

207

and truly pay unto the said R. W. Daniel or demands the aforesaid sum of money with interest thereon and the expenses of this deed then these presents are to be null and void else the said Howell McIlhenny is hereby required to expose to public sale all the property herein mentioned for cash after giving the said Lee ten days notice of the time and place of sale and out of the proceeds pay and satisfy unto the said Daniel the aforesaid sum of money and interest together with the expenses hereof and the surplus (if any) pay unto the said Ben^g P. Lee. Given under our hands and seals this 27th day and year past above written.

Benjamin P. Lee (Seal)

Howell McIlhenny (Seal)

R. W. Daniel (Seal)

Southampton County In the Clerk's Office the 27th day of October 1841

This word of trust between Benjamin P. Lee of the first part Howell McIlhenny of the second part and Robert W. Daniel of the third part was acknowledged by all the parties thereto and admitted to Record—

John L. B. Cawwars Clk

Southampton County S.C.

we do hereby
Record
page 117

Exam^d

We Jacob Barnes and A. Myrick Justices of the Peace in and for the County of Southampton do hereby certify that Elizabeth Story wife of James Story residing to the unrecorded deed bearing date the 15th day of June 1841 personally appeared before us in our County and being examined by us privately and apart from her said husband and having the deed explained fully explained to her she the said Elizabeth Story acknowledged the same to be her act and deed and declared that she willingly signed sealed and delivered the same and that she wished not to retract it. Given under our hands and seals this 7th Oct 1841—

Jacob Barnes (Seal)

Alex. Myrick (Seal)

Southampton County In the Clerk's Office the 30th day of October 1841

This certificate of the private examination and acknowledgment of Elizabeth Story wife of James Story purports a deed of bargain and sale to Lewis Wick was this day returned and admitted to Record—

John L. B. Cawwars Clk

James
to
James
Exam^d of John
for James
May 31/1842

This Indenture made and entered into the 26th day of October in the year of our Lord 1841 between James James of the County of Southampton and State of Virginia of the first part and James D. Malbrook of the same County and State of the second part and Mark A. James of the same County and State of the third part. Witnesseth that whereas the said Mark A. James being bound as security for the said James James in the following debts (Viz) One note due Alexander McIlhenny for the sum of one hundred and seven dollars and fifty Cents due and on demand the 3rd day of March 1840 One note due the same for the sum of fifty nine dollars and thirty two Cents due and on demand the 9th of April 1838 Subject to a Credit of twenty two dollars paid the 15th Feb'y 1840 One note due the same for fifty eight dollars and nineteen Cents due the 5th day of October 1839 which said notes said have been instituted upon and are now pending in the Court of Southampton Also one note due to Francis G. Jones Guardⁿ for John McIlhenny for the sum of seventy one dollars and twenty five Cents due and on demand the 25th Decr. 1841 and whereas the said James James being desirous and willing to secure and save himself the said Mark A. James from paying the aforesaid debts