

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

December

Term, 1940

O. Y. Smith, Complainant
No. *(663)* vs.
Certain Lands, Miss. Jordan, et al.,
Respondents

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court— Docketing Cause, One fee only of.....	1.00	Summoning on Bill, Each Defendant.....	1.50
Issuing Summons on Bill, each.....	.50*	Executing Writ of Injunction, or Ne Exeat, each..	1.50
Issuing Copies Thereof, each.....	.40	Executing Subpoenas for Witnesses, each.....	.65
Entering Return of Same, each.....	.15	Executing Writs of Possession, each.....	5.00
Orders of Publication to Non-Residents, each....	1.00*	Executing Scire Facias or Notice, each.....	1.50
Filing Bill or Other Paper, each.....	.10	Taking and Approving Bonds, each.....	1.00
Copies of Same, Per 100 Words.....	.15	Impaneling Jury.....	.75
Entering Appearances, each.....	.25*	Collecting Execution for Costs Only, each.....	1.50
Issuing Writs of Injunction, Ne Exeat, each....	1.50	Sheriff's Commissions	
Issuing Copies Thereof, each.....	.50	.....
Entering Return of Same, each.....	.15	.....
Decrees Pro Confesso, each.....	1.00*	.....
Order Appointing Guardian Ad Litem, each....	1.00*	.....
Issuing Commissions to Take Testimony, each....	.50	Total Sheriff's Fees	
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	.20	SUMMARY OF FEES, COSTS, AND JUDGMENT	
Receiving and Filing Depositions, each pkg., .....	.10	Fees in Circuit Court—	
Indorsing Depositions Published, each pkg.,.....	.10	Register's Fees	12 15
All Entries on Commission Docket, Each Cause....	.50	Ex-Register's Fees	
Entering Order Submitting Cases for Decree, each..	.50	Sheriff's Fees	
Other Orders of Court, each.....	.25	Ex-Sheriff's Fees	
Noting Testimony on Hearing of Cause, each.....	.50	Witness Fees	5 00
Entering Decrees, of 500 Words or Less, each.....	.75	Commissioner's Fees	
Per 100 words over 500.....	.15	Guardian Ad Litem.....	
Taking Accounts, etc., on Ref., per Day.....	3.00*	Publisher's Fees <i>Baldwin Times</i>	24 57
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15	Solicitor's Fees	
Reference and Reports, each.....	2.00*	Court Reporter's Fees, Per Day or fraction thereof	.50
Reports of 500 Words or Less.....	2.50	Trial Tax	3 00
Per 100 Words over 500.....	.15	<i>Recording Decree in Probate Office</i>	2 00
Issuing Subpoenas for Witnesses, each.....	.25	.....
Issuing Witness Certificates, each.....	.25	Fees and Costs in Inferior Court:	
All Entries on Subpoena Docket, each Cause.....	.50	Clerk of Inferior Court Fees	
Taking and Approving Bonds, each.....	1.00	Sheriff's Fees	
Making Complete Record, per 100 Words.....	.15	Witness Fees	
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee	3.00	.....
Settlements with Receiver or Trustee, each.....	3.00	Total Fees and Costs in Inferior Court	46 72
Examining Vouchers in Settlements, each.....	.10		
Examining Answers on Exceptions, each Answer ..	3.00	Total Fees and Costs	
Removal Disabilities on Non-Age.....		Judgment	
Commissions on Sales.....		.....
Making Deeds to Property Sold, each.....	2.00	Total Fees, Costs, and Judgment	
Receiving and Paying Out Money Other Than That Arising from Sales			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each.	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
<i>Certified copy of Decree</i>			
Total Register's Fees	12 15		

*12 05
90,
11 15-*

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes your complainant, A. F. SMITH, and brings this his
bill of complaint against that certain land situated in Baldwin
County, Alabama, and described as follows, to-wit:

The Southeast quarter of the Southeast quarter, except
30 ft. off of the South and East ends thereof for public
highway; and the West half of the Southwest quarter
of the Southeast quarter, all in Section 1, Township 5
South of Range 3 East.

and all
and against the hereinafter named persons/claiming any title to,
interest in, lien or incumbrance thereupon, for the purpose of
establishing your complainant's title to and interest in said land,
and for the further purpose of clearing up all doubts and disputes
concerning his title to the said land, and respectfully shows unto
your Honor as follows:

