

Merrill Jonathan
Is
Lewis & Castlebury

State of Alabama & This Indenture
Shelby County & made and entered
into this 2^d day of

P

Sept 1871 between Jonathan Merrill debtor
of the first part and D. Y. Castlebury and
B. B. Lewis Creditors of the 2^d part witness
eth. That whereas the said party of the
first part is fully indebted to the party
of the second part in the sum of six
ty dollars due by payment rendered
on the 5th day of August 1871 and
payable on or before the 5th day of
August 1871; and the said party of the
1st part being desirous to secure the pay-
ment of said indebtedness; for and
in consideration thereof and for the
further consideration of the sum of one
dollar to the said party of the first part
in hand paid by the said party of the
2^d part receipt whereof is hereby acknowledged the said party of the 1st part

has sold and hereby sells and conveys to the said party of the 2^d part the following described property to wit: One Sorrell mare about five years old and one Rose Colt about 1 year old. to have and to hold in trust as follows: It is hereby agreed the said party of the 1st part is to have and to ~~have~~ ~~in trust~~ retain possession of the said property until the 1st day of January 1872 and if said party of the 1st part shall fully pay to the said party of the 2^d part said debt with interest thereon and reasonable expenses hereof by said 1st day of January 1872 then this indenture is to be null and void. But upon default of such payment the said party of the 2^d part is authorized to take into possession and sell said property to the highest bidder for cash after giving ten days notice of the time and place of said sale by publication by posting at three public places and out of the proceeds of said sale retain the sum of Sixty Seven ~~four hundred~~ dollars and interest thereon and the reasonable costs hereof and the balance if any pay to the said party of the first part. Signed sealed and delivered this 2^d day of Sept.

Johnathan Merrill *[Signature]*
D. T. Castlebury *[Signature]*

The State of Alabama } A. M. Elliott - Notary
Shelby County } my Public for said
County hereby Certify
that Johnathan Merrill & D. T. Castlebury 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. Witness my hand this 2^d day of Sept 1871.

A. M. Elliott

A. P. & Exff. J. P.

Filed in the Probate Office Shelby County Alabama for Record Sept 2^d 1871 & Recorded Sept 5th 1871.

J. T. Luper
Judge of Probate