Munick Jas. To Bryant Rushing Page 235

This indenture made this ninth day of January 1838 between James Munick the debtor of the first part, John M. McClanahan the Trustee of the second part, and Bryant Rushing the creditor of the third part, whereas the said James Munick is justly indebted to the said Bryant Rushing in the sum of one hundred and fifty dollars, due the 25th of December next as by note bearing date the 6th day of Jany 1838 more fully appears which debt the said Munick is willing and desirous to secure now this indenture, Witnesseth: that for and in consideration of the premises, and also for the further sum of one dollar to the said James Munick in hand paid by John M. McClanahan the Trustee at and before the sealing & delivering of these presents the receipt whereof is hereby acknowledged he the said James Munick has given, granted

bargained, sold, aliened, enfeoffed, released and confirmed, and by these presents doth give grant, bargain, sell, alien, enfeoff release and confirm to the said John M. McClanahan his heirs & assigns forever all that tract or parcel of land lying and being in the County of Shelby Ala. known as the South East fourth, North West fourth, section No. 2 township 20 township two range one west containing thirty nine 80/100 acres with all and singular the appurtenances to the same belonging and all the estate of the said Munick in and to the said lands to have and to hold the same to the said McClanahan his heirs assigns &c. upon trust nevertheless that the said John M. McClanahan his heirs and assigns shall permit the said Munick to remain in quiet and peaceable possession of the said land and take the profits thereof to himself until default be made in the payment of the said sum of one hundred & fifty dollars with interest either, in whole or in part. And then the said John M. McClanahan his assigns &c, shall and will so soon after the happening of such default, of payment as he may think proper, or the said Bryant Rushing his executor or administrator shall request sell the said lands to the highest bidder for cash at public Auction in the town of Columbiana after giving due notice by advertisement at least thirty days in three public places in the County and out of the monies arising out of the sale, of said land after paying the charges thereof pay to the said Bryant Rushing his heirs & assigns the said sum of one hundred and fifty dollars with interest, and the balance if any pay to the said James Munick his heirs & assigns &c. But if the whole of the said sum of money shall be paid to Bryant Rushing his assigns &c, on or before the 25th of December next, then this obligation to be void, else to remain in full force & effect, In testimony whereof the said parties to these presents, have hereunto set their hands & seals, the day & date first above written. Signed, sealed & delivered in

in presence
Richard L. Moore. James his + mark Murick (Seal)
William H. Rulking John Mc Clanahan (Seal)
Robert R. Rulking. Bryant Rulking (Seal)
Acknowledged before me this same day.
John M. Mc Clanahan J.P.
Filed for record 20 January 1838 and recorded
6 Feb. 1838. Test O. B. Harris clk.