## AFFIDAVIT

STATE OF ALABAMA )
SS
JEFFERSN COUNTY )

Before me the undersigned authority, this day personally appeared J.C. Duke who being duly sworn, deposes and says as follows, to-wit: that he is the son of Duke, deceased; that affiant is also known as James C.Duke; that the said W. H.Duke departed this life on the 27thday of March, 1912 leaving a last will and testament which was duly porbated on to-wit: the 20th day of April 1912, before the Probate Court of Jefferson County, Anabama and is recorded in the office of the Probate Judge of said County of Jefferson in Will Record "N", page 138; that in and by said Will, after specific bequests to certain of his hereinafter named children, he directed that his property in Shelby County, after his son, Arthur, became twenty one years of age, "be sold or divided among my wife, Loretta Duke, and my children share and share alike ásototthemomay seem best", and further "that should my said wife (Loretta Duke) die before my son Arthur becomes twenty one years of agw, then the share of my estate hereby willed to her shall go to William Hullett"; that at the time of the death of thesaid W.H. Duke, he left surviving him, his widow, the said Loretta Duke, and the following named eight children by a former wife, namely, Robert Edwin Duke, James C.Duke, Ida Duke Miles, Arthur Duke, Roland Duke, Isetta Duke Merkel, Elizabeth Duke Brooks and William M. Duke, and also a stepson, William J.Hulletty son of the said Loretta Duke; that at the time of the death of the said W. H. Duke, the said Arthur Duke was of the age of fourteenyears; that the said Loretta Duke departed this life on the 5th day of April, 1915, before the said Arthur Duke became twenty one years of age; that all of the said children of the said W. H. Duke, and the said William J. Hullett, were over the age of twenty one years and were of sound mind on December 31, 1926, when a division of certain lands in Shelby County, Alabama, belonging to the said W.H.Duke, deceased, was had, as is evidenced by deed made by the said named children and the said William J.Hullett and their respective spouses, dated December 31, 1926, and recorded inthe office of the Probate Judge of Shelby County, Alabama, in Deed Book 86, page 278; thata final settlement of the estate of the said W.H.Duke has been had, and affiant knows of his own personal knowledge that there are no outstanding debts against the estate of said W. H. Duke, deceased. Sworn to and subscribed before me this J.C.Duke the 11th day of September, 1929.

V.H. Huey--Notary Public
THE STATE OF ALABAMA )
SHELBY COUNTY )

I hereby certifythat the within affidavit was filed in this office for record Oct. 7th 1929 at 2 oclock P.M. and recorded in Deed record 90 page 36 and examined,

Cage Head--Judge of Probate