Vincent Garner To John C. Mundine 10V

This Indenture made this twenty Eight day of April in the year of our Lord One Thousand eight hundred and thirty eight between Vincent Garner the Debtor of the first part John ~~C. Mundine~~ M. McClanahan the Trustee of the second part and John C. Mundine the creditor of the third part all of Shelby County State of Alabama, Witnesseth that whereas the said Vincent Garner is justly indebted To the said John C. Mundine in the following sums of money Towit and due as follows Towit: One note for Twenty Dollars To be due 25 Decr 1838 - one for thirty eight Dollars to be due 23^d day of Nov 1838 one for seventeen Dollars To be due 25th Decr 1838 and one for eleven 50/100 Dollars to be due 25th Decr 1838 which said debts the said Vincent Garner is anxious and desirous To secure now the said Vincent Garner for and in consideration of the sum of One Dollar To him in hand paid by John M. McClanahan the Trustee the receipt whereof is hereby acknowledged has given granted bargained and sold and by these presents does give grant bargain and sell To the said John M. McClanahan the following Tract of land To-wit The East half north East quarter Section No. thirty four Township no. twenty Range One East lying and being in said County of Shelby - To have and To hold upon trust nevertheless that if default be made in the payment of the said several sums of money above named either in the whole or in part and thereupon trust that the said Trustee shall and will at Room after the happening of such default at the said Mundine his heirs or assigns place request, sell the said tract of Land To the highest bidder for ready money at public auction after having fixed the time and place of said sale and given Thirty days notice in at least three public places To-wit Harperville Wilsonville and Columbiana and after paying the charges pay To the said Mundine the several sums of money as aforesaid and the balance

if any to the said Garner and if the whole of the said sums of money be paid then this obligation to be void else to remain in full force and effect - In testimony whereof we have hereunto set our hands and seals, the day and date first above written -

Signed Sealed and delivered. } Vincent his ✗ mark Garner (Seal)
in presence of J M Thomas, } John M. McClanahan (Seal)
J Johnson, S. B. Grady - } John D. Mundine (Seal)

The State of Alabama } Before me Thomas Toomey
Shelby County } an acting Justice of the Peace in and for said County personally came Vincent Garner John M. McClanahan and John D. Mundine and severally acknowledged that they signed sealed and delivered the foregoing Deed of Trust on the day therein mentioned for the use and purposes therein contained - Witness my ~~hand~~ official act 28 April 1838.

Thomas Toomey (Seal)
Justice of the Peace.

Filed for record 30 April 1838 and recorded same day - Test A. B. Harris Clk -