Billups & Swann To J.B. Miller & ux

No 330 - 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 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 decreed 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 8th 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 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 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 23d 1876; and whereas Thomas B. Miller in his own name in the County of Shelby and State of Alabama on October 14th 1878 became the purchaser from the said Billups and Swann Trustees as aforesaid of a part of said lands as hereinafter described lying in the County of Shelby and State of Alabama and containing according to the original survey of said lands (40) Forty Acres more or less (Minerals Reserved) at and for the price of ($55.00) Fifty five Dollars but no conveyance of said land was made to the said Thomas B. Miller or either of them and whereas the said Thomas B. Miller has paid to the said John A. Billups and John Swann as such Trustees aforesaid the sum of ($55.00) Fifty five Dollars in cash and executed notes for the sum of — Dollars the balance due and unpaid on said purchase of said land hereinafter described: 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 vested in us as such Trustees as aforesaid

by the said deed of conveyance of the 8th February 1877 and by said Act of February 23d 1876 have granted bargained and sold and do by these presents grant bargain sell and convey unto the said Thomas B. Miller all the estate right title and interest of the Alabama and 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 North East quarter of the North West quarter (NE¼ of NW¼) It is understood & agreed that the Trustees reserve for their own benefit or for sale to others, the Iron, Coal & other minerals in or on said lands, - all privileges of mining on and the right of way for rail or tramways for mining purposes through said lands, in Section Twenty five (25) Township Nineteen (19) Range Three (3) West and lying in the County of Shelby State of Alabama and containing according to the original survey of said lands (40) Forty acres more or less (minerals reserved). To have and to hold the said lands hereinbefore particularly mentioned and described unto the said Thomas B. Miller his heirs and assigns forever. Witness our hands and seals this October 15th 1878.

John Swanns (Seal)
John A Billups (Seal)

State of New York } I. a Commissioner for the State
County of New York } S.S. of Alabama in New York City
hereby certify that John Swann whose name is signed to the foregoing conveyance and who is personally known to me for himself acknowledges 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 31st day of October 1878.

Seal

Edwin F. Carey Jun
Commissioner for the State of Alabama in New York

State of Alabama } I. H. C. Moses a Notary Public
County of Montgomery } S.S. 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 12th day of November 1878.

H. C. Moses,
Notary Public

Filed for record Sept. 24, 1890 and recorded.
R. W. Cobb Judge of Probate.