

State of Alabama, Before the undersigned authority in and County of Shelby, for said County and State this day personally appears H. P. Ryan, who after being by me duly sworn deposes and says;

That he is well acquainted with the location of the $N\frac{1}{2}$ of S. E $\frac{1}{4}$, Section 36, Township 21 South Range 3 West, Shelby County, Alabama and knows this land when a negro called Wesley Avery built a small shelter there some time in the 80's. That this negro never really made his home on this land and never had a woman with him when he was in this County; that he was a strange negro in this community and shortly after he built the shack above referred to on said land he left this County and affiant has never heard of him since;

That this land was not the homestead of said Wesley Avery in 1888 when he sold said land to Aldrich Tylee Trustees; That there has never been any actual possession exercised of said land since that time by any one except the Tennessee Coal Iron and Railroad Company, whose agents have looked after the land;

That it is wild land, covered sparsely with scrub timber and is not such land as could be successfully cultivated and it is very inaccessible;

That this negro Wesley Avery never occupied this land as a home with a wife and family, if he had one and so far as affiant knows he was not a married man;

H. P. Ryan

Subscribed and sworn to before me this 18th day of January, 1921.

J. D. Smith

Justice Peace

State of Alabama,

Shelby County,

I, G. W. Thayer, Judge of Probate, hereby certify that the within Affidavit was filed in this office for record 28 day of Sept. 1921, at 10 o'clock A. M. and recorded in Deed Record 68 Pages 602 and examined.

G. W. Thayer

Judge of Probate.