

Released
July 31, 1858.
W.D.S. 1.6.58.

that for and in consideration of the premises and for the further consideration of one dollar to them in hand paid, the said James Butler and Martha his wife by the parties at and before the sealing and delivery of these presents the receipt whereof is hereby acknowledged, &c. the said James Butler and Martha his wife hath given, granted, bargained & sold and by these presents do give, grant, bargain and sell to the said John Barham his heirs and assigns forever, one certain tract or parcel of land on which the said James Butler and Martha his wife now reside, known as the land of Thos. Joyner's estate containing two hundred and eight acres be the same more or less adjoining the land of Matthew Mills, Jam Butler & James M. Clumy, also the whole of his the said James Butler's present growing crop of corn & fodder, one Day house twenty head of hogs and increase. To have and to hold to his the said John Barham's proper use and behoof forever; Upon Trust nevertheless, that the said Barham shall in case of the failure to pay the first mentioned sum on the 25th Oct. 1851, by the first day of Oct. 1852, after order from either one of the parties sell to the highest bidder for cash after giving at least ten days previous notice of the time, on the premises all of said crop, hogs & house and the proceeds to be paid to first come due, furthermore the said John Barham shall after orders from either one of the parties upon the failure to pay the whole of said debts on the 25th Oct. 1854, sell the aforesaid tract or parcel of land conveyed for cash first giving at least twenty days notice of time and place of sale, and if the proceeds first pay the expenses thereof, then all of the aforesaid debts due Harrison D. Pope and the balance if any pay over to the said W^m. Butler and Martha his wife or their legal representative, And the said James Butler and Martha his wife covenant with the said Jm. Barham that they are possessors of an absolute fee simple right in the property hereby conveyed, and that they will forever warrant and defend the same against themselves and all other persons whatsoever. In Testimony whereof we and each of us have set our hands and seals the day and year first written.

Signed, Sealed and delivered
In presence of

James Butler
Martha ^X Butler
Jm. Barham.
Harrison D. Pope

Seal
Seal
Seal
Seal
Seal

Southampton County, Va.

We, James D. Bryant & Ben. E. Pope two of the Justices of the peace for the County of Southampton aforesaid do hereby certify that Martha Butler the wife of James Butler parties to the annexed deed of trust bearing date the 17th day of May one thousand eight hundred and fifty two, this day personally appeared before us and apart from her said husband and having the deed fully explained to her she the said Martha Butler acknowledged the same to be her hand and seal, act and deed, and that she had willingly signed, sealed and delivered the same and that she wished not to retract it. Given under our hands and seals this 17th day of May one thousand eight hundred and fifty two.

J. D. Bryant, J. D.
Ben. E. Pope

Seal
Seal

Southampton County, Va. the Clerk's Office the 17th day of May 1852.

This Deed of Trust between James Butler & wife of the first part Jm. Barham of the second part and Harrison D. Pope of the third part, was acknowledged by the said Butler & Barham and together with the certificate of the jury examining them and acknowledgment of the said wife admitted to record.

L. J. Edwards, C. C.