

INDENTURE JOSEPH HARLAN TO JOHN D. MOON, SR., JAMES HAMNER

ALBEMARLE COUNTY

MARCH 5, 1845

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AN INDENTURE made this the 5th day of March One Thousand Eight Hundred and Forty-Five between JOSEPH HARLAN and JAMES W. HARLAN of the County of Albemarle of the first part, JOHN D. MOON, SR AND JAMES HAMNER of the said County of the second part and THOMAS STAPLES, JOHN TYLER, AND JAMES THOMPCKINS of the Town of Scottsville and County aforesaid and EDMUN G. TOMPKINS of the City of Richmond late merchants and partners trading under the firm and style of STAPLES, TYLER AND CO. of the third part. Whereas the said JOSEPH & JAMES W. HARLAN are justly indebted to the said STAPLES TYLER & CO. in the sum of THIRTY SIX HUNDRED AND EIGHTY SEVEN DOLLARS AND FIFTY-FIVE CENTS, due and payable on the first day of March 1845, by bond bearing date with these presents, the payment whereof the said JOSEPH AND JAMES W. HARLAN are desirous to secure, now this Indenture witnesseth: that for and in consideration of premises and for the further consideration of the sum of ONE DOLLAR in hand paid by the said JOHN D. MOON, SR AND JAMES HAMNER the receipt whereof is hereby acknowledged, they the said JOSEPH AND JAMES W. HARLAN DO by these present grant, bargain, sell and convey unto the said JOHN D. MOON, SR. AND JAMES HAMNER their heirs and assigns the following slaves viz: WILLIS, HARRY, FANNY, ELIZA, NELSON, ADAM, MARY, BETSY, JASPER, ELIZA, LOUISA, MARTHA, LEWIS?, INBOR?, TURNER, MOSELLEN, CHARLES, FANNY, ROSANNA, MORGAN, BETSY, DAVID, MARTHA, CARY, SELINA, ELIZABETH AND VINEY AND the future increase of the females.

To have and to hold to them the said JOHN D. MOON AND JAMES HAMNER their heirs and assigns forever, and the said JOSEPH AND JAMES W. HARLAN for themselves their heirs, executors, and administrators, do covenant with the said JOHN D. MOON SR, AND JAMES HAMNER their heirs and assigns that they the said JOSEPH AND JAMES W. HARLAN will and their heirs, executors and administrators shall warrant and defend the same to the said JOHN D. MOON, SR. & JAMES HANMER, their heirs and assigns forever, against the lawful claims and demands of all persons whatsoever, upon trust, nevertheless that the said JOHN D. MOON, SR. & JAMES HAMNER their heirs and assigns shall permit the said JOSEPH AND JAMES W. HARLAN to remain in quiet and peaceable possession of the said slaves and the future increase of the females, and take the profits, thereof to their own use until default be made in the payment of the said sum of THREE THOUSAND SIX HUNDRED AND EIGHTY-SEVEN DOLLARS AND FIFTY CENTS, in whole or in part and then upon this further trust, that the said JOHN D. MOON, SR. & JAMES HAMNER or either of them shall and will so soon after the happening of such default of payment as they or either of them shall be requested by the said STAPLES, TYLER & CO. their heirs, executors or administrators or assigns so to do sell the said slaves or such part thereof as shall be sufficient for the purpose, at public auction to the highest bidder for ready money. After having fixed the time and place of sale at their own discretion, and given sixty days notice thereof in one or more newspapers printed in the Town of Charlottesville and also notify the same by advertisement at the door of the Court-house of the county on some court day previous to the day of sale, shall after satisfying the expenses thereof and all other expenses attending the execution of this trust pay to the said STAPLES, TYLER & CO. their heirs, executors and administrators or assigns the debt aforesaid and the interest thereon or so much

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part, thereof as may be due, and the balance is any shall pay to the said JOSEPH AND JAMES W. HARLAN THEIR heirs, executors and administrators or assigns; But if the whole of the said debt and accruing interest shall be fully paid off and discharged to the said STAPLES TYLER & CO their heirs, executors, administrators or assigns, whenever they demand the payment of the same, so that no default of payment of the said debts be made then this INDENTURE shall be void or else remain in full force. In testimony whereof the parties to these present have hereunto set their hands and seals, this the day and year first before written.

JOSEPH HARLAN (SEAL)

JAMES W. HARLAN (SEAL)

In the Clerks office of Albemarle County Court the 13th day of March 1845 This deed was the day presented to me in said office and being duly certified to, as to all the parties therein, and was thereupon admitted to record.

(NOTE-SOMETIMES THE NAME HARLAN IN THE BEGINNING OF THIS DEED WAS SPELLED HARLIN AND HARLEN)