

QUITMAN PHILLIPS, ET AL,
COMPLAINANTS

VS

GEORGE NIXON, ET AL,
RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2765

REQUEST FOR APPOINTMENT OF COMMISSIONER

TO: Mrs. Alice J. Duck, Register of the Circuit Court of Baldwin
County, Alabama:

The Complainant wishes to take orally, on behalf of the Complainant
the testimony of the following witnesses:

Quitman Phillips

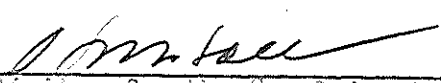
Montrose, Alabama

R. C. Yohn

Fairhope, Alabama

It is hereby requested that they be given proper and legal notice and
that Evelyn Watts be appointed as Special Commissioner, to take testimony
of said witnesses, and that due and legal notice be given as required by
law.

Dated this the 17 day of March, 1952.


Solicitor for the Complainant

RECORDED

QUITMAN PHILLIPS, ET AL,

COMPLAINANTS

VS

GEORGE NIXON, ET AL,

RESPONDENTS

REQUEST FOR APPOINTMENT
OF COMMISSIONER

Fred

3-17-52

Alice J. Duke

Repts

QUITMAN PHILLIPS, ET AL,
COMPLAINANTS

VS

GEORGE NIXON, ET AL,
RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the Court that the order of publication heretofore made in this cause was published for four consecutive weeks commencing on the 17th day of January, 1952, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in Baldwin County, Alabama, on the 17th day of January, 1952; and it further appearing to the court that the said Paul A. Frederick and Esther Frederick and George Nixon respondents have to date failed to plead, answer or demur to this bill of complaint in this cause.

It is therefore, on motion of the Complainants ordered and decreed by the Court, that the said bill of complaint, be and it hereby is, in all things, taken as confessed against the Respondents named in the bill of complaint.

WITNESS my hand and seal of office this the 17 day of March 1952.

W. J. Smith
Register

RECORDED

QUITMAN PHILLIPS, ET AL,

COMPLAINANTS

VS

GEORGE NIXON, ET AL,

RESPONDENTS

DECREE PRO CONFESSO ON
PUBLICATION

Filed 3-17-54

Alice J. Duck

Reporter

BOOK 002 PAGE 370

QUITMAN PHILLIPS AND
BEVERLY V. PHILLIPS

COMPLAINANTS

VS

GEORGE NIXON ET AL

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

LIS PENDENS NOTICE

IT HAVING been made to appear in the above styled cause by proper affidavit that Paul A. Frederick and Esther Frederick are over twenty-one years of age and residents of Baldwin County, Alabama; and That George Nixon, if living, or if dead, his heirs, devisees, grantees, personal representatives and assigns are non-residents of the State of Alabama, and over twenty-one years of age and that their addresses are unknown and cannot be ascertained after a diligent search and inquiry; that Quitman Phillips and Beverly V. Phillips are both over twenty-one years of age and residents of Baldwin County, Alabama, and the owners in fee simple and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

That your Complainants acquired title to the said lands by the following conveyances: Lots 1, 2, and 3, Block 5 Volanta, from Camilla S. Owen, Alice S. Overton, Ann S. Morgan and Wesley S. Overton, Jr., dated December 31, 1951; and Lot 4, Block 5 from R. C. Yohn and Mildred M. Yohn by deed dated May 8, 1946.

That no person is known to have paid any taxes on said land or to have had any possession thereof within ten years next preceding the filing of this bill of complaint except Quitman Phillips, Beverly V. Phillips, R. C. Yohn, Camilla S. Owen, Alice S. Overton, Ann S. Morgan and Wesley G. Overton, Jr.

IT IS THEREFORE ORDERED and notice is hereby given that the said Paul A. Frederick, Esther Frederick, George Nixon, the unknown heirs, devisees, Grantees, personal representatives and assigns of George Nixon, if he be dead, and any other person, firm or corporation, claiming any title to, interest in, lien or encumbrance upon said land or any part thereof, to appear

In the Circuit Court of Baldwin County, Alabama, in Equity, and plead,

answer or demurr to the bill of complaint on or before the 17th day of

March, 1952, or upon their having failed to do so upon

the expiration of thirty days from said date, a decree pro confesso shall

be taken against them and this cause shall be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the

Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four

consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court

of Baldwin County, Alabama, have hereunto set my hand and seal of office

on this the 11th day of January, 1952.

Alice J. Duck
Register

E. M. Hall

Solicitor for the Complainants.

STATE OF ALABAMA

BALDWIN COUNTY

I, Alice J. Duck, Register of the Circuit Court of Baldwin County,

Alabama, hereby certify that the foregoing is a full, true, correct and

complete copy of notice given by publication in the Baldwin Times, a

newspaper published in Bay Minette, Baldwin County, Alabama, in the cause

of Outman Phillips, et al, vs George Nixon, et al, and filed for record

in the office of the Probate Judge of Baldwin County, Alabama, in accordance

with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office,

on this the 11th day of January, 1952.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY

Filed 1-12-52

Recorded 1-12-52 page 2

Judge of Probate

BOOK 002 PAGE 371

copy

1-12-52

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons GEORGE NIXON, PAUL A. FREDERICK, ESTHER FREDERICK, the unknown heirs, devisees, executors, administrators, and assigns of them and each of them to appear, and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by QUITMAN PHILLIPS AND BEVERLY V. PHILLIPS, as Complainant and against George Nixon, Paul A. Frederick and Esther Frederick as Respondents.

