

AFFIDAVIT

STATE OF ALABAMA)

SHELBY COUNTY)

Before me the undersigned authority, in and for said County in said State, personally appeared J.W.Harris who is known to me, and who being duly sworn deposes and says as follows:

My name is J.W.Harris; my age is 70 and I reside near Maylene in Shelby County Alabama; I have resided in that neighborhood for 35 years next last past; I knew of James P. Lacey during his life time, he died about 1884; I am familiar with the SE $\frac{1}{4}$ and the east half of the SW $\frac{1}{4}$ and the south 30 acres of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; and that part of the west half of the SW $\frac{1}{4}$ lying on the east side of Beaver Dam Creek, all in Section 9, township 21, range 3 west, and the north 20 acres of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, township 21 range 3 west all in Shelby County Alabama, and have been familiar with said land since 1885; John M. Lacey acquired the SE $\frac{1}{4}$ and the east half of the SW $\frac{1}{4}$ and the south ten acres of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9, Township 21, range 3 west, in 1876; he also acquired the north half of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, township 21, range 3 west in 1883; John M. Lacey was in the actual, continuous, uninterrupted possession of said land from the date of his acquiring said land as above stated until the day of his death on to-wit: during the month of April 1 1917; John M. Lacey was never married, and willed this land to his sisters, Kate Lacey, Emma Lacey, Mattie Lacey and Mary A. Harrison, who continued in like possession of said land until they sold it in 1919 to their brother E. P. Lacey, who has continued in like possession thereof until the present date; during all this time, that is, from the date of acquisition by John M. Lacey the above described land has been used each and every year by John M. Lacey, and those claiming through him, for cultivation, pasturage, cutting timber and such uses as such land was capable of being put to, a part of it was cultivated every year until 1930, when no crop was made on it, but it has been during this year in the actual possession of E. P. Lacey.

James P. Lacey's only heirs were W.D. Lacey, John M. Lacey, Mary Harrison, E.P. Lacey, Kate Lacey, Emma Lacey, Danie B. Lacey, James W. Lacey, Cora M. Lacey, and Martha Lacey, who was sometimes called Mattie Lacey or Mattie Lacey, who was sometimes called Martha Lacey, these being his only children, and his widow, Ann A. Lacey; and Ann A. Lacey died without having remarried, and James W. Lacey and Martha or Mattie Lacey died without having ever been married.

I am also familiar with the following tract of land; begin at the southeast corner of D. B. Lacey's and at an ironstob; thence along a wire fence three chains to a creek; thence south along said creek 8 chains and 33 links to the north boundary of Cora Harris' land; thence east 1 chain and 44 links to quarter section line; thence north along said quarter section line 8 chains to point of begining, being and lying on the east side of Beaver Dam Creek and on the east side of the west half of the SW $\frac{1}{4}$ of Section 9, Township 21 south range 3 west in Shelby County Alabama; this was a part of James P. Lacey's homestead and he was in actual possession of the same as far back as 1875, and continued in such possession from said date until his death; said land was in like possession of his children and his widow until February 2, 1885, when a part of James P. Lacey's heirs conveyed it to the balance of the heirs, and they continued in like possession until those heirs then owning it conveyed it to E.P. Lacey on January 9th 1925; and E. P. Lacey has continued in like possession of said land until the present date. During all the time mentioned herein, all of the land mentioned

herein has been in actual, continuous, uninterrupted peaceable possession of those mentioned herein as owning said land, and during all of this time I have known of no adverse claim thereto and have heard of none.

J. W. Harris

Subscribed and sworn to before me this the 23 day of October 1930.

J.D.Smith
Justice of the Peace

THE STATE OF ALABAMA)
SHELBY COUNTY)

I hereby certify that the within affidavit was filed in this office for record Nov. 11th 1930 at 9 oclock A.M. and recorded in Deed record 91 page 591 and examined.

Cage Head-- Judge of Probate