

TRUST DEED TO

*A. H. Barkley use of Mary J. Hairston*

The State of Mississippi, COUNTY OF LOWNDES.

This Indenture, Made and entered into

This 19th day of March A. D. 1878, by and between George Hairston Jr. of the first part, A. H. Barkley as Trustee, of the second part, and Mary J. Hairston 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 bargained, sold and conveyed, and by these presents doth grant, bargain, sell and convey, to the said second party, his legal representatives and assigns forever, the following described property, to wit:

All my landed Estate bounded as follows beginning at the N.W. Corner of the E 1/2 of S.W. 1/4 of S 17 & running South 80 Chains, thence East 16 Chains & 76 links, thence North 80 Chains, thence West 16 Chains & 76 links to the beginning to Cont. one hundred & thirty three acres more or less situated & lying in Sections 17 & 20 Township 17 N 17 East,

together with all appurtenances to the said premises belonging to or in any wise 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 \$ 704 1/100 dollars, evidenced by a promissory note bearing even date & tenor with this trust & made payable one day after date. The above sum was furnished to purchase supplies

which indebtedness the said first party desires, and intends by this deed, 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 expenses 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 reconvey 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

Thirty day's notice of the time, place and terms of sale, by posting notices thereof in at least three public places in the county, one of which shall be at the Court House door of the county, and one each at Louisiana & Artesia shall proceed to sell said property at auction, to the highest bidder, for cash, at the premises of said George Hairston Jr. and out of the proceeds shall first pay all just costs and expenses, then pay to said 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 first 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 A. H. Barkley 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 the power to appoint a Trustee in the 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 parties 1st & 2nd have hereunto set hand and seal, date first herein written.

Geo. Hairston Jr. SEAL
A. H. Barkley SEAL
SEAL
SEAL

THE STATE OF MISSISSIPPI, LOWNDES COUNTY.

Personally came before me, W. C. Bishop Clerk of Chancery Court for said county, the within named Geo. Hairston Jr. who acknowledged that he signed, sealed and delivered the foregoing Deed, on the day and year therein mentioned, for the purposes therein expressed, as his act and deed. Given under my hand and seal, this 2nd day of April A. D. 1878

W. C. Bishop Clerk SEAL

THE STATE OF MISSISSIPPI, LOWNDES COUNTY.

This day came before me, for said county, the within named wife of said who, upon being examined by me privately and apart from her said husband, acknowledged that she joins her said husband in the foregoing conveyance, and signed, sealed and delivered the same, freely and voluntarily, without fear, threats or compulsion of, from or by, her said husband, but for the purposes therein expressed. Given under my hand and seal, this day of A. D. 187

THE STATE OF MISSISSIPPI, LOWNDES COUNTY.

I, W. C. Bishop Clerk of the Chancery Court of said county, certify that the foregoing Deed was filed here for Record on the 2nd day of April A. D. 1878, at 11 o'clock, A. M., and has been duly recorded here in Deed Book No. 54, page 305

Given under my hand and the seal of said Court, at office in Columbus, this 2nd day of April A. D. 1878 W. C. Bishop CLERK. DEPUTY CLERK.