

Southampton County In the Clerk's office the 16th day of March 1842

This deed of trust between Edwin D. Smith and James M. Dwyer of the first part L. R. Edwards of the second part and T. S. Mathon of the third part was acknowledged by all the parties thereto and admitted to Record -

Edwin D. Smith

James M. Dwyer

L. R. Edwards

T. S. Mathon

Filed Augustus M. Smith

Drury

~~This Certificate~~

made and entered into this the 16th day of March 1842

Between

Edwin D. Smith of the first part L. R. Edwards of the second part and Thomas Butler and Benjamin Dwyer Benjamin Griffin and Edwards Butler of the third part. Whereas

Edwin D.

Edwin D. Smith

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The said Edwards Butler and Smith have as security for the said Edwin D. Smith for his use and enjoyment administration of the Estate of William White dec'd and whereas the said Edwin D. Smith has been lately acting as deputy of Thomas Proctor and Benjamin Dwyer as high Sheriff of the County of Southampton - And whereas it is the wishing wish of the said Edwin D. Smith to save himself from all and every loss whatever and account his securityship of aforesaid and also to secure and save himself from all and every loss whatever and account of the misconduct, default or failure of the said Drury as deputy Sheriff as aforesaid in failing to execute and return process or paying to Drury received or process or in the management of an estate committed to the hands of Drury for administration. Now therefore this Certificate is given that the said Edwin D. Smith in consideration of the premises as well as for the further consideration of the sum of One dollar to him in hand paid by the said L. R. Edwards the receipt whereof is hereby acknowledged hath granted bargained sold and confirmed and by these presents doth grant bargain sell and confirm unto the said L. R. Edwards his Executors, administrators and assigns the following property to wit. One negro woman Ary and her children increase two horses One Mule four ewe and furniture, fifteen head of cattle 10 head of hogs 11 Jersey waggons 1 steer 1 cart and wherry plantation (timber) household and kitchen furniture. To have and to hold the property aforesaid unto him the said L. R. Edwards his Executors, administrators and assigns forever. Upon trust however that if the said Drury shall fail to pay whatever may be due from him to the Estate of William White dec'd upon the settlement of his administration or if he shall fail to pay the amount or amounts which he as late deputy of Thomas Proctor and Benjamin Dwyer and Benjamin Griffin Sheriffs of the County of Southampton may be delinquent for by reason of his failing to execute and due return make of process or process which may have come to the hands of the said Drury as Deputy Sheriff as aforesaid to execute or to pay over any money which he may have received in the character of Deputy Sheriff as aforesaid or fail to account for any money received by him on account of any estate or estates committed to the hands of the said Thomas Proctor and Benjamin Dwyer and Benjamin Griffin as Sheriffs as aforesaid for administration more especially the estate of William & Henry Rose and Joseph Rose and Patrick M. Dickerson, it shall and may be lawful upon the happening of each of the for the said L. R. Edwards (or in case of his death for his legal personal representatives lawfully authorized to act) from time to time as such defaults may occur to make and to properly inform or so much thereof as may be necessary for the purpose to the highest bidder for cash having given reasonable notice thereof and out of the proceeds in the