State of Alabama } Before me the undersigned author-
Jefferson County } ity in and for said County in
said State, personally appeared N. H. Sturdivant, who
being by me first duly sworn deposes and says on
oath that, he knew Moses Bailey deceased in his
lifetime; that he lived in Shelby County Alabama
years ago, and after his death his will was probated
in Shelby County about the year 1861; that said Moses
O. Bailey left surviving him the following children
towit: Malinda Milner a daughter; Margaret C. Bai-
ley Ray; Eliza Bailey Horton; Jessie Bailey, Ann
Bailey Webb and John Bailey as his only heirs
and next of kin entitled to inherit his estate;
that Malinda Bailey Milner is dead but that he can-
not give the names of her children; that he cannot
give the names of the children of said Mrs. Ann Bai-
ley Webb who died years ago; that said John Bailey
died years ago, but left no children surviving
him; that said Mrs. Margaret C. Bailey Ray is dead
and left surviving her the following children; Cyn-
thia A. Sturdivant wife of affiant; Isaac Ray said
son of Margaret C. Ray; Henrietta Ray Jordan; Lucicie
Ray Beagle and Janie Ray Ward;
That said Isaac Ray died and left surviving
him the following children: Cordelia Ray Schmidt;
Charley Ray; Sam Ray; Doch Ray; and a Mrs.
Burnett wife of Will Burnett, and Mrs. Griff Ed-
wards wife of Moze Edwards.
That said Eliza A. Bailey Horton was the wife of
one Lemuel Horton and died some twenty-six

years since, and left surviving her the following children; Dick Horton who was also called Richard Horton; Phoebia Horton; Tom Horton; Susan Horton Watts who first married a man by the name of Will Wenna, and secondly married a man by the name of Albert Schmidt and then married a Mr. Watts; Albert L. Horton; L. C. Horton; and Mary Jessie Horton Doss wife of S. S. Doss.

That said Dick or Richard Horton died some forty years ago and left surviving him the following children: Thomas J. Horton; Lexie A. Horton Dickerson; Hugh Columbus Horton who signed his name H. C. Horton and James D. Horton who are all living.

That he is acquainted with the lands in said County of Shelby in Alabama described as the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 18, Township 20 South of Range 3 West; and has been acquainted with said lands for at least forty five years; that said Eliza A. Bailey Horton and her husband Lemuel Horton had their dwelling house situated on said Northwest quarter of the Southeast quarter of said Section 18, and cleared up enclosed and cultivated under the common enclosure a part of the said forty upon which their said house was situated and a part of the northeast quarter of the Southwest quarter of said Section 18 in said Township 20 of Range 3 West in Shelby County Alabama; that the said Lemuel Horton and his wife Eliza A. Horton and their successive vendees in estate have continuously had possession of said eighty acres of land cultivating a part of each forty under fence continuously every year since that time to wit; at least forty five years last passed.

That said Lemuel Horton having had a part of said Northeast quarter of the Southwest quarter under fence and cultivating the same as well as paying taxes on it, it was claimed that he owned the land and his heirs as well as

others so treated it, and his heirs accordingly dealt with and conveyed and cultivated the same continuously since the death of said Lemuel Horton which occurred fully twenty-five years ago; That after the death of said Eliza A. Horton and prior to the death of said Lemuel Horton the children of said Eliza and Lemuel conveyed said lands among themselves some of them buying the interest of the others in both forties and made an agreement among themselves and with their father the said Lemuel that he should occupy, use and cultivate the said Northwest of the Southeast and other property during his natural life; that the making of deeds referred to by the children were conveyances to Albert and L. C. Horton who were buying the interest of the other children; that said Albert and L. C. Horton were living on the land with their parents at the time their mother the said Eliza died and continued to live there with their fathers Lemuel until he died and thereafter continued to live on and cultivate the property both forties until they divided the land between them four years ago, the division was by agreement and L. C. Horton got a strip off the north side of the north side of the northwest quarter of the Southeast quarter and other property while Alford Horton who was more frequently called Alfred Horton but sometimes called Albert Horton made a will witnessed by affiant as one of the witnesses and therein willed the property he got in said division to his sister Mary Jessie Horton Dec'd. Alfred died in July 1915.

W. H. Sturdivant

Subscribed and sworn to before me this the 14th day of July 1916. (Seal) B. C. Jones Notary Public

The State of Alabama, Shelby County } I hereby certify that the within affidavit was filed in this office for record 19 day of Aug. 1916, at 8 o'clock A.M. and recorded in Deed Record 60 - page 174 and examined.

A. P. Longshore, Judge of Probate