W. C. Tongewife
To
Thomas McConaughy

This Indenture Made this the 30th day of September 1869 between William C. Toney and Elizabeth Toney his wife of the first part, and Thomas McConaughy, of the second part all of Shelby County, State of Alabama.
Witnesseth; That the party of the first part for and in consideration of the Sum of One Dollar to them in hand paid, the receipt whereof is hereby acknowledged have bargained Sold and conveyed and by these presents do bargain Sell, and convey unto the Said party of the Second his heirs & assigns forever, the following described Lands to wit!
The South East 1/4 of the SE 1/4 of Section Nine. Also the East 1/2 of the North East 1/4 of Section 16 Township 24 Range 13 East being in all one Hundred & Twenty acres, be the Same More or less lying in the Tuskaloosa Land District together with the hereditaments and appertenances thereunto belonging or in any wise appertaining!, And Also all the estate, right, title, interest, dower and right of dower Claim and demand whatsoever of the Said party of the first part, of, in and to the Same; To have and to hold the herein before described premises with the appertenances unto the Said party of the Second part his heirs and assigns, to his and their own proper use benefit

and behalf forever. This Conveyance is intended as a Mortgage to secure the payment of a certain Note of hand made and Executed by the aforesaid William C. Toney, payable to the party of the second part bearing Even date with this mortgage, for the Sum of One hundred & twenty nine dollars payable on the First day of January 1870 — Also for any liabilities he the Said Wm. C. Toney may hereafter Create to the Said M. McConaughy; And these presents shall be void if ~~any~~ Said note be paid when it maturity together with any liabilities which the Said Toney may Create to the Said M. McConaughy — But in case default be made in the payment of Said note and liabilities on the rest, & am nest; then the party of the Second part his Executors, administrators and assigns are hereby empowered to sell the premises above described with the appurtenances, or any part thereof at public out Cry after giving thirty days notice of the time and place of Sale, by posting up notices in three public places in Said County, and out of the Money arising from such Sale to retain the amount of Said note and liabilities which he the Said Toney may hereafter make to the Said McConaughy together with the Costs and charges of making such Sale, and the surplus if any there be, shall be paid by the party making such Sale on demand to the party of the first part, their heirs or assigns.

In witness whereof, the Said party of the first part hereunto set their hands and seals, the day and year first above written

(Revenue Stamp fifty Cents)

Wm. C. Toney Seal
Elizabeth Mx her Toney Seal
mark

State of Alabama }
Shelby County } Before me J. P. Morgan an Acting Justice of the Peace in and for Said County personally appeared Wm C Toney and Elizabeth Toney his wife who are known to me acknowledged before me on this day that being informed of the Contents of this Conveyance they executed the Same on this day the Same bears date.

Given under my hand this 18 September 1869

J. P. Morgan J. P.

Filed for & Recorded November 4th 1869

J T Leeper
Judge of Probate