

be recorded

I-471

Teste, Robert Sallard

Truly recorded
At a Court of monthly session held for King William County at the Court house on Monday
October 1812. The agreement from Warner Wormeley, entered to this day was put
On the Order of the Court. Attest, Connyel Leach and Donald McHale, Witnesses, Thence
to be recorded. Teste, Robert Sallard

This Indenture, Inpartite, made the thirteenth day
of the year of our Lord, One thousand eight hundred and twelve, Between
James Fox of Marston Lodge of the one part, Eleanor Wormeley, Carter Beverly and
John Chew of the second part and Edm^d. Littlepage of King William, of the third part
Witnesseth, that the said James Fox for and in consideration of the sum of three
thousand and nine hundred dollars which he stands justly indebted to the said
Wormeley, as Administrator & Carter Beverly and John Chew Administrators under
the will of Ralph Wormeley esq^r Dec^d of Rosagile, and due by two negotiable notes
with Capt John Fox as indorser, payable at the Bank of Virginia in the City of Richmond
as follows One for the sum of One thousand and thirty dollars at twelve months
after date, and the other for two thousand and sixty dollars at twenty four months of
date, both of which notes bear date the 12th day of February 1812. and carry interest
from their date, which several sums and interest the said James Fox is desirous to secure
and wishes honestly to pay to said Eleanor Wormeley, Carter Beverly and John Chew
or their assigns. And also for and in consideration of the sum of One dollar to him the
said James Fox in hand paid by the said Edm^d. Littlepage at and before the executing
and delivery hereof, the receipt of which sum the said James Fox doth hereby acknow-
ledge, and thereof acquit, exonerate and discharge said Edm^d. Littlepage his heirs and
executors for ever. He the said James Fox hath given, granted, bargained and sold, ab-
solved and confirmed, and by these presents doth give grant, bargain sell, alien, release
and confirm unto him the said Edm^d. Littlepage his heirs, executors, Administrators
Assigns for ever all that tract piece or parcel of land, situate lying and being
on Pamunkey river in the County of King William, containing by a survey and plan
made by Mr. John Fox the 2^d & 3^d of March 1808 four hundred acres, be the same
more or less, being part of Marston Lodge estate called Queen field farm, and pur-
chased by said James Fox of the Administrator and trustees of Ralph Wormeley
esq^r dec^d and which land is more particularly described in a deed of conveyance
from the said Eleanor Wormeley, Carter Beverly and John Chew to said James Fox
bearing date the 12th day of February 1812. together with all and singular the
appurtenances to the beforementioned piece or parcel of land belonging or in any wise
appertaining, and all buildings, ways, waters, watercourses, meadows, woods, grounds
and emoluments, and the reversion and reversions, remainder & remainders, rents, profits
and profits thereof, with all the estate, right, title interest, claim, property, tenement
whatsoever of him the said James Fox and his heirs, of us and to the before mentioned
lands, tenements, hereditaments and appurtenances and every part and parcel thereof
To have and to hold the said tract piece or parcel of land with all things
the appurtenances hereby bargained and sold unto him the said Edm^d. Littlepage

James Fox doth covenant, grant and agree to and with the said Edmund Littlepage his heirs, executors, administrators or assigns lawfully may for ever hereafter hold, use, occupy and enjoy the said land & premises clear from all other grants, bargains & sales, or incumbrances whatsoever, nevertheless for the following uses intents & purposes, that is to say, the said Edmund Littlepage his executors, administrators or assigns, soon as he or they shall be thereunto required by said Eleanor Wormeley, Carter Beverley and John Chew, either of them, their or either of their executors, administrators or assigns, after both of the negotiable notes aforesaid due, shall proceed to advertise for sale in some one news paper published in the City of Richmond the time and place of sale, and shall at public auction sell for cash to the highest bidder the premises hereby conveyed and intended to be bargained and sold, with all and singular thereto appertinances, or so much thereof as shall be by said Edmund Littlepage his executors or assigns deemed necessary, and out of the money arising from said sales, pay the costs of recording this indenture and all contingent and other expenses attending the execution of the trust hereby created, then pay and satisfy the said Eleanor Wormeley, Carter Beverley and John Chew, or their assigns, the two sums of money as aforesaid with the interest and any costs that may have accrued thereon or otherwise, according to the true intent & meaning of these premises, and the money arising by the sales, if any after discharging both the notes, interest and charges in full, pay or cause to be paid to the said James Fox his heirs, further that the said Edmund Littlepage his heirs, executors, administrators or assigns in any sale of the property before mentioned, or of any part, he or they shall execute any lawful deeds or writing for conveying a fee simple estate of the same as shall be sold, to the purchaser or purchasers. It is also agreed between the parties, that in the event of either of the aforesaid notes being protested for non payment, the holder may sue for the same under this deed, as he or they may choose or direct, or he or they may pursue any remedies at the same time until the full amount of the claims be recovered. Lastly that whenever the amount of the debts aforesaid shall have been satisfied, this indenture shall become void, and the said Edmund Littlepage his heirs, executors, administrators or assigns shall execute to said James Fox a proper & lawful release to the premises. In Witness whereof the parties herunto set their hands and seals the day & year first written within.

Witness my hand & seal
in presence of
James Fox
The Witness
James W. Powers

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James Fox
Eleanor Wormeley
Carter Beverley
John Chew
Edmund Littlepage