Tinney Joseph & T. W. Tinney To Dunn & Nelson

The State of Alabama, Shelby County } This indenture made and entered into this 8th day of March 1878, between Joseph Tinney & Right Tinney debtor of the first part and Dunn & Nelson creditor of the 2nd part, witnesseth: That whereas the said party of the 1st ~~2nd~~ part is justly indebted to the party of the 2nd part in the sum of One hundred dollars, due by note and payable on or before the 1st day of Nov 1878; and the said party of the 1st part being desirous to secure the payment of said indebtedness; for and in consideration thereof the said party of the 1st part has sold, and hereby sells and conveys to the said party of the 2nd part, the following described property, to wit: All the crop of corn & cotton to be raised by both or either of us in the year 1878, also one Bay Horse mule about 10 years old, also one Bay Mare mule about three years old, one Two horse wagon, also one cow and two yearlings. To have and to hold, in trust, as follows: It is hereby agreed that the said party of the 1st part is to have and retain possession of the said property until the 1st day of Nov 1878; and if the said party of the 1st part shall duly pay to the said party of the 2nd part, said debt and interest thereon, and reasonable expenses hereof by said 1st day of Nov 1878, then this indenture is to be null and void. But upon default of such payment the said party of the 2nd part is hereby authorized to take into possession and sell said property to the highest bidder for cash, at such time and place as he may select, after giving ten days notice of the time and place of said sale by publication in a newspaper, if one is published in the county, or by posting at three public places, and out of the proceeds of said sale retain the sum of One hundred dollars, and interest thereon, and the reasonable costs hereof, and the balance, if any, pay to the said party of the 1st part. And it is agreed the party of the 2nd part may purchase at said sale. In testimony whereof we have hereunto set ~~my~~ our hands and affix ~~my~~ our seals, on this the 8th day of March 1878

Attest: H. W. Nelson
James Carden

his
Joseph × Tinney (L.S.)
mark
T. W. Tinney (L.S.)

The State of Alabama, I James T Leeper Judge of Probate
Shelby County } for said County hereby certify
that H W Nelson a subscribing witness to the fore-
going conveyance known to me appeared before
me this day and being sworn stated that Joseph
Tinney and T W Tinney the grantors in the con-
veyance voluntarily executed the same in his pres-
ence and in the presence of the other subscribing witness
on the day the same bears date: that he attested the same
in the presence of the grantors and of the other witness
and that such other witness subscribed his name as
a witness in his presence.
Given under my hand this 8th day of March 1878.
James T Leeper Judge of Probate
Filed for Record March 8th 1878 and Recorded
March 9th 1878 J T Leeper Judge of Probate