

or lets it being the true tract of land which was this day conveyed to the said Houghton & Philips and Joseph McWashington to the said Hugh H. Hite. By deed bearing date with the indenture, reference to which is now made for a full and particular description thereof and of the metes and bounds thereof. Together with all the appurtenances thereto belonging or in any wise appertaining to have and to hold the said hereby granted tract or parcel of land and premises with all appurtenances unto the said John W. Tyler, his heirs and assigns forever upon trust nevertheless shall the said John W. Tyler his heirs and assigns shall permit the said Hugh H. Hite to remain in quiet and peaceable possession of the said tract or parcel of land and its appurtenances and take the profits thereof unto his own use until default be made in the payment of the said sum of five thousand dollars or any part thereof or of the interest thereon either in whole or in part and then upon the further trust that he the said John W. Tyler shall and will so soon after the happening of such default of payment as he shall think fit or the said Houghton & Philips or either of them shall request sell the said tract of land and premises the appurtenances at public auction to the highest bidder generally many after many just in the time and place of day at his discretion & given thirty days notice thereof in some newspaper printed in the town of Warrenton, and out of the money arising from such sale shall after satisfying the charge thereof and all the expenses attending the premises pay to the said Houghton and Philips trustees as aforesaid or the assigns the said sum of five thousand dollars with interest thereon as aforesaid and the balance if any shall pay to the said Hugh H. Hite his executor or administrators or assigns. But if the whole of the said debt of five thousand dollars with all lawful interest thereon shall be fully paid off and discharged to the said Houghton and Philips by the said Hugh H. Hite. So that no default of payment exists therein then this indenture shall be void otherwise to remain in full force and virtue. In witness whereof the said Parties have hereunto set their hands and affixed their seals this day and year first

above written

H. H. Hite

(Seal)

David Blake

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