WITNESS My hand this the 11th day of January, 1952.

George J. Neuch
Register

QUITMAN PHILLIPS and BEVERLY
V. PHILLIPS

COMPLAINANTS

VS

GEORGE NIXON ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainants, Quitman Phillips and Beverly V. Phillips, respectfully present this their bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

Lots 1-2-3- and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama,

and also against George Nixon, if he be living or if dead, against the unknown heirs, devisees, grantees, personal representatives and assigns of George Nixon, Paul A. Frederick, Esther Frederick, the unknown heirs, devisees, grantees, personal representatives and assigns of Paul A. Frederick and Esther Frederick and any and all other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrance upon the said land or any part or parcel thereof and respectfully represent and show unto Your Honor and this Honorable Court as follows:

1.

That your Complainants are over twenty-one years of age and residents of Montrose in Baldwin County, Alabama.

2.

That the Respondents Paul A. Frederick and Esther Frederick, are both over twenty-one years of age and residents of Fairhope, in Baldwin County, Alabama; that George Nixon, if living is over twenty-one years of age and a non-resident of the State of Alabama, and his address cannot be ascertained after a diligent search and inquiry; that if George Nixon is dead, his heirs, and over twenty-one years of age and non-residents of the State of Alabama, and their addresses cannot be ascertained after a diligent search and inquiry; that a diligent search and inquiry has been made to ascertain whether or not George Nixon, if living or dead, and if living his present address or if dead the names, ages and addresses of his heirs and next of kin, searching the records in the Court House at Bay Minette the county seat of Baldwin County, Alabama, and also making inquiries in and around Fairhope and Volanta where the said lands are located.

3.

That your Complainants are the owners in fee simple and in the actual possession of the lands hereinafter described situated in Baldwin County, Alabama, to-wit:

Lots 1-2-3- and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

4.

That no suit is pending to test the Complainants' title to, interest in, or rights of possession to said lands; that the Complainants call upon the Respondents and each of them separately and severally to set forth and specify what right, title, interest in, lien or encumbrances the said Respondents and each of them have in and to said lands or any part thereof, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainants acquired title to the said lands by the following conveyances: Lots 1, 2, and 3, Block 5 Volanta, from Camilla S. Owen, Alice S. Overton, Ann S. Morgan, and Wesley S. Overton, Jr., dated December 31, 1951; and Lot 4, Block 5 from R. C. Yohn and Mildred M. Yohn by deed dated May 8, 1946;

6.

That the title to said land stands upon the records of the Probate Court of Baldwin County, Alabama, in the names of your Complainants, Quitman Phillips and Beverly V. Phillips and R. C. Yohn, Wesley G. Overton Jr., Camilla S. Owen and Ann S. Morgan.

7.

That no one has at any time within ten years next preceding the filing of this bill of Complaint paid any taxes upon said land or any part thereof or had possession of said land or any part thereof other than Quitman Phillips Beverly V. Phillips, R. C. Yohn, Camilla S. Owen, Alice S. Overton, Ann S. Morgan and Wesley G. Overton, Jr.,

8.

That the only persons shown by the records of Baldwin County, Alabama, to have any claim against said land or any part thereof are Quitman Phillips, Beverly V. Phillips, George Nixon, Camilla S. Owen, Alice S. Overton, Ann S. Morgan, and Wesley G. Overton Jr.

WHEREFORE, the premises considered, your Complainants pray that your Honor will by proper process make the said Paul A. Frederick, Esther Frederick, George Nixon, the unknown heirs, devisees, grantees, personal representatives, and assigns of George Nixon, and also any other person, firm or corporation claiming any right, title, interest in, lien or encumbrances upon the said land herein described in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5, of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama,

or any part or parcel thereof parties respondents to this bill of complaint requiring them and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainants further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title free from all liens and encumbrances to the lands herein described and to each part and parcel thereof is vested in your Complainants Quitman Phillips and Beverly V. Phillips and that neither Paul A. Frederick Esther Frederick, George Nixon, the unknown heirs, devisees, grantees,

personal representatives and assigns of George Nixon, nor any other person, firm or corporation, has any right, title, interest in, or encumbrance upon said land or any part or parcel thereof and that any and all doubts and disputes concerning the said lands may be cleared up.

Your Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive.

[Signature]
Solicitor for the Complainants

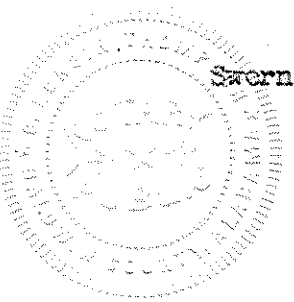
STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared H. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says: That he is solicitor of record for the Complainants in the within cause; that he is authorized to make this affidavit; that from all information obtainable after a diligent search and inquiry the facts contained in the foregoing bill of complaint, are true and correct.

