

Michael Erskine.

to

Alexander Erskine and

J. Donegan.

Mortgage.

Dated July 4th, 1853.

Filed for record August 12th, 1853.

Recorded in book "D" P/ 851 and 852.

In office of County Clerk of Guadalupe County, Texas.

Acknowledgement taken before FL. Hammond, Judge of the Court of Probate which is a Court of record, State of Alabama, Madison County, upon the oath of Albert R. Erskine and W. T. Bassett, subscribing witnesses to said instrument.

In statutory form. ~~State of the County of Guadalupe, Texas, to the County Clerk of said County, for the purpose of recording the same.~~

Consideration \$5,000.00 paid, as well as the further consideration of a certain bond or money note bearing even date herewith executed by me and the said Alexander Erskine and James J. Donegan to Stephen S. Ewing and George P. Burne, executors of the will of David Moore in the sum of \$5,000.00 with interest thereon at the rate of 8% per annum from the 4th day of July, 1853, and payable annually. The bond or note due and payable the 1st of January 1856. The said bond or note being a joint bond for monies borrowed by me for my individual use. The said Alexander Erskine and Jas. J. Donegan having gone on same as security.



Description and remarks:-

Conveys" the following described tract or parcel of land situated, lying and being part in the County of Guadalupe and part in the County of Gonzales, in the State of Texas on the S. W. side of the Guadalupe river being part of the well known tract called the Capote 6 league about 15 miles East and below the town of Seguin, of off the lower or Eastern side the said 6 leagues, being the same which was granted to Jose de la Baume, deceased, on the 1st day of July, 1832, by the Commissioner Antonio Navarro, and afterwards conveyed to me by the heirs of the said La Baume by deeds which are of record in the Counties of Guadalupe and Gonzales; to commence 3/4 of a mile by the meanders of the river Guadalupe above the mouth of the mill tail race and running due South so as to include the mill, cotton gin and other improvements, and running back on that line South sufficiently for to include 2 entire leagues, say 1856 acres; thence East to the lower line of said survey; thence with the lower line to where it comes with Sheffield a small tract sold off of the said 6 leagues; thence with Sheffield's line to the said Guadalupe River; thence up the river with its meanders to the place of beginning. One league of the above has been heretofore mortgaged to the executors of Henry Erskine, deceased, by my deed dated April 21st, 1853, being the lower portion".

Further remark:- "Provided nevertheless that if I the said Michael Erskine shall pay or cause to be paid unto the said Stephens S. Ewing and George P. Burne, executors of David Moore, the amount of the aforesaid bond or note in the sum of \$5,000.00 payable January 1st, 1856, and dated the 4th day of July 1853, for which amount the said Alexander Erskine and James Donegan are liable as well as all interest accruing on the same and all costs or damages that may accrue to the said Erskine and Donegan, then this deed, as well as the before described bond shall both be void, and of no further effect; otherwise shall remain absolute.

Michael Erskine.