

347
Hoffen
to
Daly
Com? &
Daly

These Conditions made and entered into this 16th day of April in the year of our Lord One
Thousand Eight hundred and forty two between Benjamin Hoffen of the first part Robert M Daly
of the second part and Patrick Daly of the third part all of the County of Southampton and State of
Virginia. Witness that the said Benjamin Hoffen for and in consideration of the sum
of fifty dollars which said sum is due from the said Benjamin Hoffen to the said Patrick
Daly by bond bearing date the 21st day of March one thousand eight hundred and forty two as
well as all other monies which may be due and owing from the said Benjamin Hoffen
to the said Patrick Daly by means of any dealings transfer of any debt or paper whatsoever
in also for and in consideration of one dollar to me in hand paid by the said Robert M Daly
the receipt whereof the said Benjamin Hoffen doth hereby acknowledge hath granted
bargained and sold and by these presents doth grant bargain and sell convey and make over
unto the said Robert M Daly and his heirs forever all his right and interest in the Estate of
Robert Adams dec'd. To have and to hold with all the right and interest of the said Benjamin
Hoffen herein conveyed or intended to be conveyed to him the said Robert M Daly his heirs
and assigns forever upon this special trust nevertheless that said Robert M Daly upon being
thereby required by the aforesaid Patrick Daly shall proceed to sell all the right and interest
of the Benjamin Hoffen to the above named estate 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 the said
said sale in the first place pay and satisfy all Costs attending said sale as well as the expenses
attending the said conveyance and then pay off the bond aforesaid as well as all other monies
which may appear to be due and owing from the said Benjamin Hoffen to the said Patrick
Daly by means of any dealings transfer of debt or paper whatsoever and the surplus if any
pay to the said Benjamin Hoffen. And the said Benjamin Hoffen for himself his
heirs Executors and administrators the right and title in said Estate unto the said Robert
M Daly his heirs and assigns forever with hereby warrant and defend against the
lawful claims or claims of him the said Benjamin Hoffen his heirs Executors and
administrators and against all and every other person or persons whomsoever and the said
Robert M Daly on his part covenants and agrees that he will make sale of the right and
interest hereby conveyed for the best price he can obtain for the same after advertising the
time and place for ten days previous at some public house or store in said County and with
the money arising from such sale first pay and satisfy all Costs attending the same as well as the expenses
attending this conveyance and then pay off the aforesaid bond and interest as well as all other monies
which may appear to the said Robert M Daly to be justly due and owing from the said Benjamin Hoffen
to the said Patrick Daly by means of any dealings transfer of debt or paper whatsoever
and then pay the over plus if any to the said Benjamin Hoffen and the said Robert M Daly on his part
covenants and agrees that he will release the said Benjamin Hoffen from the obligation of this instrument
upon the said Benjamin Hoffen 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 Benjamin Hoffen by means of any dealings
transfer of debt or paper whatsoever. In witness whereof the parties to these presents have hereunto set
their hands and seals the day and year first above written.

Signed, sealed and delivered
In the presence of }

Benjamin Hoffen
made
Robert M Daly
Patrick Daly