[Signature]

Sworn to and subscribed before me on this the 11 day of January, 1952.

[Signature]
Notary Public, Baldwin County, Alabama



FILED
JAN 11 1952
BALDWIN COUNTY, ALABAMA

[Handwritten notes]

2765
Estate of Friedrich

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BILL OF COMPLAINT

FILED

JAN 11 1952

ALICE J. DUCK, Register

QUITMAN PHILLIPS AND
BEVERLY V. PHILLIPS
COMPLAINANTS
GEORGE NIXON, ET AL
RESPONDENTS



...the ... of ...

...the ... of ...
...the ... of ...

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons GEORGE NIXON, PAUL A. FREDERICK, ESTHER FREDERICK, the unknown heirs, devisees, executors, administrators, and assigns of them and each of them to appear, and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by QUITMAN PHILLIPS AND BEVERLY V. PHILLIPS, as Complainant and against George Nixon, Paul A. Frederick and Esther Frederick as Respondents.

WITNESS My hand this the _____ day of January, 1952.

Register

QUITMAN PHILLIPS and BEVERLY
V. PHILLIPS

COMPLAINANTS

VS

GEORGE NIXON ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainants, Quitman Phillips and Beverly V. Phillips, respectfully present this their bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

Lots 1-2-3- and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama,

and also against George Nixon, if he be living or if dead, against the unknown heirs, devisees, grantees, personal representatives and assigns of George Nixon, Paul A. Frederick, Esther Frederick, the unknown heirs, devisees, grantees, personal representatives and assigns of Paul A. Frederick and Esther Frederick and any and all other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrance upon the said land or any part or parcel thereof and respectfully represent and show unto Your Honor and this Honorable Court as follows:

1.

That your Complainants are over twenty-one years of age and residents of Montrose in Baldwin County, Alabama.

2.

That the Respondents Paul A. Frederick and Esther Frederick, are both over twenty-one years of age and residents of Fairhope, in Baldwin County, Alabama; that George Nixon, if living is over twenty-one years of age and a non-resident of the State of Alabama, and his address cannot be ascertained after a diligent search and inquiry; that if George Nixon is dead, his heirs, and over twenty-one years of age and non-residents of the State of Alabama, and their addresses cannot be ascertained after a diligent search and inquiry; that a diligent search and inquiry has been made to ascertain whether or not George Nixon, if living or dead, and if living his present address or if dead the names, ages and addresses of his heirs and next of kin, searching the records in the Court House at Bay Minette the county seat of Baldwin County, Alabama, and also making inquiries in and around Fairhope and Volanta where the said lands are located.

3.

That your Complainants are the owners in fee simple and in the actual possession of the lands hereinafter described situated in Baldwin County, Alabama, to-wit:

Lots 1-2-3- and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

4.

That no suit is pending to test the Complainants' title to, interest in, or rights of possession to said lands; that the Complainants call upon the Respondents and each of them separately and severally to set forth and specify what right, title, interest in, lien or encumbrances the said Respondents and each of them have in and to said lands or any part thereof, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainants acquired title to the said lands by the following conveyances: Lots 1, 2, and 3, Block 5 Volanta, from Camilla S. Owen, Alice S. Overton, Ann S. Morgan, and Wesley S. Overton, Jr., dated December 31, 1951; and Lot 4, Block 5 from R. C. Yohn and Mildred M. Yohn by deed dated May 8, 1946;

6.

That the title to said land stands upon the records of the Probate Court of Baldwin County, Alabama, in the names of your Complainants, Quitman Phillips and Beverly V. Phillips and R. C. Yohn, Wesley G. Overton Jr., Camilla S. Owen and Ann S. Morgan.

7.

That no one has at any time within ten years next preceding the filing of this bill of Complaint paid any taxes upon said land or any part thereof or had possession of said land or any part thereof other than Quitman Phillips, Beverly V. Phillips, R. C. Yohn, Camilla S. Owen, Alice S. Overton, Ann S. Morgan and Wesley G. Overton, Jr.,

8.

That the only persons shown by the records of Baldwin County, Alabama, to have any claim against said land or any part thereof are Quitman Phillips, Beverly V. Phillips, George Nixon, Camilla S. Owen, Alice S. Overton, Ann S. Morgan, and Wesley G. Overton Jr.

WHEREFORE, the premises considered, your Complainants pray that your Honor will by proper process make the said Paul A. Frederick, Esther Frederick, George Nixon, the unknown heirs, devisees, grantees, personal representatives, and assigns of George Nixon, and also any other person, firm or corporation claiming any right, title, interest in, lien or encumbrances upon the said land herein described in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5, of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama,

or any part or parcel thereof parties respondents to this bill of complaint requiring them and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainants further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title free from all liens and encumbrances to the lands herein described and to each part and parcel thereof is vested in your Complainants Quitman Phillips and Beverly V. Phillips and that neither Paul A. Frederick, Esther Frederick, George Nixon, the unknown heirs, devisees, grantees,

personal representatives and assigns of George Nixon, nor any other person, firm or corporation, has any right, title, interest in, or encumbrance upon said land or any part or parcel thereof and that any and all doubts and disputes concerning the said lands may be cleared up.

