Joseph Francis To Thomas J. Walker 187

This Indenture made this 10th day of October 1839 between Joseph Francis of the first part and Thomas J. Walker of the second part whereas the said Joseph Francis is justly indebted James L. S. Kilman in the sum of four hundred and thirty two Dollars which sum is due in several installments viz: The first promissory note is due on the twenty fifth of December 1840 for one hundred Dollars one due December the twenty fifth 1841 for one hundred Dollars one due December the twenty fifth 1842 for one hundred and sixteen Dollars and also one due in December the twenty fifth 1843 for one hundred and Sixteen dollars for which sum the said Thomas J. Walker is security which said debt the said Joseph Francis is anxious and willing to secure and also to secure the said Thos. J. Walker harmless against all loss in consequence of being security for said debt now this indenture witnesseth that for and in consideration of the premises and also for the further sum of one Dollar to the said Francis in hand paid by the said Thomas J. Walker the receipt whereof is hereby acknowledged he the said Joseph Francis has given granted bargained and sold & by these presents doth give grant bargain & sell unto the said Thomas J. Walker his heirs and assigns forever the following described property (to wit) one yoke of oxen one Road wagon one Sorrel horse one gray mare two beds & furniture one clock & three yearlings two cows three cows and calves two hundred bushels of corn Seven Stacks of fodder twenty head of hogs one Stack of oats and also all my house hold and kitchen furniture not enumerated above together with all and singular the above mentioned property and every part thereof to the said Thomas J. Walker his heirs executors administrators & assigns forever and the said Joseph Francis for himself his heirs &c the above described and hereby granted property he will by these presents warrant & forever defend unto the said Thomas J. Walker his heirs &c against

the claim of all persons whatsoever upon trust nevertheless that the said Thos. J. Walker shall permit the said Joseph Francis to remain in quiet possession of the said above stated property till the demands become due which their several interests against the said Francis whereas the said Walker is security and upon the further trust that the said Thos. J. Walker if in his judgment he shall think proper on the said James S Skillman shall request shall sell the said above described property to the highest bidder at public auction for money at Montevallo Given ~~twenty days~~ twenty days notice of the time and place of said sale by advertisement put at some public place in the town of Montevallo and out of the money of said sale shall after satisfying the charges thereof pay to said Skillman the said debt with interest accruing thereon and the balance if any they shall pay to the said Francis his administrators or assigns but further should the said Joseph Francis pay or satisfy the said debt and interest in any other manner before said sale or when payment shall be demanded then this instrument to be void else to remain in full force and virtue in witness whereof the said parties to these presents have hereunto set their hands and affixed their seals the day and date first above written

Joseph Francis (Seal)
Thos. J. Walker (Seal)

The State of Alabama } I, Jordan Jones one of
Shelby County } the acting Justice of the Peace in and for said County of Shelby do hereby certify that Thomas J. Walker and Joseph Francis did this day personally come before me and sign seal and deliver the foregoing Deed of Trust for the use and purpose therein containing witness my official act this 10th October 1839. Jordan Jones (Seal)
Justice of the Peace

The State of Alabama } I, Noel Mason Clerk
Shelby County } of County Court in and for said County & State aforesaid do hereby

certify that Thomas J. Walker and acknowledged that if he was to die before the land is in mortgage is redeemed that the said Francis can have the chance to redeem it by paying them said notes this 10th October 1839 In testimony I set my hand and seal

Noel Mason Clk

Filed for record 10th October 1839 & recorded 11th October A.D. 1839 - Noel Mason Clk.