State of Alabama, } Before me, Yoe Lyman, a Notary Public
Shelby County. } in and for said County in said State,
personally appeared S. McLathan, who being by me, made
friendly person, says that he knows the land being of-
fered to Norman Morrison, and colored red on the ab-
stract furnished him, situated in Section Five and
six, in Township Twenty-four, Range Thirteen, in said
County; that this land is all under fence, and has been
for a number of years, namely, 28 years: that it is not
being claimed by any person adversely to the claims of the
present owners, nor has it been for over twenty years, but
has been in the peaceable, open, notorious possession of
such owners and those under whom they legally and
properly hold it for over twenty five years, and that dur-
ing said time, no one has asserted title to it, or claimed
ownership over it: that notwithstanding the fact that it seems
that Charles H. Cary and his wife Lucy J. Cary, Albert F.
Wilson, J. W. Dimmock and others, hold some sort of paper
title to it, neither of them, nor any of their heirs, administra-
tors or other personal representatives ever disturbed the

possession of the present owners, or those under under whom they hold said land, nor did they try to do so said land is known and generally regarded in the neighborhood where it is situated as the property of the present owners, namely, affiant to the extent of his life estate ~~and~~ if and afterwards M. Dallas Latham, M. Dallas Latham Trustee for Louise Latham, Roberta Latham, Elizabeth Latham and Rhoda Stephens and Alma Ellis as shown by the records.
If further proof shall hereafter be required, affiant names the following persons who know the history of said land as to its occupants, and the possession thereof such of whom can be had for the purpose of obtaining the same namely: Thos. B. Randall, Wm Dessaque, H. F. Lucas, Wm Johnson, W. B. Scott all living on R. F. D. # 2 Montevallo, Ala.
Affiant further says that he has had his attention directed to the fact that Charles H. Cary and Lucy J. Cary in 1902 undertook to convey to Albert F. Wilson the entire N. E¼ of Section Six in the above named Township and Range, and that the deed to Albert F. Wilson, as aforesaid was cancelled and annulled by the decree of the City Court of Birmingham in equity to the N. E¼ of N. E¼ of the same tract leaving the other portion of it to all appearances in the hands of said Wilson; but affiant says that to his best information and according to his mature judgment on said question, the making of the deed to said Albert F. Wilson to all of said N. E¼ was an error and not intended; that it was intended to make a deed to only the N. E¼ of N. E¼ thereof, and the fact that it was made to read the N. E¼ thus covering 160 acres, instead of forty, was wrong, mistake and due to oversight or inadvertence. That said deed was fraudulent and for that reason cancelled and held for naught as to the N. E¼ of N. E¼ and in his opinion would than have so held as to all of it, if the fact that Wilson was named or designated as owner to the balance of the said 160 acres had been made known to the Court at the time; that the deed to the balance of it, namely, the W½ of N. E¼ and S. E of N. E¼ was as much tainted by fraud as the deed to the N. E¼ of N. E¼ and would have been so held, except that it was due to a series of errors,

first by including in the deed to Wilson, and next by not discovering that it had been done and cancelling it. That Wilson, prior to the cancellation of said deed did not enter onto said land, nor claim any ownership over it; that Cary, Wilson's Vendee had not done so, and that none of them have since tried to do so, save to the extent of setting up any sort of claim to the same.
Affiant further says that there is not now, any kind or semblance of dispute from any source nor on the part of any person against his title or possession, and he offers the proof of the foregoing persons to prove it, as well as his own testimony, herein certified by his own affidavit.

S. A. Latham.

Sworn to and subscribed before me this 6th day of January A. D. 1917. J. Fred Lyman, Notary Public. (Seal)

The State of Alabama, Shelby County. } I hereby certify that the within Affidavit was filed in this office for record 11 day of August 1917, at 2 30 o'clock P. M. and recorded in Deed Record 61 Pages 338-39 and examined.

G. H. Weaver, Judge of Probate