

or under him them or any of them provided always & it was notwithstanding agreed & concluded by & betwixt the parties to these presents & it was the true intent & meaning thereof that if the said William Holmes his heirs Executors or Assigns should make default in payment of the before mentioned summe of eight thousand pounds of tobacco to the said Robert Carvile his Executors Assigns or Assignes at the severall & respective daies of payment therein specified in part or in all that then that present Indenture of Bargaine & Sale & all & every Covenants Article Clause and agreement therein specified mentioned & contained should cease & determine & be void & of none effect any thing in these presents contained to the contrary thereof in any wise notwithstanding Now this Indenture further witnesseth that the said William Holmes & Frances his wife & Robert Carvile for & in consideration of the summe of six thousand pounds of good sound Merchantable tobacco & Casque to him the said Robert Carvile well & sufficiently paid & secured to be paid to the said Robert Carvile his Executors Assigns or Assignes by the said John Baker his Executors Assigns or Assignes the receipt of the security whereof the said Robert Carvile doth hereby acknowledge to have received & in consideration that the said Robert Carvile doth by these presents deliver up to be cancelled to the said William Holmes one bond of sixteen thousand pounds of tobacco payable with condition for the payment of the severall summes of tobacco aforesaid at the daies & times aforesaid And also in consideration that the said Robert Carvile doth for himselfe his heirs Executors & Assigns by these presents Release Reliance & for ever quitte Claim unto the said William Holmes his heirs Executors Assigns and Assignes all & all maner of action or Actions Cause or Causes of Actions Claimes property advantage benefitt & demand whatsoever of in or to the said Land or any part thereof by vertue of the proviso mentioned in the last recited deed abovementioned or if in touching or Concerning the payment of the severall summes aforesaid & also for & in consideration of the summe of five shillings in money sterling by him the said John Baker in hand attained before the sealing & delivery of these presents paid to the said William Holmes & Frances his wife the receipt whereof they the said William & Frances do hereby acknowledge & thereof every part & parcel thereof do by these presents fully & absolutely release Reliance & discharge the said John Baker his heirs Executors & Assigns by these presents & for divers other good Causes & Considerations that the said William Frances & Robert therunto specially moving have given granted bargained sold released & confirmed & by these presents do give grant bargain & sell release & confirm unto the said John Baker & his heirs for ever All that the before mentioned parcel of Land lying & being upon St Clares Brook in St Thomes bounding on the Brooke side North by a marked Oak & South by a marked pickherry being part of the said Lucas his Land whereon he dwelt & by him laid out & bounded in his life tyme with all profits & appurtenances whatsoever to the same belonging to have & to hold the said parcell of Land before by these presents mentioned to be granted bargained & sold to him the said John Baker his heirs & Assignes for ever free & clear & absolutely quitte & discharged of all maner of former & other bargaines sales gifts grants Judgments titles troubles & Incumbrances whatsoever done by the said William Holmes Frances his wife and Robert Carvile or any claiming by from or under them or any of them then as is above mentioned & set forth & the said William Holmes Frances his wife & Robert Carvile for themselves their heirs Executors & Assigns doth Covenant & agree to & with the said John Baker his heirs Executors & Assigns that he the said John Baker his heirs & Assignes shall & may from time to time & at all times hereafter peaceably & quietly hold & enjoy the said Land & premises without the let suite or Interruption of them the said William Holmes Frances his wife & Robert Carvile or any other person or persons claiming by from or under them or any of them (then as is before recited)

In testimony whereof the said William Frances & Robert have therunto set their hands &

Sealed & delivered in the Presence of
Sotts Sargeant
Thomas Smyth

William Holmes (1: a l d)
Frances Holmes (1: a l d)
Robert Carvile (Sealed)