

James & wife
to
his trustee

Exam^r

This Indenture made this 2^d day of February in the year of Christ One thousand eight hundred and forty two between Samuel J. James and Sally, his wife of the first part, Lillian B. Edwards of the second part and Samuel B. Hines of the third part, Whereas the said Samuel B. Hines is owing to the said Samuel J. James that is to say in a forthcoming bond due James & Hines for the sum of One hundred and fifty nine dollars and fourteen Cents dated December 29th 1838, One other forthcoming bond due William and J. B. Mather for the sum of one hundred and twenty five dollars and forty eight Cents dated December 29th 1838, One other forthcoming bond due Joseph H. Parker executor of Susanna Cobb dec^d for the sum of sixty seven dollars and sixty four Cents dated December 29th 1838, and another forthcoming bond due John M. Bartley for the sum of forty dollars and fifty six Cents dated December 29th 1838, and whereas the said Samuel J. James built heretofore on the 14th day of January 1838, ~~his~~ ^{his} estate a deed of trust to Lillian B. Edwards as trustee in trust to secure the said Samuel B. Hines as security aforesaid to John B. Lawrence to a bond for off 2253. 95 and a bond due said Lawrence for thirty five hundred dollars or thereabouts, and the said Samuel J. James and Sally, his wife in order more effectually to secure the said Samuel B. Hines as security aforesaid from any loss or damage whatsoever has agreed to effect the same by conveying the property herein after mentioned unto the said Lillian B. Edwards, And Trustors therefore this Indenture witnesseth that the said Samuel J. James in consideration of the premises and of the sum of One dollar to him by the said Trustee in hand paid the receipt whereof is hereby acknowledged hath bargained and sold conveyed assigned and made over, and do by these presents bargain and sell conveyed assign and make over unto the said Lillian B. Edwards his heirs and assigns the following property to wit, One tract or parcel of Land containing One hundred acres being the land which Apurhance of Samuel B. Hines and others Commissioners to sell the land whereof Edward Hitchcock dec^d seized and proposed by a decree which will more fully by reference to the Clerk's Office of Portsmouth and the report of Commissioners, Also another tract or parcel of Land which the said Samuel J. James purchased of William H. Hatch dec^d containing forty seven and one half acres, To have and to hold the above tract of land mentioned unto the said Lillian B. Edwards his heirs, executors, administrators and assigns, And Trust and upon Consideration notwithstanding that at any time after the first day of June 1838 at the request of the said Samuel B. Hines his heirs, executors or assigns it shall and may be lawful for the said Lillian B. Edwards (or in case of his death for his legal personal representatives duly authorized to act) to make sale of the aforesaid tracts or parcels of Land to the highest bidder at public auction for cash having paid in the day and place of sale at his own discretion and given reasonable public notice and out of the proceeds to discharge all legal and usual Costs and expenses attending the sale and this money was in the second place to pay and satisfy the debt herein first recited to which the said Hines is security or reimburse the said Hines his heirs, executors or assigns the amount which he may have been compelled to pay as security and the balance if any pay unto the said Samuel J. James or his heirs - And the said Samuel J. James and his heirs covenant with the said Lillian B. Edwards that he is possessed of a fee simple estate in the lands aforesaid that he will forever warrant the same against all persons whatsoever - And Testimony whereof the said parties have hereunto set