows that to wit say the said John C. Rice has granted bargained and sold and do hereby grant bargain and sell unto the said John C. Turner his heirs and assigns a negro Boy by the name of Jacob otherwise called King, also a negro girl by the name of Martha and a negro woman by the name of Hannah with three children, Carter, Saml. & Giles to have and to hold the said property and also all the right, title, interest & claim whatsoever the said Williams Rice of in and to the same to him the said Joshua Rice his heirs, Executors & assigns forever. To the only proper use and behoof of him the said Joshua Rice his heirs, Executors & assigns forever. In Trust nevertheless that if the said Williams Rice or his heirs, Executors & assigns shall well and truly pay to the said Joshua Rice his heirs Executors and assigns the aforesaid sum of Five hundred Dollars with the interest which shall have accrued thereon on or before the 15th day of September 1835 then this Indenture and everything contained herein is to be void and of none effect, but if the said Williams Rice his heirs Executors or assigns shall or do not pay the said sum of Five hundred dollars with the interest which shall have accrued thereon on or before the said 15th day of September 1835 then upon the request in writing either of the said Joshua Rice his heirs Executors or assigns, or of the said Williams Rice his heirs Executors or assigns, the said John C. Turner Trustee shall and may sell and dispose of the above mentioned property at public auction for ready money on the premises of the said Williams Rice in the said County giving at least thirty days previous public notice of the time and place of such sale by advertisements posted up in at least three public places in the said County and that the proceeds of such sale after paying and satisfying all calls attending the execution of this trust be applied by the said John C. Turner to the discharge of the aforesaid sum of Five hundred dollars with the interest which shall have accrued thereon due and owing to the said Joshua Rice as aforesaid, or so much thereof as may then be due and any surplus of money there after remaining in the hands of the said John C. Turner is to be paid over to the said John C. Rice or his heirs Executors or assigns, or in case the debt interest and costs aforesaid be paid previous to the sale of the before described property that there and in that case the said John C. Turner is to