

John D. Dunn  
 & John A.  
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 to  
 Sheely Brothers

(No. 364) Know all men by these presents, That whereas by virtue of the acts  
 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 ex-  
 ecute 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 Con-  
 gress 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 Ala-  
 bama, the said State had become completely vested with the title of the lands em-  
 braced by said Act of Congress, for the uses and purposes shown in said Acts of  
 Congress and whereas the said State ~~xx~~ prior to February 10th, 1876, and more than six  
 months prior to the duly decreed bankruptcy of the Alabama and Chattanooga Rail-  
 road Company had acquired a valid lien in good faith upon all of said lands to w  
 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 the State; and whereas by a deed executed and bearing date the 8th day of

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 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 December, 1874, and which was communicated to the General Assembly by the message of the Governor 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 by 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 purposees 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 Shelby Boothe in his own name in the County of Shelby and State of Alabama, on November 8th 1878 became the purchaser from the said Billups and Swann Trustees, as afore said, 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 ~~\$450.00~~ Sixty Dollars but no conveyance of said land was made to the said Shelby Boothe and whereas the said Shelby Boothe has paid to the said John A. Billups and John Swann, as such Trustee, aforesaid the sum (\$15.00) Fifteen Dollars in cash, and executed three notes for the sum of (\$45.00) Forty Five 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 Trustee 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 Shelby Boothe all the estate right title and interest of the Alabama and Chattanooga rail road Company as well as of the State of Alabama, vested in us as such Trustees or which we can convey in and unto said lands above described to wit: The north west quarter of the south east quarter (NW 1/4 of SE 1/4) It is agreed that the Trustees reserve for their own benifit or for sale to others the iron coal and other mineral in and on said land; all privileges of minning on and right of way for rail or tram ways for minning purposes through said land in Section twenty Five (25). Township twenty one (21) Range five (5) West and 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), To have and to hold the said lands hereinbefore particularly described mentioned and described unto the said Shelby 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)

New York I a Commissioner for 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, 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 16th day of November 1878.

Edwin F. Corey Jr. (Seal)

STATE OF ALABAMA) Commissioner for the State of Alabama in New York City.

COUNTY OF JEFFERSON) I R A. McAdory a justice of 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 23rd day of November 1878.

R. A. McAdory;

Justice of the Peace.

Filed for record March 23rd. 1905 and recorded,

A.P. Longshore,  
Judge of Probate.