

Affidavit

#1943

The State of Alabama
Jefferson County.

Before me the undersigned authority in and for said County, in said State, personally appeared Hazel Summers, who being first duly sworn on oath says that from the 8th day of November, 1916 until the 10 day of Nov., 1936, she was employed either by McDonough Ore and Mining Company or by Noala Land & Mining in various capacities, being book-keeper and stenographer for these companies and affiant further says that she has personal knowledge of the lands in Shelby County, Alabama, owned by Noala Land and Mining Company. The McDonoughs and the Shannons and the Robertsons were stockholders and officers of these companies and it was part of the duty of affiant as an employee to keep the records concerning these lands and leases made thereon and affiant often visited the territory where these lands were located during this period of twenty years. The Noala Land & Mining Company leased to various parties for mining purposes portions of these lands during said time and sold timber to various parties during said time and rented out portions of said property for farming purposes to various parties during said time and had an agent, Mr. R.T. Gilliam, who lived near the property, who was on it every few days for the purpose of seeing that it was not trespassed upon and that timber was not cut by unauthorized persons or coal removed therefrom by unauthorized persons. At one time there had been something around twenty houses on the property but some of these were burned and toward the last some were sold off and removed, the sales being made by Noala Land & Mining Company. At different times since I have known the property there was constructed several tram tracks and there were roads constructed for truck hauling purposes over various parts of the land. A large portion of this property was posted with signs at various times by the agent of the Noala Land & Mining Company for the purposes of keeping off hunters and traspassers. From about January 1921, I visited the property herein mentioned once or twice each month for the purposes of collecting royalties and rents and seeing that it was not being used by unauthorized persons. At no time since I first knew the property in 1916 until I severed my connection with the Noala Land & Mining Company in 1936 did I ever hear of anyone disputing the title of Noala Land & Mining Company to this property or of anyone being in possession of any part of it except as tenants, agents or leezees of Noala Land & Mining Company. The Noala Land & Mining Company assessed and paid taxes on all this property amounting to 1185 acres, more or less, until it sold for taxes in the year 1931 for 1930 taxes. This sale was made after the depression came on when the income of the company had practically ceased. Mrs. C.N. Gilley, wife of the Mayor of Fairfield occupied the same position later held by me from 1910 to 1916.

Mr. Shannon and Mr. Robertson owned all of the stock of the Noala Land & Mining Company and I am familiar with the bond issue of One Hundred Thousand dollars secured by a mortgage on the property of Noala Land & Mining Company recorded in Mortgage Book 93, page 1, in the office of the Probate Judge of Shelby County, Alabama, and I know that the bonds secured by this mortgage were taken up by and surrendered to Mr. Shamon and Mr. Robertson and while I was employed by the company prior to November 1936, these bonds were kept in the safe of the company and after Mr. Robertson died I turned the bonds over to Mr. J.L. Drennen on August 26th, 1936, taking his receipt therefor.

Hazel Summers

Sworn to and subscribed before me this 19 day of October, 1940.

G L Woolsey,
Notary Public

Filed for record in this office April 14th 1941 at 2 PM and recorded in deed record 111, page 363 and examined L C Walker, Judge of Probate