No 3497

KNOW ALL MEN BY THESE PRESENTS: That Whereas, By virtue of the acts of Congress of the United States and the General Assembly of Alabama, referred to in the act of the General Assembly of Alabama, apreared 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 that titles to the lands embraced by said acts of Congress for the uses and purposes shownain 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 waich 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 land 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 day of December, 1874, and which was communicated to the General Assembly by massage 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 indebtedneess," 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 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 Gillups and John Swann, trustees, as disclosed in said deed, and said Act of February 23rd, 1976, have been directed since May, 1886, by the holders of such of the bonds described in the fifteenth section of said last mentioned act as had been surrenday dered to the Governor on or before the first/of May, 1886, in accordance with the provisions of said last mentioned act, to convey and accordingly have conveyed to the Alabama State Land of said lands

Company, certain parcels/remaining unsold by said trustees, including in said conveyance the parcel or parcels of land hereinafter specifically described, that is to say:

The South Fast quarter of North Fast quarter of Section Twenty nine in Township Eighteen South, Range Two Fast. (SF of NE of Sec. 29, Tp. 18 S.R. 2.F.) containing Forty--(40) acres, more or lees, 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.W.Howard subject to the reservations hereinafter mentioned, the said parcel or parcels of land last herein above specifically described, at and for the price of Fighty ---(\$80.00)--dollars upon the terms herein shown, that is to say, the said J.W.Howard, has this day paid to The Alabama State Land Company, the sum of Twenty-- (\$20.00) Dollars, in cash and executed three notes for the sum of Twenty (\$20.00) Dollars each, due respectively March 17th, 1903, March 17th 1904 and March 17th, 1905, each bearing interest from March 17th 1902, the said notes being for the balance unpaid on said sale of land last above described, and said balance to be and remain

a lien on said last mentioned land until said behance shall be paid with lawful, interest there on.

And it is distinctly agreed as part and parcel of the terms of this sale of the lands last

above described, that the Alabama State Land Company does not combvey to the said--J.W.Howard but reserves to itself, either 8% for its own benefit or for sale to others, all the iton 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 as mining property in connection with the lands above described, and also the right of way and the right to build such rail and tramways over said lands as may be convenient in transporting all material 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 developement, working and mining the 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 comveyance 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, ther fore, in consideration of these premises, The Alabama State Land Company, doth by these presents, grant, bargainisell and convey unto the said J.W. Howard, the 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.W.Howard-- his heirs and assigns forever, but bubject to 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.

March 17th 1902.

@~~ J52 J

The Alabama-State Land Company
By C C Harvey Vice President.

ATTEST: D H Faton. Secretary-

STATE OF LOUISIANA)

PARISH OR ORLFANS. )

I, Purnell M Milver, a Notary Public, duly appointed and acting as such in and for the Parish of Orleans in the State of Louisiana, hereby certify that C C Harvey, Vice-President of the Alabama State Land Company, whose name as 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 Chereof, executed the same voluntarily on the day the dame bears date.

Given under my hand and seal this 18 day of March A.D. 1902.

Pumell M. Milver. Notary Public.

Filed for record inthis office April 14th 1934 at 3 o'clock PM and duly recorded in deed record 97, page 293 and examined.

Cage Head, Judge of Probate.