The State of Alabama } This ~~Indenture~~ Instru-
Shelby County } ment witnesseth, that where-
as, the Northern Coal Company, a Corporation, did
on the 30th day of November 1901. duly execute a
Mortgage to the Alabama, and Mississippi Coal
Company, a Corporation, the same being to secure,
the balance of purchase money due on the purchase
of the lands hereinafter described, and whereas said
Mortgage and the indebtedness therein secured,
were duly sold transfered and conveyed to the
undersigned, W M Spencer, trustee for full value,
before any part of said debt secured became
due, And Whereas the said Northern Coal Company
failed to pay the debt or any part thereof secured
by said Mortgage when the same fell due, and
the entire amount of said indebtedness became due
upon the failure to pay the first note and other
notes as provided in said Mortgage, and said in-
debtedness and interest thereon is long past due
and unpaid, and whereas in strict conformance
to the requirements conditions and powers con-
tained in said Mortgage, the undersigned
W M Spencer Trustee, as transferee and owner
of said debt and Mortgage did advertise for
sale the property described in said Mortgage
and sell the same within the legal hours of
sale on the 9th day of January 1905, before
the Court house door of said Shelby County,
Alabama, and whereas at said sale made
on the 9th day of Jan 1905, William M. Spencer
purchased said property as hereinafter des-
cribed at and for the sum of twenty eight
thousand dollars, he being the last, best and
highest bidder therefor, Now, therefore, in order to
carry into effect said sale and for and in consider-
ation of the sum of twenty eight thousand 00/100.
dollars cash in hand paid by William M. Spencer
to the undersigned W. M. Spencer, Trustee, the
receipt whereof is hereby acknowledged, that
said undersigned W M — Trustee, as transferee
and owner of said Mortgage and debt, does hereby
sell, transfer assign and convey unto the said

William M Spencer, the following described property hereby selling and conveying so far as he can by virtue of the powers vested in him, by said Mortgage all the right, titles and interest the said Northern Coal Co, has or may have the following described property to wit: The South east quarter of the south west quarter and the west half of the south west quarter all in Section thirty two (32) Township twenty (20) Range three (3) west in Shelby County Alabama, also the south west quarter of the North west quarter of section thirty two Township twenty, Range three west except the right of way, heretofore conveyed to the Echola Coal Company, also except the land conveyed by Columbus Benton and wife to one Ruffin and Echola Coal Company, containing about one acre of land in said forty, on which said acre the slope of the Echola Coal Company mine is situated on top of the hill, the south west corner of said acre tract is about three hundred feet east of the south west corner of said forty acre tract and it also conveys the right of way and privileges to cross the right of way above referred to with a wagon or tram-road, which right was privilege was conveyed to Columbus Benton by the Echola Coal Company, by deed dated May 2nd 1895, and conveyed by said Benton and wife to Luke E Cox, together with all improvements, buildings and appurtenances thereunto belonging, including engines boilers pumps, tram rails and all other property whether fixtures or not, used in and about said mine, all said above described property situated in said Shelby County Alabama, By this conveyance it is intended and the undersigned W. M. Spencer, Trustee on the transferee and owner of said Mortgage and debt secured hereby, does hereby, sell alien, transfer and convey for the consideration above stated, all the rights, titles and interest of whatsoever nature or kind, the said Northern Coal Company has or may have in and the above described lands and property unto the said William M Spencer, his heirs or assigns To

have and to hold unto the said William M. Spencer his heirs and assigns the above described property together with all the rights, titles and interests here to belonging. And the said W. M. Spencer, Trustee, as transferree and owner of said debt and Mortgage, hereby covenant to and with the said William M Spencer that he has a good and legal right to sell and convey said above described property under and by nature of the rights and powers contained in said Mortgage and vested in him as the transferree and owner of said Mortgage and the indebtedness secured thereby. In witness whereof I have hereunto set my hand and seal this the 9th day of January 1905.

W. M. Spencer, Trustee (LS)
Owner & Transferree of said
Mortgage and debt

The State of Alabama,
Shelby County } I A P Longshore, Judge of Probate in and for said County in said State hereby certify that W. M. Spencer, (Trustee) whose name is signed to the foregoing conveyance, W M Spencer, Trustee as transferree and owner of said Mortgage executed by the Northern Coal Company to the Alabama and Mississippi Coal Company, who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance he executed the same voluntarily and for the purpose therein contained on the day the same bears date. Witness my hand this 9th day January 1905.

A. P. Longshore,
Judge of Probate

Filed for record Jan. 9th 1905, & recorded,
A. P. Longshore,
Judge of Probate