

This Indenture made this the 13th day of May, A. D. 1851, between Mary E. Warburton of the County of Adams City of the one part, and William S. Spencer of said County a Trustee mutually chosen by the parties of the second part and Thomas D. Harris and Robert Warburton, both of the said County of Adams City of the third part, whereas the said Mary E. Warburton stands justly indebted to Robert Warburton upon a settlement of her acct. with him as his legally qualified guardian in the sum of one hundred and thirty five dollars and thirty cents, and whereas also the said Mary E. Warburton has become justly indebted to the said Robert Warburton in the further sum of eight hundred and eighty nine dollars and ninety two cents by reason of his responsibility incurred by him as her surety in various bonds to various individuals, some of which have already been paid off by the said Robert Warburton, and the remainder the said Robert Warburton having agreed and undertaken to satisfy, which said several sums of money amount in the whole to the sum of one thousand and twenty five dollars and twenty two cents for which sums of money respectively the said Mary E. Warburton has this 13th day of May A. D. 1851. executed her certain writing obligatory to the said Robert Warburton - and whereas also the said Mary E. Warburton stands justly indebted to the aforesaid Thomas D. Harris in the sum of three hundred and thirty eight dollars and seventy cents by reason of responsibility incurred, and money paid as her surety in various bonds for which said sum of money the said Mary E. Warburton has this day executed her certain writing obligatory bearing even date with this indenture, unto the said Thomas D. Harris - and whereas the said Mary E. Warburton is anxious, and desirous to secure the payment of the bonds aforesaid unto the said Robert Warburton, and also the bond aforesaid unto the said Thomas D. Harris, whenever the said obligees in said bonds shall require the same to be paid. - Now this Indenture witnesseth, that for and in consideration of the premises, and the further consideration of one dollar in hand paid to the said Mary E. Warburton by the said William S. Spencer trustee as aforesaid at and before the signing and delivery of these presents, the receipt whereof she doth hereby acknowledge, the said Mary E. Warburton hath given and granted, bargained and sold, transferred, and assigned, delivered and set over, and by these presents doth give and grant, bargain and sell, transfer and assign, deliver and set over unto the said William S. Spencer his executors, administrators and assigns the following property, to wit: one female slave, named Patsy, and her three children, Maria, Egan, and Lemmy, and the future increase of said Patsy, all my right, title and interest in and to a certain female slave called Seliza, the same being a life estate therein, and her future increase, all my right, title and interest in and to two slaves called Ben and George, the same being hired slaves for and during the present year, one yoke of Oxen, one cart and yoke, one waggon and gear, one tumbrel cart and gear, a lot of pine wood already severed about two hundred cords, a portion of which is now at the landing and the remainder in the woods - and also all that I may hereafter have cut during the present year, my growing crop of Corn and Oats, my stock of Cattle and hogs, and all my household and kitchen furniture of every sort and description. - To have and to hold all the aforesaid property as mentioned and

described hereinbefore unto the said William S. Spencer his executors, administrators and assigns. Upon special trust however, and to the following intents and purposes, and none other, whenever the aforesaid Robert Warburton and Thomas D. Harris or either of them shall require and direct the property herein conveyed for the purpose of this deed, to be sold and their debts respectively paid out of the proceeds thereof, the said William S. Spencer shall cause to be public auction, to the highest bidder, for cash, all of the property herein before bargained, sold and conveyed unto him, as trustee, thirty days notice of the time and place of sale to be given by an advertisement posted at the front door of the Courthouse of James City County and at least at two other public places in said County, and out of the proceeds arising from said sale, shall after defraying all necessary costs and charges attending the execution of this deed, shall first fully pay off and discharge the aforesaid bond for the sum of one thousand and twenty five dollars and twenty two cents executed to the aforesaid Robert Warburton with the legal interest which may thereon have accrued on each and also the aforesaid bond for the sum of three hundred and thirty eight dollars and seventy cents executed to the said Thomas D. Harris, with the legal interest which may thereon have accrued, and the residue, if any, shall distribute *pro rata* among the respective creditors of the said Mary C. Warburton. And the said William S. Spencer trustee as aforesaid shall, until he shall be required as aforesaid to make sale of the property herein conveyed for the purpose of this deed, permit the said Mary C. Warburton to be and remain in the quiet and peaceable possession of the same, and every part thereof, and receive, take, use and enjoy the profits, benefits and proceeds thereof as fully and effectually as if this deed had never been executed. In testimony whereof the said parties of the several parts have hereunto set their hands and affixed their seals on this 13th day of May 1851.

In the original:— The interlineation of words "sums of money respectively" on the first page and 18th line and also words "incurred by him" on first page and twelfth line from the top, also words, "one tumble cart and gear" on 2nd page and 16th line from top, also words "on each" on 3rd page and 9th line from top, were made before the signing and sealing of this deed.

Mary C. Warburton. (Seal)
 W. S. Spencer. (Seal)
 Robert Warburton. (Seal)
 Tho. D. Harris. (Seal)

Signed, sealed and acknowledged in our presence,
 Cyrus A. Branch.
 and J. W. Edloe.

In James City County Court Clerk's Office, May the 14th 1851.

This day the foregoing deed of trust, was proved before me in the office aforesaid, to be the act and deed of Mary C. Warburton, William S. Spencer, Robert Warburton and Thomas D. Harris, parties thereto, by the oaths of Cyrus A. Branch

and John W. Calce, the subscribing witnesses thereto, and thereupon the same was admitted to record.

Teste, J. C. Loggins Co.

A copy of
Teste, J. C. Loggins Co.

Mary W. Warburton

2/2 Copy Transl. Seced. . .

H. D. Harris J. C. Y. . .

Manuelish

Prohibito
of Sec. with Rice.

Warburton

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