Dubose to Butler & Lyman

The State of Alabama } This Indenture Made this sixteenth
Shelby County } day of May Eighteen hundred & fifty seven
between Benjamin C Dubose of the first part & E Davis of the second part & Butler & Lyman of the second part all of the county aforesaid Witnesseth that whereas the said Benj Dubose is indebted to the said Butler & Lyman in the sum of one Hundred & twenty 81/100 Dollars the same being a promissory Note dated May the 16th 1857 & due on the first day of Nov next & the said Benj C Dubose have bargained sold claimed and conveyed and by this presents doth bargain sell claim and convey unto the said E Davis for and in consideration of the sum of five Dollars in hand paid at and before the ensealing and delivery of these presents the receipt whereof is hereby acknowledged the following Crop planted and growing to wit so much of my crop of cotton now planted and growing as will make seven Thousand pounds in the seed said Crop of Cotton to be gathered & pressed by the said Benjamin Dubose & Benjamin C Dubose do for myself my heirs and assignes warrant and will ever defend unto the said E Davis a good and lawful right to the Crop herein described against all and every person whatsoever in trust nevertheless should said Benjamin C Dubose

pay or cause to be paid to said Butler & Lyman the Note herein described On or before the first day of November next this obligation to be void and of No Effect But should the said Benjamin C Dubose fail to pay the same on or before the first day of November next in that case the said E Davis to sell the crop herein described at the House of said Benjamin C Dubose now lives first giving fifteen days Notice then the said E Davis shall apply the proceeds to the payment of the Note herein described and if there should remain a balance in the hands of the said E Davis arising from the sale of the within described Crop after paying the within described note then the said E Davis shall pay the balance over to the said Benjamin C Dubose after paying the Expenses of conveying this Instrument to Effect given under my hand and this 16th day of May 1857 Benjamin C Dubose (Seal)

State of Ala } before me D W Prentice acting Justice
Shelby County } of the Peace in and for said County
personally appeared Benj C Dubose and acknowledge that he signed sealed and Delivered the forgoing Deed for the purpose therein specified on the day and date therein mentioned given under my hand and this 16 day of May 1857 D W Prentice (Seal)
J P

Filed & Recorded June 6 day 1857
J M McClanahan Judge of Probate