Your Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive.

[Signature]
Solicitor for the Complainants

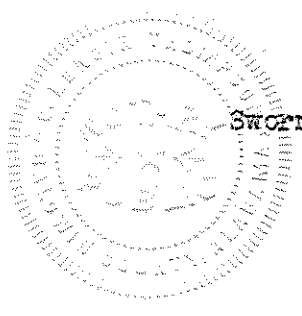
STATE OF ALABAMA
BALDWIN COUNTY

FILED
JAN 11 1952
BALDWIN COUNTY ALABAMA

Before me, the undersigned authority, in and for said County, in said State, personally appeared H. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says: That he is solicitor of record for the Complainants in the within cause; that he is authorized to make this affidavit; that from all information obtainable after a diligent search and inquiry the facts contained in the foregoing bill of complaint, are true and correct.

[Signature]

Sworn to and subscribed before me on this the 11 day of January, 1952.



[Signature]
Notary Public, Baldwin County, Alabama

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Quitman Phillips and Y. C. Yohn

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Quitman Phillips, et al,

Complainant
and George Nixon, et al

Respondent

on oath, to be by you administered, upon Quitman Phillips and Y. C. Yohn to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 18 day of March, 1952

Alice J. [Signature]
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Quitman-Phillips et al

Complainant

vs.

George Nixon, et al

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Quitman Phillips

R. C. Yohn

Filed 3-18-54
Alice J. Duke
Reynolds

[Faint, mostly illegible text from the reverse side of the document, including what appears to be a deposition transcript or legal notes.]

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Quitman Phillips et al Complainant

VS.

George Nixon, et al Respondent

I, Evelyn Watts

as ~~Register~~ and Commissioner

have called and caused to come before me Quitman Phillips and Y. C. Yohn

witness es named in the Requirement for Oral Examination, on the 26 day of March
1945, at the office of Hubert M. Hall

in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Quitman Phillips and Y. C. Yohn doth depose and say as follows:

My name is Quitman Phillips. I am, with my wife, Beverly V. Phillips the Complainant in this cause. Both of us are over twenty-one years of age and bona fide residents of Montrose in Baldwin County, Alabama. The Respondent, Paul A. Frederick and Esther Frederick are both over twenty-one years of age, and residents of Fairhope in Baldwin County, Alabama. George Nixon if living is over twenty-one years of age and a non-residents of the State of Alabama, and his address cannot be ascertained after a diligent search and inquiry. I have made inquiries in and around Fairhope from parties who might know his whereabouts and have been able to get no information, however, if he is dead, then his heirs are over twenty-one years of age and non-residents of the State of Alabama, and their addresses cannot be found after a diligent search and inquiry.

Neither Paul A. Frederick, Esther Frederick nor George Nixon are members of the Armed forces of the United States.

I have, in addition to making inquiries in and around Fairhope, had prepared an abstract of the records of Baldwin County, Alabama, to find out any claimants to the said land, and the only one that I have been able to find are those named as Respondents.

We, the Complainants, are the owners in fee simple and in the actual possession of the lands described in the bill of complaint and being Lots 1, 2, 3, and 4, Block 5 of Volanta.

There is no suit pending to test their title to, interest in, or rights of possession to said land.

We acquired title to the said land, by conveyance from Camilla S. Owen et al, dated December 31, 1951, to said Lots 1, 2, and 3, Block 5 and Lot 4, Block 5 from R. C. Yohn and wife on May 8, 1946. These deed appear of record in the office of the Probate Judge of Baldwin County, Alabama, and copies thereof are hereto attached.

The property stands upon the records of the Probate Court of Baldwin County, Alabama, in the names of your Complainants and R. C. Yohn, Wesley G. Overton Jr., Camilla S. Owen and Ann S. Morgan.

No one has at anytime within ten years next preceding the filing of the bill of complaint in this cause paid any taxes upon said land or any part thereof other than said parties, who are according to the records the only persons known to have any interest in said land.

We have been in the possession of the said land continuously since acquiring title thereto and the parties from whom we acquired title had been in possession of the said lands for many years prior to the date we acquired them.

For more than ten years no person, firm or corporation has exercised or attempted to exercise any title to or rights of possession to sell said land other than your Complainants and those through whom they claim.

Quitman Phillips

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 26 day of March, 1952

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Quitman Phillips et al

vs. Complainant

George Nixon, et al

Respondent.

Oral Deposition

Filed March 27, 1952

Wesley A. Venable, Register.
Recorded in _____

Record _____

Vol. _____ Page _____

Abner J. Duck, Register.

My name is R. C. Yohn. I live at Fairhope, in Baldwin County, Alabama. I am personally acquainted with the property described in the bill of complaint in this cause. I, at one time, owned the property but sold to the Complainants, said Lot 4, Block 5, Volanta. I made a careful and thorough investigation and inquiry to ascertain and determine the addresses of the Respondents that were unknown, however, I was unable to locate them. I know that no one has for the past ten years had any possession of the said properties other than Camilla S. Owen, et al, from whom the Complainants purchased and me.

