John Swann et al To James Booth

Know all men by these presents: That whereas by virtue of the Acts of the Congress of the United States and of the General Assembly of Alabama referred to in the Act of the General Assembly of Alabama approved February 10th 1876 entitled "An Act to execute the power of disposal of the lands granted by an act of Congress entitled "An Act granting public lands in alternate Sections to the State of Alabama to aid in the construction of certain railroads in said State approved June 3d 1856 which power of disposal is conferred upon the legislature of Alabama by said Act of Congress and by virtue of what was done prior to February 10th 1876 by or under or in pursuance of the legislation of Congress and the legislation of the State of Alabama, the said State had become completely vested with the title to the lands embraced by said Acts of Congress for the uses and purposes shown in said Acts of Congress; and whereas the said State prior to February 10th 1876 and more than six months prior to the duly declared bankruptcy of the Alabama and Chattanooga Railroad Company, had acquired a valid lien in good faith upon all of said lands to which the Alabama and Chattanooga Railroad Company ever had any right or title either legal or equitable by a Conveyance executed by that Company to the State of Alabama to secure an indebtedness of that Company to said State greater than the value of the interest of that Company in or to said lands, no part of which indebtedness has ever been paid to said State; and whereas by a deed executed and bearing date the 4th day of February 1877 the said lands were conveyed by the Governor of said State of Alabama in pursuance of an act of the General Assembly of Alabama approved February 23d 1876 entitled an "Act to ratify and confirm the settlement of the existing indebtedness of this State as proposed in the report of the Commissioners appointed under the Act approved 17th December 1874 and which was communicated to the General Assembly by the message of the Governor of the 24th of

January 1876 and to carry said Settlement into effect by the issuance of new bonds of this State at a reduced rate of interest in adjustment of a portion of said indebtedness and the surrender of certain Securities held by the State in discharge of ~~other~~ another portion of said indebtedness" to John A. Billups and John Swann as Trustees for the purposes in the said deed specified, and whereas the said John A Billups and John Swann have become invested with power and authority to dispose of Sell and Convey the said lands in accordance with the provisions of said deed and of said last mentioned Act of February 23rd 1876; and whereas James Booth in his own name in the County of Shelby and State of Alabama on November the 8th 1878 became the purchaser from the said Billups and Swann Trustees as aforesaid of a part of said lands as hereinafter described lying the County of Shelby and State of Alabama and containing according to the original Survey of said lands (80) eighty acres more or less (Mineral Reserved) at and for the price of ($120.00) one hundred and twenty dollars, but no conveyance of said land was made to the said James Booth, and whereas the said James Booth has paid to the said John A Billups and John Swann as such Trustees aforesaid the sum of ($30.00) thirty dollars in Cash and executed three notes for the sum of ($70.00) seventy dollars the balance due and unpaid on said purchase of said land hereinafter discribed: Now therefore in consideration of the premises we the said John A Billups and John Swann as such Trustees and by virtue of the power in us as such Trustees as aforesaid by the said deed of Conveyance of the 8th of February 1877 and by said Act of February 23rd 1876 have granted bargained and sold and do by these presents grant bargain Sell and Convey unto the said James Booth all the estate right title and interest of the Alabama & Chattanooga Railroad Company as well as of the State of Alabama vested in us as such Trustees or which we can Convey in and unto the said lands above described to wit:

the S½ of the N E¼ (S½ of NE¼) It is agreed that the Trustees reserve for their own benefit or for sale to others the Iron ore and other minerals in or on said land, all privilege of mining on, and right of way for said or tramways for running cars over through said lands in Section twenty five (35) Township twenty one (21) Range five (5) west and lying in the County of Shelby State of Alabama and containing according to the original survey of said lands (80) eighty acres more or less (excepts reserved) To have and to hold the said lands hereon before particularly mentioned and described unto the said James Boothe his heirs and assigns forever. Witness our hands and seals this 16th day of November A D 1878.

John Swann (Seal)
John A Billups (Seal)

State of New York } In Commission for
County of New York } Alabama in New York City

I hereby certify that John Swann whose name is signed to the foregoing conveyance and who is personally known to me for himself acknowledged before me on this day that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date. Given under my hand this the 16th day of November 1878

Ellwood F Bovey Jun
Commissioner for Alabama in New York.

The State of Alabama } I R A McAdory a justice of
County of Jefferson } the peace in and for said
County hereby certify that John A Billups whose name is signed to the foregoing conveyance and who is personally known to me for himself acknowledged before me on this day that being informed of the contents of the foregoing conveyance he executed the same voluntarily on the day the same bears date. Given under my hand this 22nd day of November 1878. R A McAdory
Justice of the peace

Filed for record 27th day of November 1889 and recorded. T M Cobb Judge of Probate