

DEED TO TRUST JANE HARLAN

TO BENJAMIN M. PERKINS

ALBEMARLE COUNTY

1 November 1837

DEED BOOK: 36 PAGE NO.: 7

THIS INDENTURE made this 1st day of November 1837 between JANE HARLAN of the first part, F.B. DYER & JOHN B. HART of the second part and BENJAMIN M. PERKINS all of the County of Albemarle and State of Virginia of the third part. Witnesseth that the said JANE HARLAN for and in consideration of the premises as well as the further consideration of the sum of ONE DOLLAR to her in hand paid by the said F.B. DYER & JOHN B. HART at and before the sealing and delivering of these present, the receipt whereof is hereby acknowledged. Hath given, granted, bargained, and sold unto the said F.B. DYER & JOHN B. HART their heirs and assigns and to the survivors of them the following estate viz:

The tract of land on which the said JANE HARLAN now lives adjoining the lands of ANDREW SQUAM (SQUIRE?) ESTATE, SAMUEL DYER, F.B. DYER AND OTHERS containing from ONE TO TWO HUNDRED ACRES be the same more or less and her two slaves BECKY & TOM. To have and to hold all and singular the privileges and appurtenances thereof, unto them the said F.B. DYER & JOHN B. HART their heirs, Exec, Adm. and assigns forever. And that free and clear of all claims and incumbrances whatsoever in trust nevertheless and upon the following conditions: That whereas the said JANE HARLAN is justly indebted to the said BENJAMIN M. PERKINS in the sum of THREE HUNDRED AND SEVENTY-NINE DOLLARS with interest from 1st November 1837. By bond of even date herewith, the payment of which, it is the intent and object of the Indenture to secure. Now therefore it is distinctly understood and agreed between the parties, that if the said JANE HARLAN shall fail to pay off the said bond and interest on or before the 1st day of November 1838 that then the said F.B. DYER & JOHN B. HART or the survivors of them or either of them shall thereupon or so soon thereafter as required by the said BENJAMIN M. PERKINS or his representatives proceed to sell at Public Auction for ready money the property hereby conveyed or so much thereof as may suffice to pay the debt. (The said JANE HARLAN always reserving the right to designate what shall be first sold) having first advertised the time and place of such sale for three weeks at some two or three Public places in the neighborhood or is one newspaper publisher in the County and out of the proceeds of such sale, having first defrayed the cost and charges of drawing and executing this deed, shall pay to the said BENJAMIN M. PERKINS his Exec. or the amount that may be due on the bond aforesaid and the balance of any, to the said JANE HARLAN her heirs, Exec. & Adm. provide always

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that the said F. B. DYER & JOHN B. HART shall will and truly permit the said JANE HARLAN to keep peaceable and quiet possession of the said land and negroes and enjoy the rents and profits thereof unto her own use until she shall make default in the payment of the bond and interest - aforesaid nevertheless should the said JANE HARLAN make no default in the payment of the said bond and interest at the time specified in this deed, but fully pay of and discharge the same, then this Indenture to be null and void. Otherwise to be of full force and virtue.

In Testimony whereof the parties hereto, have hereunto set their hands and affixed their seals this day and year above written

Signed, sealed and delivered in presence  
of

WILLIAM G. HARLIN

JANE HARLAN (SEAL)

F. B. DYER (SEAL)

JOHN B. HART (SEAL)

Albemarle County to Wit:

We. John D. Moon & W. D. Dabney, Justices of the Peace for the County aforesaid in the State of Virginia do hereby certify that JANE HARLAN a party to a certain deed bearing date on the first day of November 1837 and hereunto annexed this day personally appeared before us in our County aforesaid and acknowledged the deed aforesaid to be her act and deed desired us to certify her acknowledgement to the Clerk of the County Court of Albermarle in order that the deed aforesaid may be recorded - Given under our hands and seals this 25th day of January 1838.

J. D. MOON

W. L. DABNEY

At Court held Albemarle County 5th February 1838 This Indenture of Trust was produced in open court and being duly certified as to JANE HARLAN, a party thereto ordered to be recorded.

Teste,

Ira Garnett, C. C.

(NOTE: WILLIAM G. HARLIN WAS SON OF JANE HARLAN)