The State of Alabama } This Indenture made this 3 day of
Shelby County } December Eighteen hundred & sixty
one between W H McGaughey of the first part E W North of
the second part & Lyman & Davis of the third part all
of the State and County aforesaid Witnesseth that whereas
the said W H McGaughey is indebted to the said
Lyman & Davis the sum of one hundred thirty 43/100
the same being a promissory note dated Dec 3 1861
& due Jany 1 1862 I the said W H McGaughey have
bargained sold aliened & conveyed & by these Presents
doth bargain sell alien & convey unto the said E W
North for and in consideration of the sum of five
dollars by the said E W North to the said W H McGaughey
in hand paid at and before the ensealing & delivery
of these Presents the receipt whereof is hereby acknowledged
the following described tract of land situate &
being in the County aforesaid to wit S½ of S½
of Sec 9 also the S½ of the S½ of Sec 8 also all
of the W½ of the NW¼ of Sec 16 that lies on the
W side of the public road leading from Montevallo to Elyton all in Township 22 Range 3
W & lying and being in the Tuskaloosa Land District
but I W H McGaughey do for myself my heirs & assigns
warrant & will ever defend unto the said E W
North a good & lawful right to the land herein
described against all and every person whatsoever
in truth nevertheless shall the said W H
McGaughey pay or cause to be paid to the said
E W North the note herein described on or before
the 1 day of January next then this obligation to be
void and of no effect but should the said W H McG
aughey fail to pay the same on or before the first
day of January next in that case the said E W North
may proceed to sell the land herein described at
the house of public outcry first giving 10 days
notice and then the said E W North shall apply the
proceeds of the sale of the said land herein described
to the payment of the said note herein described
the balance if any to the said E W North after paying the said note
the balance if any to the said W H McGaughey
after paying the expense of carrying this trust into
effect given under my hand & seal this 3 Dec
1861

W H McGaughey Seal

Filed & recorded 11 Dec 1861
Felix McClendon Judge of Probate

The State of Alabama } Before me Francis Nabors an
Shelby County } acting notary public in and for
said County personally appeared W H McGaughey who
acknowledged that he signed sealed & delivered the
foregoing deed for the purposes therein specified
and on the day & date therein mentioned given under
my hand & seal 3 Dec 1861 Francis Nabors