

44th

A. Payne & N. Lee
The State of Alabama } This indenture made and
Shelby County } entered into this the 29th
day of December one thousand Eight hundred
and fifty three between Alvah Payne of the
first part and N. Lee of the second part both
of the County & State aforesaid. Witnesses that
whereas the said Payne hath sent the mill & some
land and purchased a lot of hogs from the Admin^r
of the Estate of Ad. Griffin deceased and the said
Payne is willing to secure the said Lee if he will
give him the said Paynes security by giving him the
said Lee a lease on the following property (to
wit) One road wagon, one pair of work Oxen, one
saddle horse one mule, all now in the posses-
sion of said Payne (which he has also forty
four head of hogs & now if the said Payne fully
discharges the note given for the above named
property which note amounts to two hundred and
thirty seven dollars due 28 Decr 1854 and which
the said Lee is a security to said note. Then this
indenture shall be void and in case he fails
to discharge the above named note, the said
Lee shall have power to expose to publick out-
cry the above described property after giving fifteen
days notice in the precinct in which the said Payne
lives, and the said Lee, ^{after} having sold the property
at publick outcry for cash he shall apply the pro-
ceeds of the sale of the property to the above debt
and should there be a remainder of the pro-
ceeds in the said Lees hands after paying the
said debt he shall pay the said remainder
over to the said Payne The day 1st above written

The State of Alabama } Alvah Payne
Shelby County } I, Samuel Acton do here-
by certify that Alvah Payne whose name is sign-
ed to the foregoing conveyance and who is known
to me, acknowledged before me, on this day that being
informed of the contents of the conveyance he execu-
ted the same voluntarily, on the day the same
bears date Given under my hand, this the 29th
day of December 1853. Samuel Acton J. P.

Filed 9 January 1854 & recorded 6th same month
& year in this office J. M. McFlanagan
Judge of Probate