

*Nelms wife
To
Vaughan's trustee*

Exam^d ge

This Indenture, made this 20th day of February in the year 1843 between
Elijah Nelms & Matilda his wife of the County of Southampton State of Virginia of
the first part James M Parker of the aforesaid County State of the second part and
Henry B Vaughan of the same County State of the third part Witnesseth, that the said
Elijah Nelms in order to secure provision for the payment of a bond given by the said
Nelms to the said Henry B Vaughan for the payment of Seven hundred and eighty
eight dollars of lawful money of the United States, bearing date on the 20th day of February
1843, & now due & payable as by the said bond more fully appear, and also for the con-
sideration of five dollars of like money, to the said Nelms wife in hand paid by the
said Parker before the signing sealing & delivery of this indenture have granted, bargained,
sold, aliened & conveyed & by these presents do grant, bargain, sell, alien and convey unto the
said James M Parker one tract or parcel of land situate, lying & being in the County
of State aforesaid, containing Four hundred & ninety one fourth acres, & bounded, on the
east by the road leading from Jerusalem to broad water bridge, on the north by the lands
of Bunwell Williams, & the lands belonging to the heirs of James Dell, on the West by the
land of Richards H Simmons's Est. & the land of John Scarborough, on the South by the
road leading from the broad water road to Petersburg. To have & to hold the said
tract or parcel of land & all the buildings & improvements thereon & the appurtenances of
every kind thereto belonging & all the estate, right, & interest of the said Nelms & Matilda
his wife therein, unto the said James M Parker his heirs & assigns forever but in trust, (Monthly,
and for the purposes following, to wit: First if the money now due by virtue of the before men-
tioned bond or any part of it shall remain due and unpaid by the said Nelms, his heirs
executors or administrators, to the said Henry B Vaughan his executors, administrators or
assigns, on the 20th day of February 1844, then & in that case the said James M Parker
shall thereafter, when required by the said Henry B Vaughan his executors, administrators or
assigns, or by his or their agent or agents in that behalf, sell & dispose of in fee simple, at public
auction, to the highest bidder, for ready money, the said tract of land with all the buildings &
improvements thereon, & the appurtenances of every kind thereto belonging, for the purpose of paying
the money so remaining due and unpaid as aforesaid, including interest on the principal at the
time of such sale, & also, for the purpose of defraying the costs & charges of such sale & thereupon
shall employ the sum by a deed or deeds sufficient in law to pass & assure to the purchaser or
purchasers a good title thereto, agreeably to the sale so made & the powers herein given. And
after making such sale & receiving the proceeds thereof, shall without delay proceed, first to
discharge the costs & charges of such sale & all the expenses attending the execution of the
trust hereby created; secondly to pay the money due by virtue of the said bond & then
remaining unpaid, including interest on the principal to the day of making the said
sale; and lastly, to account for and pay over to the said Elijah Nelms his executors
administrators or assigns, whatever sum of money of the proceeds may remain after the two
first objects have been effected; but if the time, place & time of such sale the said James
M Parker, after fixing the time & place thereof, at his discretion, shall give at least twenty
days notice by causing an advertisement thereof to be posted at the door of the Court
House & at least two other public places in the before mentioned County. Secondly
this indenture is upon this further confidence, that the said James M Parker shall
permitted the said Elijah Nelms & his heirs, & all persons claiming under him or them