

THOMAS BAILIFF IS APPOINTED TRUSTEE FOR JOHN HINSLEY SHOULD JOHN NOT PAY FOR 114 ACRES THOMAS IS TO HAVE IT SOLD ON THE COURTHOUSE STEPS 1847

Transcribed by: Ron Cornwell

I **JOHN L. HINSLEY** has this day bargained and sold and do hereby convey to **THOMAS BAILIFF** for the sum of five dollars to me paid and the other considerations herein after mentioned four tracts of land in the State of Tennessee Smith County and District no. 9 containing estimation **ONE HUNDRED AND FOURTEEN ACRES** and bounded as follows beginning at a red oak & beech on the **SOUTH SIDE OF FORK** running south one hundred and forty two poles to an elm thence east one hundred and eight poles to a buck eye thence north one hundred an one poles to a stake thence east twenty one poles to an ash corner thence north crossing **SMITH FORK** to a hackberry thence north 68 degrees west fifty four and one half poles to a stake thence south 68 degrees west 54 and a fourth poles to the beginning. **SECOND LOT** beginning on two dogwoods, elms, & buckeye on **BATES NORTH BOUNDRY** running thence east with **BATES** and **SIMMONS** north boundary 112 poles to two sugar trees on the top of a ridge thence south fifty five poles to a buckeye then two beeches on or near **SHEPHERDS SOUTH BOUNDRY** thence west with his line 112 poles to a stake on _____ east boundary thence east fifty and a half poles to a beech then south east corner thence west with the south boundary line of the same 42 poles to a poplar & ash his south west corner thence south five and a half poles to a stake on the north boundary line to the beginning.

THIRD LOT beginning at a beech marked I.E.B. on the south bank of **SMITH FORK** at the first bend of **SMITH FORK** at Lancaster's **OLD MILL** thence south 105 poles to a beech & ash thence north one hundred and five poles to an ash in **LANCASTERS LINE** thence east 62 poles to the beginning. **FOURTH LOT** bounded as follows---beginning at a beech on the bank of **SMITH FORK** 40 poles above the **PETER EWELL** thence north 45 degrees east 13 poles to a beech thence north 72 degrees east down said creek 32 poles to a white walnut thence north 66 degrees west 27 poles to a box elder. Thence north 54 degrees east 68 poles to a sycamore thence east 44 ½ poles to a beech thence south 122 poles to attack thence west 170 ½ poles to a stake thence north 60 poles to the beginning. To have and to hold the same to the said **THOMAS BAILIFF** his heirs and assigns forever. I do covenant with the said **THOMAS BAILIFF** that I am lawfully seized of the said land, right to convey it and that the same is unencumbered I do further covenant and bind myself my heirs and representatives to warrant and forever defend the title to the said land and every part thereof to the said **THOMAS BAILIFF** his heirs and assigns against the lawful claim of all persons whatever. But this deed is made for the following uses and trust and formed for other purposes that is to say entitled to one **WILLIAM BATES** in the same of two hundred and fifty two dollars and five cents under seal of this date due on the **SECOND DAY OF MARCH 1848**. And desirous to secure land making certain the payment of the same. Know if I here unto pay the said debts at the time aforesaid then this deed to be paid but if I should not then, the said **THOMAS BAILIFF** a trustee after giving twenty days' notice in writing at the court house door in said County and at the election grounds of the ninth district and in those other public places in the neighborhood may expose the said land to public sale and set it to the highest bidder for cash and appropriate the presents first to the payment of the necessary expenses and costs **SECONDLY** to the satisfaction of said debt of three hundred and fifty two dollars and five cents **THIRDLY** to pay the balance if any there be to me this **2nd DAY OF MARCH 1847**.

Witnesses:

JOHN L. HENSLEY

ALLEN WATSON
JOHN H. ARMANETT

State of Tennessee Smith County.

Personally appeared before JOHN J. BURNETT Clerk OF Smith County Court. **ALLEN WATSON** and **JOHN H. SIMMONS** subscribing witnesses to the deed of trust who being first sworn and say that they are acquainted with JOHN L. HENSLEY the above named bargainer and that he acknowledged the same in their presence to be his act and deed upon the day it bears date. Witness my hand at office the **25TH MARCH 1847.**

JOHN J. BURNETT clerk of
Smith County Court

Rec'd the 25th March 1847 at 10 o'clock AM.
Registered 3rd April 1847.

SOURCE: Smith County, Tennessee, Deed Bk. S, Page 431-432, 1847.