

Gothard
 To
 Rushing

The State of Alabama This Indenture made and
 Shelby County entered into this 9th day of
 January 1858 between David and Pamela Gothard
 Debtors of the first part and B.B. Rushing 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 in the sum of six hundred and
 twelve and 00/100 dollars by promissory note due 25th day
 of December 1858. Whereas the party of the first part
 being desirous to secure the payment of said indebted-
 ness for and in consideration thereof and for the fur-
 ther consideration of the sum of one dollar to
 the said party of the first part in hand paid by the said
 party of the second part the receipt whereof is here-
 by acknowledged that said party of the first part
 has sold and hereby sells and conveys to the said party
 of the second part the following described proper-
 ty to wit: the West 1/2 of the S.W. 1/4 and twenty eight
 acres of the South End of the N. 1/2 of the S.W. 1/4 of
 Section 2. Township 24 Range 14 East Containing
 one hundred and eight acres. 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 pos-
 session of said property until the 25 day of Decem-
 ber 1858. 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 expen-
 ses hereof by said 25 day of December 1858 then
 this Indenture is to be null and void. But upon
 default of such payment the said party of the
 second part is hereby authorized to take into
 possession and sell said property to the high-
 est bidder for cash after giving ten 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 sum of six hundred and twelve and
 00/100 dollars and interest thereon and reason-
 able costs hereof and the balance if any

pay to the said party of the first part Given under
our hands and seals this day and year above writ-
ten.

Witness Wesley Armstrong ^{mark} David & Gothard ^{mark} DS
Pamelia ^{mark} DS
G. W. Gothard
Virginia A. Gothard

The State of Alabama, J. W. McClanahan
Shelby County Judge of Probate in and
for said County hereby certify that Wesley
Armstrong a subscribing witness to the fore-
going Conveyance known to me appeared
before me on this day and being sworn
stated that David Gothard and Pamelia Goth-
ard the grantors in the Conveyance executed
the same voluntarily in his presence and
in the presence of the other subscribing wit-
nesses on the day the same bears date. That he
attested the same in the presence of the gran-
tors and of the other witnesses and that such other
witnesses subscribed their names as witnesses
in his presence. Given under my hand this
28th day of January A. D. 1858 J. W. McClanahan

Judge of Probate
Filed for record 28th January 1858
J. W. McClanahan
Judge of Probate