



to be admitted of service to him he had not then  
Howard Damages of the proper fees and Chittels of the  
said Charles the Elder to be Sought as by the Record of the  
said Judgment remaining in the said Court may more fully  
appear And Whereas in Execution upon the Judgment  
of said Court a writ was issued a Subpoena issued out of the  
said Court bearing Date the thirteenth day of the Instant  
Affirming and returning that the next Court of Common Pleas  
to be held the Second Thursday next per diem to the  
present Michaelmas of this present Year by every one  
Barnard then and still present Marshall of the said  
Court did seize the several Slaves hereinafter named  
and then in his custody had and retained unto the day  
the date hereof And whereas at or before the above  
present to the said Thomas Elliot and the said Charles  
Burnham party hereto Assented to go their way  
for the principall & Interest of the said several Obligations  
Upon which the Judgment of said Court was obtained  
And there was this day due Motion unto the said Thomas  
Elliot The Sum of One thousand Six hundred and thirty  
five pounds Eleven Shillings and one penny Current  
money and the said Thomas Elliot at the Special Instance  
and request of the said Charles the Elder did agree to discharge  
the said several Slaves to be Car in Execution at his suite as  
aforesaid and to accept now Bonds for the said Sum payable  
at the several days therein after mentioned with the Interest  
from the day And it is here as in pursuance to the  
said Agreement the said Twaddy Somerville & John Rapier  
at the Special Instance and request of the said  
Charles Burnham party hereto did for the discharge  
the said Sum of One thousand Six hundred & thirty five  
pounds Eleven Shillings & one penny and also the  
aforesaid Obligations have to the said Twaddy Somerville and  
John Rapier

Indenture hereof entered two several Obligations both  
bearing Date with these presents unto the said Thomas Elliot  
The One in the penalty of One thousand two hundred & sixteen  
pounds Lawfull money of South Brittain with Condition  
thereunderwritten to be paid on the payment of the sum of  
Six hundred thirty five pounds Eleven Shillings & one penny  
of the Lawfull money together with Lawfull Interest to be  
computed from the date thereof on or before the twenty fifth  
day of August next ensuing the other Obligation in the penalty  
of Two thousand two hundred pounds of the Lawfull money  
on or before the twenty fifth day of February which will be  
in the year four And One thousand Seven hundred and thirty  
and by the said said several written Obligation now in the hands of  
the said Thomas Elliot relation being thereto had may more  
fully & at large appear Now this Indenture with the  
that is well for the better securing of the payment of the said  
several Sums of Six hundred thirty five pounds Eleven Shillings  
& one penny with Interest & One thousand One hundred pounds  
in the several days Limited thereto for the said Twaddy Somerville  
and John Rapier to pay the said Twaddy Somerville & John  
Rapier from all actions trouble damages & Demandes  
which they or either of them may bear or sustain by reason  
of their entering into the said two several Obligations or either  
of them for or in Consideration of the Sum of ten Shillings  
of full money of this province to the said Charles Burnham  
party hereto in hand at or before the Executing & delivery  
of these presents by the said Twaddy Somerville & John  
Rapier well & truly paid the rest to be paid in hand by the said  
Charles Burnham party hereto hath bargained & sold & delivered & by these presents in plain  
open market & according to the form of Law to the  
Bargain sold & delivered unto the said Twaddy Somerville  
& John Rapier all & every the several & several Indian

and Molikah Slaves hereafter named To wit Thomas  
named Jack Caffos Warwick, Frank Tracy, James  
Paris, Six Women Sonny, Duff, Great Smith, Little  
Smith, Stinger & Ganette Five Boys named Ben, Ben-  
son, James & Tommy & four Girls named Popsy, Smith  
Phatop & Lay together with their Spouse and Slaves  
of the Estate right To wit of John Elliot the said  
Charles Burnham party hereto of me to the said  
some of them To have & to hold the said Bargained  
promises & covenants of them unto the said Thomas  
& John Napor their Exors Admors & assigns as their  
own proper Goods and Chattels & to their own proper  
use & use freely & peaceably & quietly for ever And  
the said Charles Burnham party hereto & his Exors  
& Admors the said bargained promises to the said Thomas  
Somerville & John Napor their Exors Admors & assigns  
that & with Warranty for ever defend be & to provide  
provided always & never the less & upon Condition that  
the said Charles Burnham party hereto his Exors &  
Admors do & shall well & truly pay for cause to be paid unto  
the said Thomas Elliot his Exors Admors & assigns  
the full & Just Sum of Six hundred thirty five pounds  
Eleven Shillings & one penny Lawfull money of  
South Carolina & forward with Lawfull interest to be  
computed from the day of the date hereof On or before  
the twelfth day of August next ensuing  
Which will be in the year of our Lord One thousand  
Seven hundred & thirty And also the full & Just  
Sum of One thousand One hundred pounds Law-  
full money On or before the twelfth day of  
August Which will be in the said year of our  
Lord One thousand Seven hundred & thirty and that  
in full satisfaction and discharge of the said

