Cahaba Coal Co.
To
Henry A Longley

Known all men by these presents That the Cahaba Coal Company a body corporate under the laws of the State of Alabama acting herein by Lucius H Mellen and Ga M Kellogg Commissioners for said Corporation for the purpose ~~of~~ fully authorized and empowered, have granted in consideration of the sum Eight Thousand Dollars bargained and sold and do by these presents grant bargain and sell alien quit claim and convey unto Henry A Longley Trustee and to his heirs and assigns the following described property, Situated lying and being in the County of Shelby and State of Alabama viz: The South half of the South west quarter and the west half of the South East quarter and the North East quarter of the South East quarter, East half of the North East quarter all in Section nine (9) and North half of Section Seventeen (17) also an undivided five Eights ⅝ interest in the following tract viz: South East quarter and south half of of North East quarter and East half of the South West quarter and East half of North West quarter and North West quarter of North East quarter in Section Eight (8) and North half of South West quarter and East half of North West quarter (except so much of of the last named tract as lies on the North East side of the Cahaba River including the whole channel of the River within the tract hereby con-

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=veyed) and South West-quarter of the North East-quarter
and the North West-quarter of North East-quarter
9 of Section nine (9) and also all the mineral Coal with
the right of Easting by roads, and such other pri-
vileges as may be necessary for working the same
and the following lands viz: The South East-quarter
and the west-half of the North West-quarter of
4 Section four (4) and the South East-quarter of
5 the North East-quarter of Section five (5) and North
half of South West-quarter of Section four (4) and
the South half of South East-quarter of Section
five (5) and the South West-Quarter of South West
3 quarter of section four (4) all the said lands
20 being in Township Twenty Range three west in
the District lands subjected to Sale at Tuscaloosa Ala
also all the Machinery tools and implements of all
kinds belonging to the said Cahaba Coal Company
on said premises and used in mining Coal on
the above described lands also all accounts rents &
demands of ~~everyday~~ ~~kind~~ description due the Cahaba
Coal Company. To have and to hold said real and
personal property above described and conveyed together
with all and singular the tenements appurtenances
and hereditaments with the said Henry A. Langley
Trustee and his heirs and assigns in the fee simple
forever. On Trust Nevertheless and this conveyance
is made upon the following express condition:
That is, that whereas the said above described lands
of said corporation were sold under execution
against said Cahaba Coal Company on or about the
27th day of June 1870 by Thomas Harrison Sheriff
of Shelby County and whereas the same are now
claimed by and are in possession of one Sylvester Steel
under and by virtue of a deed to the same made
and delivered to him by one William White
said White having purchased said lands under
Sheriff's sale, and whereas said Cahaba Coal Company
have instituted proceedings for the recovery of said
lands by a tender of the amount due under his
said purchase to Steel, and by a bill in equity
filed in the Chancery Court of Shelby County
Alabama against said Steel and whereas
H A Langley Henry S. Porter J. B. Spoon
J. M. Hedges James L. Whitney and S E Bridgeman
through Henry A Langley Trustee have advanced
to said the Cahaba Coal Company and have
loaned the necessary money to make said
tender and commence said legal proceeding

to wit the sum of Eight Thousand Dollars as is evidenced by the promissory note of said the Cahaba Coal Company payable to said H. A. Langley Trustee twelve months after this date with interest from August 10th 1872 at the rate of Eight (8) per Cent for said sum of Eight Thousand Dollars Pursuant to Notice a Meeting of the direction of the Cahaba Coal Company was held at Springfield Mass. Aug 10th 1872 a Majority being present and Henry S. Porter The President in the Chair. The Secretary being absent J. M. Kellogg was chosen Secretary Protem. On Motion of L. F. Mellen it was Resolved. That whereas at a meeting of the Stock holders and Directors of the Cahaba Coal Company held at Helena Alabama June 4th 1872 it was voted at each of these meetings that a mortgages Should be issued on the the property of the Company to secure parties for money advanced And whereas it is deemed necessary That Commissioners be appointed to execute this Mortgages for the Company We therefore appoint L. F. Mellen and J. M. Kellogg Commissioners with power to execute a mortgage for Eight Thousand Dollars to H. A. Langley Trustee to secure certain parties who have advanced money for the purpose of redeeming the property of the Cahaba Coal Company which was held by Sylvester Steele a Tender having been made June 4th 1872 also to pay two judgments held by M. Myers & Co. & Vandergrift — expense of suit &c. And whereas the said the Cahaba Coal Company is desirous to fully secure the said parties for said loan as well as for any sums paid out and expended by them as cost charges and fees or other necessary Expense which may be incurred by them in and about the prosecution of said suit against said Steele the evidence of which is to be the receipt of the officer of the Court or other persons to whom such fees costs or expenses may be paid —

Now therefore — if the said the Cahaba Coal Company shall fully pay or cause to be paid the said debt as Evidenced by said promissory note as well as whatever sum of money may be hereafter paid by said Langley as Trustee as fees costs and expenses as aforesaid &c. Waiving Thereof the said Langley shall have no further claims on said property hereby conveyed and this conveyance is to be ~~void~~ null and void and of no effect —

But if said ~~that~~ the Cahaba Coal Company

fail to pay or cause to be paid. The said promissory note at the Maturity thereof or so much of it as may still be due and unpaid as well as whatever sum may have been expended as afore said as costs fees and expenses ~~as afore said~~ in the prosecution of said suit = Then and in that event the said Langley or his agent or attorney may enter upon said premises hereby conveyed and take possession of all of said above mentioned ~~and~~ real and personal property after advertising the same for Thirty days in a daily paper published in the following named Cities viz: Selma Montgomery Alabama — bidder for May sell said property to the highest bidder ~~for cash~~ at public auction for cash and said advertisements must state the time place & terms of sale and the place of sale is to be either Selma or Montgomery or Columbiana Alabama — and with the proceeds of said sale said Langley is to pay off first of all the necessary expenses of the sale such as fees commissions and other costs of the sale and then pay said promissory note and such other fees costs and Expenses paid and as afore said in the prosecution of said suit as evidenced by the receipts for the same and the remainder if any he is to pay to said The Cohabo Coal Company their successors or assigns — In witness whereof the said corporation by said Commissioners for that purpose ~~of~~ duly authorized has hereunto set their hands and caused the corporate seal of said company to be affixed this tenth day of August = 1872

Seal

Seal

Attest —
A. Perry Peck
William Lyman

Lucius F. Mellen
Joseph M. Kellogg

L.F.M.
J.M.K.

State of Massachusetts } Revenue Stamp $2.00
County of Hampshire }
Town of Northampton } I A. Perry Peck a duly commissioned and qualified Notary Public in and for said State County certify that Lucius F. Mellen and Joseph M. Kellogg whose names as signed to the foregoing conveyance and who are known to me acknowledge before me on this day that being informed of the contents of this conveyance they executed the same voluntarily on the day the same bears date —
Given under my hand and official seal this tenth day of August A.D. 1872

A. Perry, Peck, N. Public
~~J. T. Lupe Judge of Probate~~

Filed for Record Aug 29, 1872 & Recorded Aug 28, 1872
J. T. Lupe Judge of Probate