Tennessee Coal, Iron & Railroad Company, a Corporation, vs. W. E. Brinkerhoff, Mrs W. F. Johnson, Mrs Albert V. Griffith, Mrs R. A. Stone, Mrs L. L. Hunt, Arthur H. Upson, Alice H. Corles, Mary H. Pratt, A. H. Upson, Laura H. Harvey, Bennett B. Upson, a Minor, and Harrow H. Upson, a Minor	In The Circuit Court of Shelby County, Alabama, In Equity

Decree.

This cause coming on to be heard was submitted upon the bill of Complaint, upon the decree pro confesso

against Mrs Albert V. Griffith, Mrs W. T. Johnson, W. E. Brinkerhoff, Mrs R. A. Stone and Mrs L. L. Hunt; upon the appointment of F. G. Koenig as Guardian Ad Litem, acceptance and answer of F. G. Koenig as Guardian Ad Litem for Bennett B. Upson and Warren W. Upson, minors, denying the allegations of the bill of complaint; and

Upon the answer of Arthur W. Upson, Mrs Alice L. Cowles, Mrs Mary E. Pratt, H. W. Upson, Lilla M. Harvey and Mrs Marjorie B. Upson, Guardian of the minor respondents, admitting the averments of the bill of complaint and consenting to a decree, and upon the testimony as noted by the Register, and after considering same the Court is of the opinion and it is found, ascertained and determined that W. E. Brinkerhoff and his wife, Ida Brinkerhoff, John B. Randall and his wife Minnie R. Randall, Lucy J. Cary and husband, C. W. Cary, executed a deed to the Montevallo Coal & Railway Company, said deed being dated January 20, 1899 and being of record in Deed Book, zz, Page 69, of the records of the Probate Judge of Shelby County, Alabama, and that by said deed it was intended by said grantors to convey to said grantee the "Southwest Quarter of Southeast Quarter of Section 36, Township 21, South of Range 4 West, in Shelby County, Alabama," but that due to a mutual mistake of the grantors and the grantee said land intended to be conveyed by said deed was misdescribed as "South Half of Southeast Quarter of Section 3, Township 21 South of Range 4 West, Shelby County, Alabama," that said misdescription by which Section 3 was inserted in said deed instead of Section 36 was due to said mutual mistake and the Court is of the opinion that the description in said land should be corrected so as to express the real intention of the parties, and it appearing to the Court that the respondents are the heirs of the grantors of said deed the Court is of the opinion that the Complainant, Tennessee Coal, Iron & Railroad Company is entitled to the relief prayed for in the bill of complaint against each and every one of said respondents.

It is, therefore, ordered, adjudged and decreed that the deed given by W. E. Brinkerhoff and his wife Ida Brinkerhoff,

John B. Randall and his wife, Minnie R. Randall, Lucy J. Carey and husband C. W. Carey to the Montevallo Coal & Railway Company, dated January 20, 1899, and recorded in Deed Book 22, Page 69 of the records of the Probate Judge of Shelby County, Alabama, be and the same is reformed and corrected as follows: where in said deed the description of the lands conveyed reads "South Half of Southeast Quarter of Section 3, Township 21, South of Range 4 West", it shall read and is hereby reformed and corrected to read "Southwest Quarter of Southeast Quarter of Section 36, Township 21 South of Range 4 West," and it further appearing to the Court that the Tennessee Coal, Iron & Railroad Company is the successor in title of the Montevallo Coal & Railway Company in and to said land intended to be conveyed by said deed;

It is, therefore, ordered, adjudged and decreed that all the right, title and interest of the said W. E. Brinkerhoff, Mrs W. F. Johnson, Mrs Albert V. Griffith, Mrs. R. A. Stone, Mrs L. L. Hunt, Arthur W. Upson, Alice H. Cowles, Mary H. Pratt, H. W. Upson, Lizzie H. Harvey, Bennett B. Upson, a minor and Warren W. Upson, a minor, in and to the Southwest Quarter of the Southeast Quarter of Section 36, Township 21 South of Range 4 West, be and the same is hereby vested out of said parties and that the same be and is hereby vested in the Tennessee Coal, Iron & Railroad Company, a Corporation.

All costs are hereby decreed to be paid by the Complainant, Tennessee Coal, Iron & Railroad Company.

Done this 11th day of March, 1922.

W. L. Longshore.
Judge.

State of Alabama } I, G. W. Weaver, Judge of Probate,
Shelby County. } hereby certify that the within Deed was filed in this office for record 11 day of March at 3 o'clock P. M. and recorded in Deed Record 71, Pages 406-08 and examined.

G. W. Weaver
Judge of Probate