

State of Alabama,

Baldwin County.

Before me, Henry Dumas

Notary Public

in and for said County and State,

personally appeared

Martha Raine

who, being by me first duly and legally sworn doth depose and say:

That she is personally acquainted with James ~~X~~ Kinmon and know of my own knowledge that he is not in the army or navy nor is he in any wise in the services of United States Government. Nor has he at any time in the past been in the army or navy.

Dated this 30th day of July, 1918.

Martha Raine

30th day of July, 1918.

Sworn and subscribed before me this

Henry Dumas
Notary Public

The State of Alabama } Circuit Court
Baldwin County } In Equity:

Planters Cotton Company
a corporation, incorporated
under the laws of Alabama
Complainant.

vs

R. F. Conaway

L. B. Conaway Respondents.

To the Hon. A. E. Sauble, Circuit Judge
sitting in Equity:

The Planters Cotton Company a corporation incorporated under the laws of Alabama alleges that to wit: May 1914 R. F. Conaway the Respondent was indebted to complainant in a large sum of money to wit: three hundred and twenty dollars and the said Conaway was the owner of and in possession of the following described tract of land situated in Baldwin County Alabama to wit: The East half of North west quarter of Southwest quarter (twenty acres) and the Southeast quarter of Northwest quarter of Southwest quarter (ten acres) and the Southwest quarter of the northeast of Southwest quarter (ten acres) of Section eleven (11) Township one (1) South Range (4) four East, containing forty acres more or less, and it was agreed by and between the said complainant and said R. F. Conaway that, in consideration of said indebtedness of R. F. Conaway to complainant that the said R. F. Conaway and his wife the other Respondent L. B. Conaway would

execute to the complainant a deed to said land and convey same to complainant, in payment of said indebtedness to this complainant.

2 Complainant further alleges that the said R. F. Conroy and wife L. B. Conroy did ~~and~~ or to wit: some day in the latter part of May 1914 sign a deed to complainant which deed was duly executed and acknowledged on to wit: 6th day of May 1914 by the said R. F. Conroy and L. B. Conroy by which deed they attempted to convey to the said complainant the said land described in Paragraph 1 above, but by mistake the land is described as situated in Township one North instead of Township one South. That said deed was made in pursuance of the said agreement by the Respondents to convey said land described in Paragraph 1 above, in settlement of said indebtedness of R. F. Conroy to this complainant. And that the mistake was unintentional and was not discovered until about March 10th 1918 a few days ago. That the Respondents owned the lands described in Paragraph 1 above and occupied and were in possession of same, but did not own the lands in Township one North which were by mistake put in said deed. The said deed is duly recorded in Deed Book 26 Page 283 of the Records of the Probate Office of Baldwin County Alabama and a copy of same is hereto attached and made a part of this bill, Marked Exhibit

3 Complainant alleges that upon the discovery of the mistake aforesaid in said deed, this

Complainant demanded of R. F. Leawoy to correct same, and he promised to do so but has failed to comply with his promise, although a deed with the correct description of the land intended to be conveyed, was prepared and presented to Respondents for execution.

- 4 Respondents are both over the age of 21 years and reside now in Mobile County Alabama.

Complainant prays that the said R. F. Leawoy and S. B. Leawoy be made parties to this bill and that they be commanded to plead answer or demurr to this bill within the time prescribed by law and in default thereof a decree pro confesso be rendered against them or that one of them so in default.

Complainant prays that this Court make an order and decree correcting the said mistake ^{in said deed} in the event said Respondents refuse in a reasonable time after being ordered so to do, fail to make the correction.

Complainant prays that the court grant it such other and further relief as it may be entitled to under the pleadings and proof.

And as in duty bound Complainant will ever pray.

R. Percy Roach.
Solicitor

Foot note:

The Respondents are required to answer this bill of Complaint from paragraph 1 to paragraph 4 inclusive but not under oath as answer under oath is hereby expressly waived.

R. B. Roach,

Sol. for complainant.

Exhibit A

This Indenture, Made--day of May 1914 between R F Conaway and wife, L B Conaway, parties of the first part, and the Planters Cotton Company (successors to Bevill, Phillips & Co) parties of the second part: Witnesseth, that the parties of the first part, in consideration of the sum of three hundred nineteen and 27/100 (\$319.27) Dollars, hereby acknowledged to have been paid the parties of the ~~ed~~ first part by the parties of the second part, do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all that real property in Baldwin County, Alabama, described as follows: The east half of Northwest quarter of Southwest quarter (twenty acres) and Southwest quarter of Northwest quarter of Southwest quarter (ten acres) and the southwest quarter of Northeast quarter of Southwest quarter (ten acres) of section eleven (11) Township one (1) North of Range four (4) East of St Stephens Meridian. Together with all the rights and appurtenances to said described premises in anywise belonging. To have and to hold the same forever. And the said parties of the first part for themselves and their heirs, the said described premises and appurtenances, will forever Warrant and Defend unto the said parties of the second part, their heirs and assigns, against the lawful claims of all persons whatsoever.

In witness whereof, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of: R.F. Conaway (Seal)
J.A. Shiver L.B. Conaway (Seal)
W W Thomley

State of Alabama,)
Baldwin County.)

I, Jacob A. Shiver, Justice of Peace in and for said County and State, do hereby certify that R F Conaway and wife, L B Conaway, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of the said conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 6th day of June 1914
Jacob A. Shiver, J.P.

State of Alabama,)
Baldwin County.)

I, Jacob A. Shiver, Justice of Peace in and for said County and State, do hereby certify that on the 6 day of June 1914 came before me the within named L B Conaway, known to me to be the wife of the within named R F Conaway, who, being examined separate and apart from the husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint, or threats on the part of the husband.

In witness whereof, I have hereunto set my hand and official seal, this 6th day of June 1914.
(Seal) Jacob A. Shiver, J.P.

Filed for record August 11th 1917 at 8 AM
Recorded August 11th 1917.

Jas M Voltz, Judge of Probate.

1st Original Bee

Plants bottom leaf
complete

W

R. F. Leonard
at
Rusps.

Filed March 19th
1918 at 12.15 P.M.

T. W. Richardson
Register.