

4470

STATE OF ALABAMA

SHELBY COUNTY

Before the undersigned authority personally appeared Jess Jones, who is known to me, and who being by me first duly sworn, deposes and says:

When I was a child I knew Phillip Ellison and I knew the old Phillip Ellison place. Mr. Ellison was killed by a falling tree. My father's hound had treed a coon one Sunday morning and Mr. Phillip Ellison and Will Carden went over there to catch the coon and when they cut the tree it fell on another one which fell on Mr. Ellison and killed him. I saw the men bring him out of the woods across our yard and carry him away in a wagon to his home. There is a big chinaberry tree at the old Ellison homeplace.

I knew Mr. Frank Patterson and his father-in-law R. E. L. Headley. Mr. Patterson occupied this place until about 1918 and he lived there with his father-in-law R.E.L. Headley and when they sold the land to Mr. Walton Eddins they moved out. Right after that Jim White moved on the land and cultivated it for one year and probably two. I remember he bought a horse from Velt^c Burnett and cultivated some of the land for one year at least and as I say it might have been two years. Right after Jim White moved out Arthur Carden moved on the property, but he is dead. His wife, Jessie Mae Carden is still living at Shelby, Alabama. Arthur Carden stayed on the place at least two years and probably three or four. I know that they cultivated some of the land around the house but probably only cultivated garden spots and turnip patches. I remember distinctly that I was hauling lumber and I hauled fertilizer from G. W. Pate's Store and delivered it to Arthur Carden and I saw his brother, Willie Carden, who lived with him, cultivate some of the spots around on the place.

The Phillip Ellison land is described as follows:

The SE $\frac{1}{4}$ of SE $\frac{1}{4}$; SW $\frac{1}{4}$ of SE $\frac{1}{4}$; and SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 22, Township 24 North, Range 15 East, Shelby County, Alabama.

Sometime after Arthur Carden moved out, somebody put up a still right close to the old house place, probably within 100 yards of it. The officers went down and destroyed the still and set it afire and they claim that the fire coming from burning the barrels burned up the woods and also burned up the Phillip Ellison house or

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as we then knew it the Frank Patterson house.

Jim White and Arthur Carden lived on the land from about 1918 to 1922, as best I recall it.

Jess Jones

Jess Jones

Sworn to and subscribed to before me
on this the 25th day of September, 1958.

Harvey E. Lee

Notary Public
State at Large for Alabama

State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within

Affidavit

was filed in this office for record the

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September 1958 at *8* o'clock *A* M.

Record *195* Page *496* & amount *10-1-58*

and the Mortgage Tax of \$

has been paid.

L. C. Walker

Judge of Probate

1.20