

D. Gothard

To

D. N. McClanahan

The State of Alabama This Indenture made and entered into this 3rd day of January 1858 between David Gothard debtor of the first part and D. N. McClanahan & Co. creditor of the second part, Witnesseth: that whereas the said party of the first part is justly indebted to the party of the second part in the sum of four hundred & twenty three \$71.00 dollars due by promissory note payable on or before the 10th day of Jan'y 1858; and the said party of the first part being desirous to secure the payment of said indebtedness for and in consideration thereof and for the further consideration of the sum of one dollar to said party of the first part in hand paid by the said party of the second part the receipt whereof is hereby acknowledged the said party of the first part has sold and hereby sells and conveys to the said party of the second part the following described property to wit: Two horses two mules road waggon and harness the same that the said party of the first part has now in his possession to have and to hold in trust as follows: It is hereby agreed that the said party of the first part is to have and retain possession of said property until the 1st day of January 1859 and if the said party of the first part shall fully pay to the said party of the second part said debt with interest thereon and the reasonable expenses hereof by said 1st day of January 1859 then this Indenture to be null and void. But upon default of such payment said party of the second part is hereby authorized to take into to possession and sell said property to the highest bidder for cash after giving twenty days notice of the time and place of said sale by advertisement posted up at three public places and out of the proceeds of said sale retain the said sum of four hundred & twenty three \$71.00 dollars and interest thereon & reasonable costs hereof and the balance if pay to the said party of the first part Given under our hands and seals this day and year above written

Test G. L. Gothard

David ^{his} Gothard, JS
mark

B. W. Pearson

The State of Alabama D. N. McClanahan & Co. JS
Shelby County J. F. H. McClanahan Judge
of Probate for said County hereby certify that
David Gothard and David N. McClanahan
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 they were

cutted the same voluntarily on the day the same bears
 date. Given under my hand this 8 day of January A.
 D. 1868

J. M. McClanahan

Judge of Probate

Filed for record this 9th day of Jan'y 1868

J. M. McClanahan

Judge of Probate