R. C. Yohn

The BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

LIS PENDENS NOTICE

**QUITMAN PHILLIPS and
BEVERLY V. PHILLIPS, Complainants**

Vs.

GEORGE NIXON ET AL. Respondents

**In The Circuit Court Of
Baldwin County, Alabama, In Equity**

It having been made to appear in the above styled cause by proper affidavit that Paul A. Frederick and Esther Frederick are over twenty-one years of age and residents of Baldwin County, Alabama; and That George Nixon, if living, or if dead, his heirs, devisees, grantees, personal representatives and assigns are non-residents of the State of Alabama, and over twenty-one years of age and that their addresses are unknown and cannot be ascertained after a diligent search and inquiry; that Quitman Phillips and Beverly V. Phillips are both over twenty-one years of age and residents of Baldwin County, Alabama, and the owners in fee simple and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

That your Complainants acquired title to the said lands by the following conveyances: Lots 1, 2, and 3, Block 5 Volanta, from Camilla S. Owen, Alice S. Overton, Ann S. Morgan and Wesley S. Overton, Jr., dated December 31, 1951; and Lot 4, Block 5 from R. C. Yohn and Mildred M. Yohn by deed dated May 8, 1946.

That no person is known to have paid any taxes on said land or to have had any possession thereof within ten years next preceding the filing of this bill of complaint except Quitman Phillips, Beverly V. Phillips, R. C. Yohn, Camilla S. Owen, Alice S. Overton, Ann S. Morgan and Wesley G. Overton, Jr..

It is therefore ordered and notice is hereby given that the said Paul A. Frederick, Esther Frederick, George Nixon, the unknown heirs, devisees, Grantees, personal representatives and assigns of George Nixon, if he be dead, and any other person, firm or corporation, claiming any title to, interest in, lien or encumbrance upon said land or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before the 17th day of March, 1952, or upon their having failed to do so upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them and this cause shall be at issue.

It is further ordered that this order and notice be published in the Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.

In witness whereof, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this 11th day of January, 1952.

ALICE J. DUCK
Register

H. M. Hall
Solicitor for the Complainants 52-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Quitman Phillips

vs.

George Nixon

COST STATEMENT

491 WORDS @ 6 1/2 cents --- \$ 31 91
I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

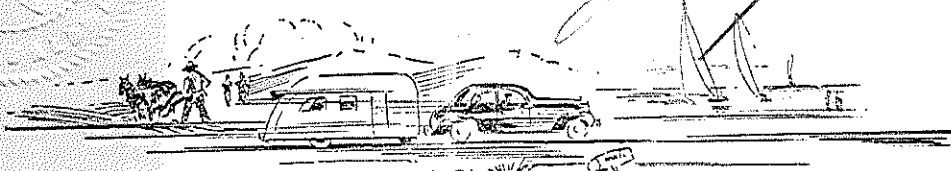
Was published in said newspaper for 4 consecutive weeks in the following issues:

- Date of 1st publication Jan. 17, 1952 Vol. 62 No. 52
- Date of 2nd publication Jan. 24, 1952 Vol. 63 No. 1
- Date of 3rd publication Jan. 31, 1952 Vol. 63 No. 2
- Date of 4th publication Feb. 7, 1952 Vol. 63 No. 3

Subscribed and sworn before the undersigned this 7 day of Feb, 1952

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. _____ Circuit Court, In Equity.

Quitman Phillips et al _____ Complainant_____

Vs.

George Nixon, et al, _____ Defendant_____

Motion is hereby made for a Decree Pro Confesso against Paul A. Frederick

_____ Defendant_____

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant_____; and that said summons was duly served according to law, and that said Defendant_____ has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 13 day of March 1952

[Signature] Solicitor.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Quitman Phillips et al

Vs.

George Nixon, et al

Motion for Decree Pro Confesso on
Personal Service

Filed 3-13- 1952

Register.

Recorded in _____ Record

Vol. _____ Page _____

Alice J. Duck
Register.

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

Quitman Phillips et al
Complainant,

Vs. George Nixon, et al
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____
Paul A. Frederick

by the Sheriff of Baldwin County, on the 16th day of January,
1952.

And it further appears to the Register, that the said _____
Paul A. Frederick

_____, the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
on motion of H. M. Hall Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said _____
Paul A. Frederick

This 17 day of March, 1952.

Wm. J. Duck
Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons GEORGE NIXON, PAUL A. FREDERICK, ESTHER FREDERICK, the unknown heirs, devisees, executors, administrators, and assigns of them and each of them to appear, and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by QUITMAN PHILLIPS AND BEVERLY V. PHILLIPS, as Complainant and against George Nixon, Paul A. Frederick and Esther Frederick as Respondents.

WITNESS my hand this the 11th day of January, 1952.

