

Shelby J. D. To all to whom these presents shall come I J. H.  
To Shelly, Sheriff of Shelby County, State  
Henry Hardee of Alabama, send Greeting. Whereas  
Page 39 by a writ of habeas corpus issued out  
of this circuit Court of Shelby County to me  
directed and delivered the first ten o'clock  
November the 20<sup>th</sup>, eighteen hundred  
and twenty eight the record held the  
8<sup>th</sup> May eighteen hundred and thirty.

I was commanded as heretofore to make of the goods  
 and chattels of Payne & Wilson in my County  
 the sum of eight hundred and fifty three  $\frac{6}{100}$   
 which Burke, Slackleford also had recovered against  
 them in the said county for debt and damages  
 which they had sustained as well by reason  
 of the non payment of the debt as for their costs  
 and charges & that sufficient goods and chattels  
 could not be found that then I should cause the  
 said debt and damages to be made of the lands  
 and tenements whereof the Payne and Wilson  
 was sold on the 11<sup>th</sup> day of November 1838 or at  
 any time afterwards, in whose hands sooner  
 the same might be as by the said writ of execution  
 before being thence more fully appeared and  
 whereas after the coming of the writ to me & before  
 the day of the return of the said alias writ I did  
 by virtue of the said writ seize on the tract or  
 parcel of land hereinafter mentioned and having  
 for want of goods & chattels in my County of the  
 said Payne & Wilson to satisfy said debt and dam-  
 ages, sold the tract or parcel of land as is hereinof-  
 mentioned at public auction according to the stat-  
 ute provided by Henry Heales for one hundred and  
 ninety dollars being the highest sum bid for the  
 same. Now know ye that I the said of D. Shelly  
 the Sheriff aforesaid by virtue of the said alias  
 writ of execution and of the Statute in such  
 cases made and provided in consideration  
 of the said sum of one hundred and ninety dollars  
 to me in hand paid by the said Henry Heales  
 the receipt whereof acknowledged have granted  
 bargained & sold & by these presents do grant  
 bargain & sell unto the said Henry Heales his  
 heirs and assigns forever, the west half of the  
 said tract quarter & section 24, township 21  
 range 3 west, & part of the north west quarter of  
 section 35 township 20 Range 3 west con-  
 taining one hundred and six acres with its  
 appurtenances, and all the right till  
 and fixtures which the said Payne had in  
 the said tract, prior, parcel of land the  
 said 20<sup>th</sup> November 1838 or at any time  
 afterwards have or now has, to have and to  
 hold the said land & premises and every  
 part thereof with the appurtenances.

Mementos belonging to Henry Heald his as-  
signs former, as fully and absolutely as I do  
said J. D. Shelly as Sheriff aforesaid and under  
the oaths aforesaid might, could or ought to all  
and convey the same.

In witness whereof I have hereunto set my hand  
and seal this 1st September 1831.

Int William Cannon J. D. Shelly Sheriff Seal  
Martin H. M<sup>o</sup>Henry Bury Johnson  
filed for record 18<sup>th</sup> January 1831 - recorded 2<sup>nd</sup> July 1851