Stacks. E.
To.
Jos R. Smith.

P

This Indenture made and entered into this January the 31st 1873 between E Stacks of Shelby County of the first part and Jos R. Smith of Jefferson County of the second part all of the state of Alabama – Witnesseth that whereas the said E. Stacks of the first part is justly indebted to Jos. R. Smith of the second part in the sum of Forty six 52/100 dollars by account and wishing to buy goods and necessaries to the amount of seventy five dollars more or less from the said Jos. R. Smith store during the present year and being desirous of securing the payment of the above described sums and what further sum that may accrue for goods and necessaries during the present year has this day bargained sold and Conveyed to the said Jos. R. Smith his heirs and assigns the following described property to wit One Roan mare blazed face twelve years old, One yoke steers aged five years called Tobe and Riley, One 3/4 wagon also all of the Crop of Corn and Cotton to be planted on the place now occupied and worked by the said E. Stacks, the said E. Stacks binds himself to plant and Cultivate said Cotton and Corn Crop in a good and farmerlike manner to gather put up and deliver in Elyton Cotton in good order to have and to hold on the following Conditions and trust.
Now if the said E. Stacks shall by the twenty fifth day of December next pay off the above described sums together with what further sum that may accrue during the present year and expenses of this deed then this to be null void and of no effect. – Otherwise the said Jos. R. Smith may as soon thereafter as he may elect and in case of his death his administrator proceed to sell at the Court house door in the town of Columbiana all or as much of said described property for Cash as will satisfy all the above described Claims by giving ten days notice by written advertisement posted at the Court house door in the town of Columbiana and two other public places in Shelby County and appropriate to the payment of all the above described Claims and the remainder if any to be paid over to the said E. Stacks Given under our hands and seals this 31st January 1873.

Attest R. S. Montgomery
J. L. Smith

E his × mark Stacks (Seal)

State of Alabama } I John C. Morrow Judge of the Probate Court
Jefferson County } in and for said County hereby Certify that R. S. Montgomery a subscribing witness to the foregoing Conveyance known to me appeared before me this day and being sworn stated that E. Stacks the grantor in the Conveyance voluntarily executed the same in his presence and in the presence of the other subscribing witness, that he attested the same in the presence

of the grantor and the other witness, and that such other witness subscribed his name as a witness in his presence — Witness my hand this 6th day of February 1873. John C. Moore Judge of Probate.

Filed in the Probate office Shelby Co Ala for Record February 10th 1873 and Recorded February 18th 1873 in deed book R. R. on pages 487. J. T. Lupo Judge of Probate