Quinn J. Leach
Register

QUITMAN PHILLIPS and BEVERLY
V. PHILLIPS

COMPLAINANTS

VS

GEORGE NIXON ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO HONORABLE TERFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainants, Quitman Phillips and Beverly V. Phillips, respectfully present this their bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

Lots 1-2-3- and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama,

and also against George Nixon, if he be living or if dead, against the unknown heirs, devisees, grantees, personal representatives and assigns of George Nixon, Paul A. Frederick, Esther Frederick, the unknown heirs, devisees, grantees, personal representatives and assigns of Paul A. Frederick and Esther Frederick and any and all other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrance upon the said land or any part or parcel thereof and respectfully represent and show unto Your Honor and this Honorable Court as follows:

That your Complainants are over twenty-one years of age and residents of Montrose in Baldwin County, Alabama.

2.

That the Respondents Paul A. Frederick and Esther Frederick, are both over twenty-one years of age and residents of Fairhope, in Baldwin County, Alabama; that George Nixon, if living is over twenty-one years of age and a non-resident of the State of Alabama, and his address cannot be ascertained after a diligent search and inquiry; that if George Nixon is dead, his heirs, and over twenty-one years of age and non-residents of the State of Alabama, and their addresses cannot be ascertained after a diligent search and inquiry; that a diligent search and inquiry has been made to ascertain whether or not George Nixon, if living or dead, and if living his present address or if dead the names, ages and addresses of his heirs and next of kin, searching the records in the Court House at Bay Minette the county seat of Baldwin County, Alabama, and also making inquiries in and around Fairhope and Volanta where the said lands are located.

3.

That your Complainants are the owners in fee simple and in the actual possession of the lands hereinafter described situated in Baldwin County, Alabama, to-wit:

Lots 1-2-3- and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

4.

That no suit is pending to test the Complainants' title to, interest in, or rights of possession to said lands; that the Complainants call upon the Respondents and each of them separately and severally to set forth and specify what right, title, interest in, lien or encumbrances the said Respondents and each of them have in and to said lands or any part thereof, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainants acquired title to the said lands by the following conveyances: Lots 1, 2, and 3, Block 5 Volanta, from Camilla S. Owen, Alice S. Overton, Ann S. Morgan, and Wesley S. Overton, Jr., dated December 31, 1951; and Lot 4, Block 5 from R. C. Yohn and Mildred M. Yohn by deed dated May 8, 1946;

6.

That the title to said land stands upon the records of the Probate Court of Baldwin County, Alabama, in the names of your Complainants, Quitman Phillips and Beverly V. Phillips and R. C. Yohn, Wesley G. Overton Jr., Camilla S. Owen and Ann S. Morgan.

7.

That no one has at any time within ten years next preceding the filing of this bill of Complaint paid any taxes upon said land or any part thereof or had possession of said land or any part thereof other than Quitman Phillips Beverly V. Phillips, R. C. Yohn, Camilla S. Owen, Alice S. Overton, Ann S. Morgan and Wesley G. Overton, Jr.,

8.

That the only persons shown by the records of Baldwin County, Alabama, to have any claim against said land or any part thereof are Quitman Phillips, Beverly V. Phillips, George Nixon, Camilla S. Owen, Alice S. Overton, Ann S. Morgan, and Wesley G. Overton Jr.

~~WHEREFORE~~, the premises considered, your Complainants pray that your Honor will by proper process make the said Paul A. Frederick, Esther Frederick, George Nixon, the unknown heirs, devisees, grantees, personal representatives, and assigns of George Nixon, and also any other person, firm or corporation claiming any right, title, interest in, lien or encumbrances upon the said land herein described in Baldwin County, Alabama, to-wit:


Lots 1, 2, 3, and 4, Block 5, of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama,

or any part or parcel thereof parties respondents to this bill of complaint requiring them and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainants further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title free from all liens and encumbrances to the lands herein described and to each part and parcel thereof is vested in your Complainants Quitman Phillips and Beverly V. Phillips and that neither Paul A. Frederick Esther Frederick, George Nixon, the unknown heirs, devisees, grantees,

personal representatives and assigns of George Nixon, nor any other person, firm or corporation, has any right, title, interest in, or encumbrance upon said land or any part or parcel thereof and that any and all doubts and disputes concerning the said lands may be cleared up.

Your Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive.


Solicitor for the Complainants

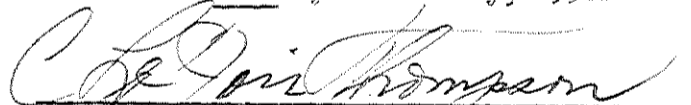
STATE OF ALABAMA

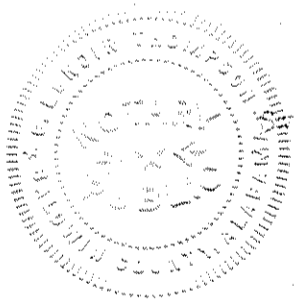
BALDWIN COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared H. M. Hill, who is known to me, and who having been by me first duly sworn, deposes and says: That he is solicitor of record for the Complainants in the within cause; that he is authorized to make this affidavit; that from all information obtainable after a diligent search and inquiry the facts contained in the foregoing bill of complaint, are true and correct.



sworn to and subscribed before me on this the 11 day of January, 1952.

