from the day and date thereof for and during the full term of five years thence next ensuing all the estate property and effects together with all the franchises privileges and immunities acquired by the said Board of public Works under the provision of the Mortgages aforesaid and the act of the 27th day of February 1846 and the sale and purchase aforesaid, and which was leased to the said Trustees of Portsmouth by the said Indenture of the 8th of September 1846 and therein particularly mentioned and described, as will more fully and at large appear by reference to the said lease" And Whereas the Board of public Works in their capacity of President & Directors of the Seaboard and Roanoke Rail Road Company pursuant to the act of March 10th 1847 aforesaid have sold to the Trustees of Portsmouth all the right title and property which the said Board of public Works acquired under the Mortgages aforesaid, the act of February 27th 1846 aforesaid and the sale and purchase on the 4th of September 1846 aforesaid with all the franchises rights and immunities appertaining to the same upon the following Conditions to wit, "that the Board of public Works in their capacity of President and Directors of the Seaboard and Roanoke Rail Road company sell only such right title interest or estate as the Board in their capacity aforesaid has in the same: the Trustees of Portsmouth to take the hazard of all liens or claims against said Road and property it being understood that the Board only convey such title as they in their capacity as aforesaid have and give no guarantee against any claims on the property sold and the Trustees of Portsmouth to have no sett off against the ~~the~~ fifty thousand dollars the amount of the purchase money for any payments they may be compelled to make on account of the incumbrances or claims on the Road or the property sold the Trustees of Portsmouth to execute proper bonds for the payment of the instalments to wit fifteen thousand dollars in two years: fifteen thousand dollars in four years and the remainder in six years from the date of this Indenture each with interest, from the date, and a Mortgage for the security of the same on the property sold which Conditions have been accepted by the Trustees of Portsmouth and this sale and indenture it is distinctly understood, are ~~and~~ made and executed expressly upon them" Therefore This Indenture Made this 28th day of June in the year One thousand eight hundred and forty seven between the President and Directors of the Board of public Works in their Capacity as President and Directors of the Seaboard and Roanoke Rail Road Company of the one part "The Trustees of Portsmouth" of the other part" Witnesseth that the President and Directors of the Board of public works in their Capacity of President and Directors of the Seaboard and Roanoke Rail Road Company for and in Consideration of the sum of fifty thousand dollars to be secured as aforesaid and of five dollars to them in hand paid by the Trustees of Portsmouth at and before the sealing and delivery of these presents have granted bargained and sold released transferred and assigned and conveyed and by these presents do grant bargain sell release transfer assign and convey to the Trustees of Portsmouth" and their assigns all the right title and property of every nature and kind whatsoever and wheresoever situated or being which the Board of public Works acquired under the Mortgages of May 4th 1838 and October 4th 1839 herein before mentioned the act of February 27. 1846 aforesaid and the sale and purchase by them on the 4th of September 1846 aforesaid with all the franchises rights and immunities appertaining to the same upon the conditions heretofore mentioned to have and to hold the same to the Trustees of Portsmouth" and their assigns to their use and behoof forever the lease heretofore granted by the Board of public Works in their capacity of President and Directors of the Seaboard and Roanoke