Seal

Several Obligations to whom the said Thomas  
Somerville John Napor are bound unto the said  
Thomas Elliot And also of the said Charles Burnham  
party hereto his Exors & Admors & shall from  
time to time & at all times hereafter Well & lawfully  
only save defend keep harmless & indemnify  
the said Thomas Somerville & John Napor  
or either of them their or either of their heirs Exors  
& assigns & their or either of their Lands Tenements Goods  
& Chattels of the said Thomas Elliot his Exors Admors  
& assigns of for hunting or consuming the said two  
Several written Obligations & either of them & of  
from all Actions Suits prosecutions process & costs  
Charges Damages & demands whatsoever that shall  
or may at any time hereafter happen arise & be  
had for or upon a Breach of them the said Thomas  
Somerville and John Napor Taking into the said  
Last written Obligation or either of them & the same  
thereon due or to become due Then this present Obligation  
shall be cancelled & become void & of no Effect &  
they shall stand & remain in full force & in law  
the twelfth day of August next ensuing each party to the  
present Obligation or have & to be charged by  
let their hands & seals the day of year first above  
written  
Charles Burnham  
Sealed & Delivered in the presence of us  
a Notary in possession of & to the within  
Granted & Bargained Slaves was read & given  
By the within named Cha. Burnham unto the  
within mentioned Thomas Somerville & John  
Napor by the delivery of the within writ.  
Negroes Warwick in the name of the whole  
Robt. Napor  
Robt. Murrey

Indemnity

To all people to whom these presents shall come  
I the within named Thomas do hereby certify  
Whereas the within named Charles Burnham did assign  
Solely to the said John Napier full and sole power  
the said John Napier as a Slave his indenture as a Servant  
On the Conditions for the said indenture as the same  
is proposed And Whereas the said Charles Burnham  
has not complied with the several Articles providing  
Conditions therein contained And that the said John  
Napier is now departed from this Province without  
me doing any satisfaction for or on account of the same  
Within mentioned So that I have been wholly obliged  
to make satisfaction for the several matters  
therein contained And Whereas the said John Napier  
has made me a Letter of Attorney or power to do &  
transact all matters & things relating to the within  
promises I do hereby certify that the said  
Thomas do hereby certify and with the consent and  
approbation of the said Charles Burnham testifies  
by his signing here to Joseph Townsend & Mary  
his Wife having made me the said Thomas do hereby  
the said John Napier full satisfaction of the said  
several Conditions Within expressed Which of  
right ought to have been before performed by the  
said Charles Burnham has granted a power  
of Attorney by these presents do Grant & give  
Solely unto the said Joseph Townsend & Mary  
his Wife his or their heirs Executors & Assigns  
as well therein mentioned promises the several Negro  
Slaves & Molatto Slaves hereinafter particularly named  
as the said John Napier has or has had in his possession

Witness the hand of the said Thomas  
do hereby certify and with the said Charles Burnham  
have made Solely to the said John Napier full and sole  
power of Attorney in the year of our Lord God One  
thousand seven hundred & thirty One  
Signed & Sealed  
in the presence of  
Thomas Bolton Qu. Burnham  
Sarah Burdette  
Elizabeth Craft

Thomas Bolton master of the Bath that he was  
personally present & did see the above Thomas do  
do hereby certify and Charles Burnham sign & seal  
relative thereto & signment of that Sarah  
Burdette & Elizabeth Craft being  
with us was then & is now present  
do hereby certify this 10<sup>th</sup> day of February 1731  
Thos Gregory

12 April 1732  
Recorded