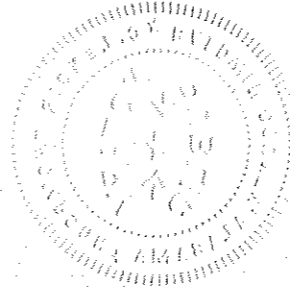

Notary Public, Baldwin County, Alabama



Received in Sheriff's Office
this 14 day of Jan, 1952
TAYLOR WILKINS, Sheriff

2765

RECORDED



Executed Jan. 14, 1952
By serving a copy of
the within Bill of Complaint
on Paul A. Frederick

QUITMAN PHILLIPS AND
DORIS PHILLIPS

COMPLAINANTS

VS

GEORGE NIXON ET AL.

RESPONDENTS

Taylor Wilkins Sheriff
By H. F. Hall P. S.

not found in Baldwin
Co. as to Estes Frederick
Jan, 14, 1952

Taylor Wilkins Sheriff
H. F. Hall P. S.

BILL OF COMPLAINT

FILED

JAN 11 1952

ALICE J. DUCK, Register

QUITMAN PHILLIPS ET AL,

COMPLAINANTS

VS

GEORGE NIXON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2765

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decrees pro confesso and proof as noted by the Register and it appearing to the satisfaction of the court that the Complainants are the owners in fee simple of, are now and were at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that personal service was perfected upon the Respondent, Paul A. Frederick and decree pro confesso on personal service issued against him; that service was perfected upon Paul A. Frederick, Esther Frederick and George Nixon, the unknown heirs, devisees, grantees, and assigns of Paul A. Frederick, Esther Frederick and George Nixon, and also any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, in its issues of January 17, January 24, January 31, and February 7, 1952, and decree pro confesso duly issued against the said parties upon service by publication, and that the title of the Complainant has been fully, duly and justly proven by legal and competent evidence, the court is of the opinion that the Complainants are entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondents, Paul A. Frederick, Esther Frederick and George Nixon, the unknown heirs, devisees, grantees, and assigns of Paul A. Frederick, Esther Frederick and George Nixon, and also any and all persons, firms or corporation claiming any right, title to, interest in, lien or encumbrances upon said land, or any part or parcel thereof have no right, estate, claim, interest in or encumbrance upon the following described land or any part or parcel

thereof in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5, of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

is vested absolutely in the Complainant, Quitman Phillips and Beverly V. Phillips.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of Paul A. Frederick, Esther Frederick and George Nixon, and in the indirect index in the name of Quitman Phillips and Beverly V. Phillips.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Register shall within thirty days from the rendition of this decree file a certified copy thereof in the office of the Judge of Probate of Baldwin County, Alabama, and that the cost thereof be taxed in the cost of this cause.

IT IS FURTHER ORDERED, that the Complainant pay the cost of this cause for which execution may issue.

Done this the 31st day of March, 1952.

J. J. Madlock, Jr.
JUDGE

7765 RECORDED

M

QUITMAN PHILLIPS ET AL

COMPLAINANTS

VS

GEORGE NIXON, ET AL,

RESPONDENTS

FINAL DECREE

*Filed
4-1-52
Alvin J. Clark
clerk*

QUITMAN PHILLIPS, ET AL,
COMPLAINANT

VS

GEORGE NIXON, ET AL,
RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2765

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION


Now comes the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 11th day of January, 1952, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, and was directed to Paul A. Frederick and Esther Frederick and George Nixon, the unknown heirs, devisees, grantees, personal representatives and assigns of Paul A. Frederick, Esther Frederick and George Nixon, and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrances upon the following described land situated in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama,

as Respondent, which required the said Respondents to answer or demur to the bill of complaint within thirty days after the 17th day of March, 1952, and which said Respondents have to this day failed to do.

WHEREFORE the Complainant moves the Court to grant a decree pro confesso against the said Respondents.

Dated this the 13 day of March, 1952.


Solicitor for the Complainant

RECORDED

QUITMAN PHILLIPS ET AL,
COMPLAINANTS

VS

GEORGE NIXON, ET AL,
RESPONDENTS

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION

Filed 3-13-52
Alice J. Duck

Reps

QUITMAN PHILLIPS ET AL,
COMPLAINANTS
VS
GEORGE NIXON, ET AL,
RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2765

BOOK 178 PAGE 355

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decrees pro confesso and proof as noted by the Register and it appearing to the satisfaction of the court that the Complainants are the owners in fee simple of, are now and were at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that personal service was perfected upon the Respondent, Paul A. Frederick and decree pro confesso on personal service issued against him; that service was perfected upon Paul A. Frederick, Esther Frederick and George Nixon, the unknown heirs, devisees, grantees, and assigns of Paul A. Frederick, Esther Frederick and George Nixon, and also any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, in its issues of January 17, January 24, January 31, and February 7, 1952, and decree pro confesso duly issued against the said parties upon service by publication, and that the title of the Complainant has been fully, duly and justly proven by legal and competent evidence, the court is of the opinion that the Complainants are entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondents, Paul A. Frederick, Esther Frederick and George Nixon, the unknown heirs, devisees, grantees, and assigns of Paul A. Frederick, Esther Frederick and George Nixon, and also any and all persons, firms or corporation claiming any right, title to, interest in, lien or encumbrances upon said land, or any part or parcel thereof have no right, estate, claim, interest in or encumbrance upon the following described land or any part or parcel

BOOK 178 356

thereof in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5, of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, and 4, Block 5 of Volanta, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

is vested absolutely in the Complainant, Quitman Phillips and Beverly V. Phillips.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of Paul A. Frederick, Esther Frederick and George Nixon, and in the indirect index in the name of Quitman Phillips and Beverly V. Phillips.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Register shall within thirty days from the rendition of this decree file a certified copy thereof in the office of the Judge of Probate of Baldwin County, Alabama, and that the cost thereof be taxed in the cost of this cause.

