

5-24-1886

## Deed of trust

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## TRUST DEED TO

State of Mississippi,

NOXUBEE COUNTY.

THIS INDENTURE, Made and entered into this 24<sup>th</sup> day of May A.D. 1886by and between A. J. Boswell & C. A. Boswellof the first part H. C. Mc Nis

as Trustee, of the second part, and

Nine & Anderson of the third part

WITNESSETH: That the first party, for the consideration hereinafter stated, and for One Dollar, to him in hand paid by the second party, the receipt whereof is hereby acknowledged, hath granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell and convey to the second party, his legal representatives and assigns, forever, the following described property, lying and being in the County of Noxubee, and State of Mississippi, to-wit:

One Bay Mare Mule, name Buck  
One Mare Colored " " Dove  
One wagon.

also our entire Crop of Cotton, Cotton seed  
Corn Fodder, and all other agricultural  
products to be grown and cultivated by  
ourself ~~any body~~ <sup>our family</sup> and employees, any the  
place we now reside or on any other  
lands we may cultivate or cause to be  
cultivated the present year 1886. to  
trade \$4. and the balance to secure a for  
ever indebtedness, of about \$643.<sup>00</sup>

together with all appurtenances to the said premises belonging, or in anywise appertaining, and the said first party will warrant and defend the title in and to the above described property to the party of the second part, his legal representatives and assigns, forever, in fee simple. But this conveyance is made in Trust, for the following purposes only, viz: The first party is justly indebted to the third party in the sum of



Seven Hundred & Forty two 72/100 Dollars, evidenced by  
a promissory Note bearing date and  
date herewith; due and payable on 1st  
day Oct 1886. Bearing 10% Int after  
maturity.

which indebtedness the said first party desires, and intends by this Deed, the more effectually to secure and make certain  
the payment thereof. Now, if the first party shall pay off and discharge said indebtedness at maturity, with all interest  
and the cost and expense then incurred in this conveyance, then this Deed is to be entirely void, and the said second party  
is to take such steps as may be necessary, in law, to effectually recover said property to the first party. But if default  
shall be made in payment thereof, the second party as Trustee aforesaid, shall at the request of said third party, take  
possession of said property and after having given ten days' notice of the time, place and terms of sale,  
by posting notices thereof in at least <sup>one</sup> public place in the County, one of which shall be at ~~the Court house~~  
of the County, and Shreveport

shall proceed to sell said property at auction,  
to the highest bidder for cash, at Shreveport

and out of the  
proceeds shall first pay all just costs and expenses, then pay the third party, his legal representatives or assigns, the full  
amount of the same, with all interest that may have accrued thereon; and the balance, if any, pay to the first party.  
And until default shall be made, said property shall be held and possessed by the said Trust  
party; and in the event of sale pursuant hereto, the second party shall make to the purchaser or purchasers, as good and  
valid title to said property as the first party could now make. In the event of the death, resignation, removal or refusal  
to act, or of the inability or unfitness to act, of the said H. C. McNeese

Trustee, or of any future Trustee, and so often as the same may  
occur, the said party of the third part, his legal representatives or assigns, shall have power to appoint a Trustee in  
place of the one so dying, resigning, removing or refusing to act, or becoming unable or unfit to act, and all the rights,  
power and authority herein granted to and vested in the said Trustee, shall be thereby vested in the Trustee so appointed.

IN WITNESS WHEREOF, The said part is of the 1st part hereunto set their  
hand & seal &, date first herein written.

A. J. Boswell [SEAL]

C. A. Boswell [SEAL]

[SEAL]

[SEAL]

THE STATE OF MISSISSIPPI, NOXUBEE COUNTY—ss

PERSONALLY appeared before me, ROBERT C. PATTY, Clerk of the Chancery Court,

of the County of Noxubee, the above named

who acknowledged that \_\_\_\_\_ signed, sealed and delivered the foregoing Deed of Trust, on the day and year therein mentioned, as \_\_\_\_\_ act and deed.

Given under my hand and seal of said Court, this

day of \_\_\_\_\_ A.D. 188 \_\_\_\_\_

Clerk.

D. C.

THE STATE OF MISSISSIPPI, NOXUBEE COUNTY—ss

PERSONALLY appeared before me, ROBERT C. PATTY, Clerk of the Chancery Court,

*Mr. E. Amaze Mayor & Ex. of J.P.*  
of the County of Noxubee, the within named *A. J. Boswell*

who acknowledged that *he* signed, sealed and delivered the foregoing Deed of Trust, on the day and year therein mentioned, as *his* act and deed.

Also, PERSONALLY appeared before me, *C. A. Boswell*

wife of the said *A. J. Boswell*, who on a private examination made by me, apart from her husband, acknowledged that she signed, sealed and delivered the same as her voluntary act and deed, freely, without fear, threats or compulsion of her husband.

Given under my hand and seal of said Court, this *24th*

day of *May* A.D. 188 *6*

*Mr. E. Amaze Mayor & Ex. of J.P.* D. C.

THE STATE OF MISSISSIPPI, NOXUBEE COUNTY—ss.

PERSONALLY appeared before me, ROBERT C. PATTY, Clerk of the Chancery Court of said County,

the within \_\_\_\_\_, one of the subscribing witnesses to the foregoing

Deed of Trust, who, being duly sworn, deposeth and saith, that he saw the above named

\_\_\_\_\_, whose name is subscribed thereto, sign, seal and deliver the same to the said \_\_\_\_\_; that he, this deponent, subscribed his

name as a witness thereto in the presence of the said

and that he saw other subscribing witness \_\_\_\_\_ sign the same in the presence of the said

\_\_\_\_\_ and that the witnesses signed in the presence of each other, on the day and year therein named.

Given under my hand, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 188 \_\_\_\_\_

Clerk.

D. C.

THE STATE OF MISSISSIPPI, NOXUBEE COUNTY—ss.

I, ROBERT C. PATTY, Clerk of the Chancery Court of said County, certify that the foregoing Deed was filed

here for record on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 188 \_\_\_\_\_, at

o'clock \_\_\_\_\_ M., and has been duly recorded in Trust Deed Book No. \_\_\_\_\_ Page \_\_\_\_\_

Given under my hand and seal of said Court, at office in Macon, this \_\_\_\_\_

day of \_\_\_\_\_ A.D. 188 \_\_\_\_\_

Clerk.

D. C.



TRUST DEED.

*A. J. and L. A. Brownell*

To { IN TRUST.

*H. C. M<sup>r</sup>. News*

FOR THE BENEFIT OF

*Norman<sup>d</sup> Anderson*

I certify the within Deed was filed for Record  
in my office, the *12* day of *June*  
A.D. 188*6*, at *9* o'clock *AM*,  
and duly recorded in Deed Book *30*  
Page *145*.

*Robert C. Patten*

CLERK.

D. C.