Lawley to Barnes

This Indenture made and entered into this Oct 3rd 1859 between Joseph Lawley of the County of Shelby & State of Alabama of the 1st part and G. S. Barnes of the same place of the second part. Whereas the party of the first part is justly indebted unto the party of the second part in the sum of One hundred Dollars evidenced by his promissory notes bearing even date with this instrument each for fifty dollars are due one day after date the other due 1st January 1861. and whereas the party of the ~~second~~ first part is anxious and desirous of securing the payment of said notes to the party of the second part now in consideration of the

premises as for the further consideration of one dollar to him in hand paid by the party of the second part at and before the ensealing and delivery of these presents has granted bargained and sold and by these presents does grant bargain sell & convey unto this party of the second part his heirs & assigns the following lands & personal property to wit. forty Acres of land upon which Henry Clark resided last year and upon which he is now living adjacent to "poplar flat," in Shelby County Ala. also seven or eight Acres of cotton now growing where I now live. To have and hold unto the said party of the second part his heirs and assigns forever. The condition of the above mortgage is as follows. That if the above bounden Joseph Lolly shall fail to pay or cause to be paid either of said notes on the day the same or either of them fall due then the said party of the second part is hereby authorized to seize the property herein conveyed and sell the same in the Town of Montevallo at public outcry to the highest bidder for cash upon giving five days notice by posting a written notice in said Town. And appropriate the proceeds of said Sale to the satisfaction of this Mortgage. otherwise to be null & void. Witness our hands & seals the day & date above written. Test C. G. Samuel

Joseph + Lolly (L.S.) seal
his mark
G. J. Barnes seal

The State of Alabama }
Shelby County } I J P Morgan an Acting Justice of the peace in and for said county State aforesaid hereby Certify that Joseph Lolly & G J Barnes 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 Executed the same voluntarily on the day the same bears date. Given under my hand this 3rd October 1859.

J. P. Morgan JP

Filed for Record the 4th day of Oct 1859.
Recorded the 5th Oct 1859.

J M M Clanahan Jr