Martha Patton
G.W. Hewitt
to
R.A. Hewitt

The State of Alabama }
Jefferson County } This Indenture made & entered into by and between Matthew Patton debtor of the first part & ~~Robert A Fessel~~ G.W. Hewitt Creditor of the second part & Robert A Fessel Creditor of the third part. Witnesseth that whereas the said Matthew Patton is indebted to the said R.A. Fessell by promissory note dated 18 Sept 1859 & payable on the first day of Jany 1860 for the sum of two hundred & fifty four 90/100 and the said Matthew Patton being willing & anxious to secure s^d debt as he had promised to do when contracting the same. Now in consideration of the premises above stated as well as the further sum of dollar to him in hand paid by the s^d party of the second part I the said party of the first part have this day bargained sold & delivered & by these presents do bargain sell and deliver unto the said party of the second part the following described real & personal property. Viz. the north half of the South West quarter of Sec No. 3. Township 19. Range 3 West. also all the house rails. boards & other improvements on the N/2 of the NW/4 of Sec. 3. Tow. 19 Range 3 West on said eighty. also one Brown Mule one yoke of Oxen, one four horse wagon to have and to hold unto the said party of the second part his heirs and assigns forever. In trust however as subject to the following conditions. If the s^d Matthew Patton shall on or before the 1st day of January 1860 pay off said note above described then this deed to be void. But should the said Matthew Patton fail or refuse to pay the same by the 1st day of January next then it shall be the duty of the s^d party of the second part as soon as he shall be requested so do to advertise the same at three public places in Shelby &

Jefferson County and to sell the same at at Elyton after giving 30 days notice as as described for cash and out of the proceeds of said sale pay off s^d note & interest & the costs of this ac and the balance if any left to pay over to the s^d Matthew Patton In testimony whereof we have this 14 day of September 1859. set our hands & seal

Test
Wm S Earnest
Thomas Jr Eaele

Matthew his X mark Patton
G W Hewitt
R A Terrell

State of Alabama }
Jefferson County } I Moses Kelly Judge of Probate hereby certify that Wm S Earnest a subscribing witness to the foregoing conveyance known to me appeared before me this day and being sworn states that Matthew Patton the Grantor in the conveyance voluntarily executed the same in his presence and in the presence of the other subscribing witness on the day the same bears date. that he attested the same in the presence of the grantor & of the other witness and that such other witness subscribed his name as a witness in his presence. Given under my hand This 17th day of September A.D 1859

Moses Kelly
Judge of Probate

Filed & Recorded the 17th day of Sept 1859
J M McCunahan
Judge of Probate