

Cunningham &c.  
vs  
J. T. Leeper

The State of Alabama } This Indenture made and entered  
 Shelby County } into this 3<sup>d</sup> day of September 1866 be-  
 tween Columbus Cunningham Sheriff of said County  
 of the 1<sup>st</sup> part and James T. Leeper of said County of the  
 2<sup>d</sup> part witnesseth that whereas on the 17<sup>th</sup> day of September  
 1861 judgment was rendered in the Circuit Court  
 of said County in favor of the Tuscaloosa manufac-  
 turing Company Plaintiffs and against Allen Rushing  
 also defendants for the sum of One hundred fifty  
 two 98/100 dollars damages besides Eight 84/100 dollars  
 costs and whereas on the 25<sup>th</sup> day of June 1866 an  
 alias Execution was by the Clerk of said Court issued  
 and placed in the hands of said Columbus Cunn-  
 ingham Sheriff of said County for the purpose of its levy  
 and Execution, and whereas on the 1<sup>st</sup> day of August  
 1866 while said Execution was in full force and in  
 the hands of said Sheriff, the said Sheriff did levy  
 said Execution on the following described property to wit;  
 The House and lot on which the town of Columbiana  
 viz: the Lot on which is situated the store house  
 formerly occupied by D & S. Brasher and lately by  
 said Allen & Rushing bounded as follows, Comm-  
 encing at the S.E. Corner of the store house on  
 the Public Square in said Town public street  
 from the Court House running north thence  
 along the square to the Corner where it intersects  
 now with the lot now owned by B. Dumas thence  
 east to the north west Corner of G. M. McClanahan's  
 Office lot now occupied by A. A. Sterrett thence  
 south to the S.W. Corner of said McClanahan's lot  
 On the public street thence to the beginning & except  
 the law Office of A. A. Sterrett as the property of the  
 defendants and notice given in person and whereas  
 said Sheriff after having advertised said lands for  
 sale as required by law did on said third day  
 of September 1866 it being the first Monday in  
 said month in the town of Columbiana proceed  
 to sell said House and Lot at public auction, when  
 James T. Leeper became and was the purchaser thereof  
 at the sum of one hundred and forty five dollars  
 it being the highest and best bid that could be  
 obtained for the same, Now therefore in Consider-  
 ation of the premises the said party of the first  
 part as Sheriff aforesaid has bargained and  
 sold and does hereby grant bargain sell and  
 convey to said party of the second part said  
 lands hereinbefore described To Have and to hold  
 to said party of the second part to have and

thence east to the S.E. Corner to the pt. E. Corner to the said McClanahan's lot.

to his heirs and assigns forever. And the said party of the first part covenants with said party of the second part that he will warrant and defend the title to said lot only so far as he by virtue of his said office is authorized to do but is not individually liable.

In testimony whereof said party of the first part has hereunto set his hands and seal the day and year above written

C. Cunningham (Seal) Sheriff

The State of Alabama J. I. Amos M. Elliott Clerk Shelby County. J. of the Circuit Court for said County do hereby certify that Columbus Cunningham whose name is signed to foregoing conveyance and who is known to me being Sheriff of said County acknowledged before me on this day that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand this 3<sup>rd</sup> day of September 1866.

A. M. Elliott Clerk

Filed for Record in my Office for P No 11 1872 and Recorded Nov 12<sup>th</sup> 1872

James T. Luper Judge of Probate