The Ala State Land Co. to J. L. Cox.

No 2609.

Know all men by these Presents: That whereas, By virtue of the acts of 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 3rd 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 titles 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 was conveyed by the Governor of said State of Alabama in pursuance of an act of the General Assembly of Alabama, approved February 23rd 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 of December 1874, and which was communicated to the General Assembly by 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 Avram: as trustees for the purposes in the said deed specified; And whereas the said John A Billups and John Avram have become vested with the power and authority to dispose of, sell and convey said lands in accordance with the provisions of said deed, and of said last mentioned act of February 23rd 1876. And whereas, the said John A. Billups and John Avram trustees as disclosed in said deed and said act of February 23rd 1876, have been directed since May, 1886, by the holders of over of the bonds described in the fifteenth section of said last mentioned act, as had been surrendered to the Governor on or before the first day of May, 1886 in accordance with the provisions of said last mentioned act, to convey and accordingly have conveyed to the Alabama State Land Company, certain parcels of said lands remaining unsold by said trustees, including in said conveyance the parcel or parcels of land hereinafter specifically described, that is to say: The South West quarter of the South East quarter of Section twenty five in Township Eighteen South, of-

range two West, (S½W¼ of S½E¼ Sec 2 Tp 18 S R 2 W) containing Forty (40) acres, more or less, situated in the County of Shelby in the State of Alabama;

And whereas, The Alabama State Land Company above mentioned has this day sold to J. L. Cox subject to the reservations hereinafter mentioned, the said parcel or parcels of land lands herein above specifically described, at and for the price of One hundred and sixty ($160.00) Dollars upon the terms herein shown, that is to say the said J. L. Cox has this day paid to the Alabama State Land Company the sum of Forty ($40.00) Dollars in Cash and executed three notes for the sum of Forty ($40.00) Dollars each due respectively November 24th 1898, November 24th 1899 and November 24th 1900 each bearing interest from November 24th 1897, the said notes being for the balance unpaid on said said price of said land lands above described, and said balance to be and remain a lien on said lands mentioned land until said balance shall be paid with lawful interest thereon. And it is distinctly agreed as part and parcel of the terms of this sale of the lands lands above described, that the Alabama State Land Company does not convey to the said J. L. Cox but reserves to itself, either for its own benefit or for sale to others, all the iron ore, coal, limestone and other minerals contained in or upon said lands and also the right of way and the right to build such rail or tramways of any description over the same as may be necessary for the convenient transportation of the coal and other minerals from said lands and from any other lands that the said The Alabama State Land Company, its successors or assigns, or any person holding under it, or its successors or assigns, may own or mining property in connection with the lands above described, and also the right of way and the right to build such rail or tramways over said lands as may be convenient in transporting aforesaid and implements that may be of use in mining upon said lands and the other lands herein referred to; and also all the timber and water upon the lands herein conveyed necessary for the development, working and mining the said coal, iron and other minerals therein, and also the right to build for the occupancy of employees all such houses on the lands herein

conveyed as may be necessary or convenient in mining said lands, together with all other necessary mining privileges. And it is further understood and agreed that the grantee or grantees in this conveyance will not hold adversely, or permit any other person to hold adversely, to the grantor in this conveyance or its assigns or successors, any iron, coal or other minerals, or right of way, or other thing reserved to the grantor in this conveyance, but will hold everything herein reserved to the grantor, for the grantor, its assigns or successors, and for no other person or purpose whatever. Now, therefore, in consideration of the premises, the Alabama State Land Company doth, by these presents, grant, bargain, sell and convey unto the said J. L. Cox the said parcel or parcels of land herein above specifically described, subject, however, to the reservations herein set forth. To have and to hold the said parcel or parcels of land last above described unto the said J. L. Cox his heirs and assigns forever, but subject to the said reservations herein disclosed.

In Testimony whereof the said The Alabama State Land Company, a corporation organized under the Laws of Alabama, the grantor in this Conveyance, has caused these presents to be signed by its Vice-President and its Common Seal to be affixed by its Secretary duly authorized for this purpose, November 24th 1897.

The Alabama State Land Company,
by W. C. Harvey,
Vice President.

Seal

Attest:
J. H. Wallace,
Secretary.

State of Louisiana, }
Parish of Orleans } J. Prudhomme M. Milner, a Notary Public duly qualified and acting as such in and for the Parish of Orleans in the State of Louisiana hereby certify that W. C. Harvey Vice President of The Alabama State Land Company whose name as such Vice President in behalf of said

Company, is signed to the foregoing Conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the Conveyance, he, on behalf of said Company and as Vice President thereof, executed the same voluntarily on the day the same bears date. Given under my hand and seal this 24th day of November A.D. 1897.

(Seal)

Purnell W. Wilson,
Notary Public

Entered on Page 117 of the Plat Book of the Alabama Real Land Company, and in Vol. 1 Page 145 of the Record Book.

F. Y. Anderson,
General Manager,

Filed for record January 31-1898 & recorded.

D. R. McMillan, Judge of Probate.