S Pagne
to
J A Bagby

This indenture made this 9 day of Feb one thousand eight hundred & 39 between Stuart Pagne of the county of Shelby of the first part & John A Bagby of the county of Bibb of the second part witnesseth that whereas the said Stuart Pagne hath the day of the date hereof given his promissory note for seven hundred & 30 77/100 dollars due & payable the 1st day of June 1840 to John A Goodwin & Robert Hill & the said Stuart Pagne

being willing & desirous to secure the payment of said promissory note now therefore in consideration of the premises & also in consideration of the sum of one dollar to him in hand paid by the said party of the second part the receipt whereof is hereby ackowledged hath granted bargained & sold & by these presents doth grant bargain & sell unto the said party of the second part & his heirs forever seal & ~~aforesaid~~ property to wit the north east quarter of the north west quarter of sect 11 T 21 R 5 west also the north west quarter of the south east quarter of same sect T & R & also the north west quarter of the north west quarter of sect 12 in the same T & R all lying & being in the county of Shelby & land district of Tuscaloosa to have & to hold the above described tract of land with all the belongings & improvements thereon to the said party of the second part his heirs forever & also the following described personal property to wit one sorrel mare one gray horse 2 beds & furniture one metal clock one cupboard 1½ bed by castle 14 heads of steers this indenture is however made upon the following express trust & condition that is to say first the said party of the first part is to have the use & possession of said property until the first day of Jan next & if he shall pay & discharge the said promissory note above named according to the tenor & effect thereof then this indenture to be void & of no effect but if he make default & fail to pay said promissory note according to the tenor & effect thereof second ly the said party of the second part is hereby authorized & ~~empowered~~ to take possession of said property & sell the same at public auction on the premises or so much thereof as may be necessary to pay said note or so much as may remain unpaid after giving 30 days public notice in writing in filed up at 3 or more places in the neighborhood of the premises & out of the proceeds first pay all cost & charges & secondly pay & discharge said note or such part as may be unpaid & the ballance if any pay to the said Stuart Pagne his executors or administrators in witness whereof the said party of the first part hath hereunto set his hand & seal the day & year first above written

Stuart his x mark Pagne Seal

Filed for Record 4 March 1939 & Recorded same day Justice sold said land on the 11 Dec 1843 for $288.60 between Jan 11 1844

R S Singleton Clk

C R Harris Clk