409

John Gaddis
to
Coal. Co

The State of Alabama } This Indenture
Shelby County } made and this
4th day of September 1855 between John
Gaddis of the first part Robert Thomas
of the second part and the Alabama Coal
Mining Company of the third part whereas the
said John Gaddis is justly indebted to the
said party of the third part in the sum
of 1400 now due for money advanced to
him and also in the sum $400 dec 1856
dollars due and payable on the 25th day
of by his Promissory note payable to said
party of the third part which said debts
the said John Gaddis is willing and anx
ious to secure Now this Indenture witnesseth
that for and in consideration of the premises
and the futher sum Consideration of one
dollar to them in hand paid by the said
Robert Thomas at and before the sealing
and delivering of these presents he the said
John Gaddis hath given granted bargained
and sold and by these presents doth give grant
bargain and sell ~~and Convey~~ unto the said party
of the second part his heirs and assigns
forever the following personal property to wit
20 mules 5 waggons with the geaning thereto belong
ing with all the right title and interest of him
the said John Gaddis and to the said
hereby bargained premises to have and
to hold the said mules waggons and geaning
to the said Robert Thomas his heirs executors
administrators and assigns forever and to their
own proper use and behoof and the said
John Gaddis doth hereby covenant and
agree with the said Robert Thomas to defend
and warrant the title to said property
to him his heirs and assigns forever by these pres
ents against all persons claiming or to claim
the same upon trust nevertheless that the said
Robert Thomas shall permit the said John Gaddis
to remain in possession of said mules waggons
and geaning till default be made in payment
of said debts and upon the further trust that
in case default be made in the payment of said
in whole or in part that then the said Robert
Thomas upon request of the said party of the
third part shall sell at public outcry said
mules waggons and geaning or so much
as shall be necessary to satisfy said debts

and Daily first giving ten days notice by advertisement posted at Montevallo for said money first paying the costs of this deed then said debt and interest if any thereon and the remainder if any pay over to the said John Gaddis his administrators or assigns But if said debt interest and costs be fully paid &c that there be no default then this indenture to be void else of full force and effect

In Witness Whereof we have hereunto set our hands and seals this day of Sept 1853

Signed sealed and Delivered in the presence of James Cobb
M. V. B. Pemp
Larkin Gentry Agt H C mining

John his X mark Gaddis (seal)
Robert, Shannes (seal)
John M Moore (seal)

The State of Alabama } I
Shelby County } Justice of the Peace for said County hereby certify that John Gaddis Robert Shannes and

Whose names are signed to the foregoing Conveyance and who are known to me acknowledged before me on this day that being informed of the Contents of the Conveyance he executed it voluntarily on the day the same bears date

Given under my hand this day Sept 1853

Justice of Peace

Filed and Recorded the 3d Decem 1853
J. M. McCleanahan Judge Probate