

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Before me, T.W. Richerson, Clerk of the Circuit Court of Baldwin County, Alabama, this day personally appeared before me W.D. Owens, who is known to me and who being by me first duly sworn deposes and says that he is defendant in the case of Stanton A. Scott against W.D. Owens, pending in the Circuit Court of this County, numbered 1600; that on to-wit, December 15th, 1916, the Southern Plantation Development Company, a corporation, then owning the lands described in the Complaint in said cause or holding said lands under an option of Purchase from Southern States Lumber Company, a corporation, with the right to convey did convey to defendant for a valuable consideration, which said consideration was paid, by an instrument in writing, the growing pine trees on a large tract of land in Baldwin County, Alabama, with the right to work the said growing pine trees on said lands which said right was in force at the time defendant entered on the lands described in the complaint and cupped said trees; that the said Southern Plantation Development Company at the same time furnished defendant with a blue print plat of the land so conveyed including the lands described in the complaint and put defendant in possession thereof, including the lands described in said complaint; that subsequently it was discovered that the said conveyance by error omitted the lands described in said complaint, of which defendant was already in possession under said conveyance in accordance with the intent of said conveyance and the plat as furnished by said Southern Plantation Development Company; that the growing pine trees on the lands described in the complaint were sold to defendant on December 15th, 1916, that defendant was immediately put in possession thereof and has remained continuously in possession thereof to this suit; that subsequent to December 15, 1916, to-wit: March 5th, 1919, the Southern Plantation Development Company attempted to convey the lands described in said Complaint to the said Plaintiff, Stanton A. Scott; and that under said conveyance of December 15, 1916, as properly drawn in accordance with the intent of the parties defendant has a right to the growing pine trees on the lands described in the complaint and that said conveyance when properly amended to show the true intent of the parties conveyed a title to said trees to defendant paramount to that of ~~plaintiff~~ plaintiff.

W.D. Owens.

Sworn to and subscribed before me this the 23 day of November, 1920.

T.W. Richerson
Clerk Circuit Court, Baldwin Co. Ala.

Stanton A Scott.

vs.

W.D. Owens

Motion and affidavits
for transfer of case to
Equity side.

Risaby Beaman
Atty.