IT IS FURTHER ORDERED, that the Complainant pay the cost of this cause for which execution may issue.

Done this the 31st day of March, 1952.

Telrair J. Mashburn, Jr
JUDGE

STATE OF ALABAMA
BALDWIN COUNTY

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing, and attached is a full, true, correct and complete copy of the final decree in the matter of Quitman Phillips, et al, Complainants vs George Nixon, et al, Respondents, being cause No. 2765, the original of which is on file in my office.

In Witness Whereof, I have hereunto set my hand and seal of office on this the 31st day of March, 1952.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY
Filed 4-16-52 3 P. M.
Recorded ... book 178 page 355-6
M. B. ...
Judge of Probate

5/15/52
Mrs. Duck



Recorded ...
INDEXED ...
BALDWIN COUNTY, ALABAMA

Register
[Signature]

and the 300 of record, 1925.
In witness whereof, I have hereunto set my hand and seal of office on this 15th day of June, 1925, at the office of the Register of the Baldwin County, Alabama, hereby certifying that the foregoing is a true and correct copy of the original of which is on file in my office.
In witness whereof, I have hereunto set my hand and seal of office on this 15th day of June, 1925, at the office of the Register of the Baldwin County, Alabama, hereby certifying that the foregoing is a true and correct copy of the original of which is on file in my office.
BALDWIN COUNTY,
STATE OF ALABAMA

JUNE
15 1925
Register J. McArthur, Jr.

Done this the 15th day of June, 1925,
for which execution may issue.

IT IS FURTHER ORDERED, that the complainant pay the cost of this case
cases.

County, Alabama, and that the cost thereof be taxed in the case of this
certified copy thereof in the office of the Judge of Probate of Baldwin
County, Alabama, and that the cost thereof be taxed in the case of this

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the
index in the name of Quitman Phillips and Beverly A. Phillips.

Paul A. Frederick, et al.,
COMPLAINANTS
vs
George Nixon, et al.,
RESPONDENTS

FINAL DECREE
Quitman Phillips and Beverly A. Phillips

Quitman Phillips, et al.,
Beverly A. Phillips
vs
George Nixon, et al.,
Paul A. Frederick
either of

and the said title to the said land in Baldwin County, Alabama, to-wit:
IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the
County, Alabama.
record in the office of the Judge of Probate of Baldwin
County, Alabama, and that the cost thereof be taxed in the case of this
cases.

R1.25
Mrs. Duck
1.15

085 851 1008

2-31-25

QUITMAN PHILLIPS, ET AL,
COMPLAINANTS
VS
GEORGE NIXON, ET AL,
RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2765

TO: Paul A. Frederick, Esther Frederick and George Nixon,:

Notice is hereby given that the Complainant will on the 26th day of March, 1952, before Evelyn Watts, as Special Commissioner take the testimony of the following witnesses:

Quitman Phillips

Montrose, Alabama.

Y. C. Yohn

Fairhope, Alabama.

Dated this the 18 day of March, 1952.

A. M. Lee
Solicitor for the Complainant

Evelyn Watts
Special Commissioner

RECORDED

QUITMAN PHILLIPS, ET AL,

COMPLAINANTS

VS

GEORGE NIXON, ET AL,

RESPONDENTS

NOTICE OF TIME OF TAKING TESTIMONY

Filed 3-18-54

Alice J. Duda

Reporter

QUITMAN PHILLIPS, ET AL,
COMPLAINANTS
VS
GEORGE NIXON, ET AL,
RESPONDENTS


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2765

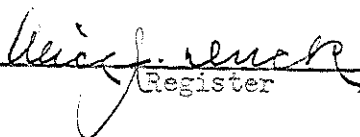
NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainants upon the following:

1. Original summons and complaint.
2. Lis Pendens filed for record in the Probate Office.
3. Proof of publication of notice in the Baldwin Times.
4. Decree pro confesso by publication,
5. Decrees pro confesso on personal service.
6. Request for appointment of commissioner.
7. Appointment of commissioner.
8. Commission to take depositions.
9. Notice of time of taking testimony.
10. Oral depositions of Quitman Phillips and R. C. Yohn with exhibits attached.

Dated this the 11 day of March, 1952.


Solicitor for the Complainant


Register

pl

QUITMAN PHILLIPS, ET AL,

COMPLAINANTS

VS

GEORGE NIXON, ET AL,

RESPONDENTS

5976

NOTE OF TESTIMONY

Filed 3-28-54

Alice J. Duda
Reporter