FIRST

That your complainant is over the age of twenty-one years
and a bona fide resident of Baldwin County, Alabama; that he is
the owner in fee simple of and is in actual peaceable possession
of the hereinabove described land; and your complainant claims title
to said land absolutely in fee simple, and his title to the said
land was derived from the persons hereinafter named, and that title
to the said land and to each part thereof stands upon the records
of the Probate Court of Baldwin County, Alabama, in your complain-
ant's name; that no suit is pending to test your complainant's title
to, interest in or right to the possession of said land, and your
complainant and those through whom he claims title as hereinafter
stated have held title thereto, claimed and paid taxes on the said
lands during the whole period of ten or more consecutive years next
preceding the filing of this bill of complaint, and no other person,
firm or corporation has paid any taxes thereon or had any possession
of said land or any part thereof or is known to your complainant to
have claimed said land or any part thereof during any part of said

period any your complainant brings this his bill of complaint against the following named persons:

Alice Worden, a non-resident of the State of Alabama, whose present post-office address is unknown;

John E. Mathes, a non-resident of the State of Alabama whose present post-office address is unknown;

Clara E. Mathes, a non-resident of the State of Alabama, whose present post-office address is unknown;

J. E. Mathers, a non-resident of the State of Alabama, whose present post-office address is unknown;

C. E. Mathers, a non-resident of the State of Alabama, whose present post-office address is unknown;

J. B. Rogers, a non-resident of the State of Alabama, whose present post-office address is unknown;

SECOND

Your complainant further shows unto your Honor that his title to said land was obtained from the persons and in the manner shown as follows, viz:

Tax Deed from G. W. Humphries, Judge of Probate, to M. E. Walker, dated July 3rd, 1929, and recorded 46 NS., page 555-6.

Tax Deed from J. E. and C. E. Mathers by Judge of Probate to J. C. Graydon, dated June 13, 1928 and recorded in 45 NS., page 98-99;

Tax Sale by Tax Collector, assessment in the name of Mrs. Alice Worden to the State of Alabama, dated Sept. 1, 1933 and recorded in Sales Book 10, p. 145;

Quit Claim Deed from Jackie Graydon, as executrix of the estate of J. C. Graydon, deceased, to your complainant, dated Nov. 30, 1936, and recorded in 60 NS., p. 593;

Warranty Deed from Frank W. Walker and wife to your complainant, dated July 11, 1938, and recorded in 65 NS., page 198;

Your complainant further shows that he and those under whom he claims title by the aforesaid instrument or instruments of writing have regularly assessed and paid all taxes upon said land and have had possession of the same.

THIRD

Your complainant further alleges that the within named defendants, or if any be dead, their unknown heirs or devisees, claim or are reputed to claim some title to, interest in, lien or incumbrance upon the said land, or some part thereof; that your complainant has made diligent search and inquiry to ascertain the names, ages and post-office addresses of said reputed claimants, and that your complainant has had abstract of title compiled to the said land in an effort to ascertain the same and has inspected the Probate Records of Baldwin County, Alabama, and inquired of persons living in the vicinity of said land who would probably have information concerning the names and addresses and whereabouts of the said reputed claimants, and has called on numerous persons in order to ascertain the names, ages and present post-office addresses of the said persons.

FOURTH

Complainant further alleges that neither of the said defendants named above, nor any other person, has for ten (10) consecutive years next preceding the filing of this bill of complaint had any possession of the said land, neither has any of the said named defendants regularly assessed and paid any taxes on the said property described herein, and that the title to, interest in, lien or incumbrance upon the said land reputed to be claimed by the said defendants, or either of them, to the said land, or any part thereof, is invalid and that the complainant's aforesaid title to the said land and to each and every part thereof, is perfect as against the said defendants, and each of them, and against any and all persons claiming any title to, interest in, lien or incumbrance upon the said land, or any part thereof.

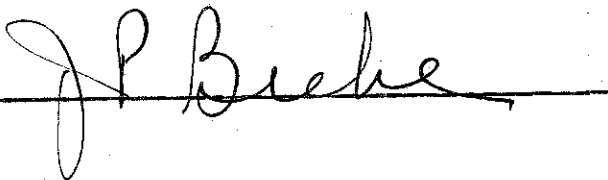
or instruments the same were derived or created.

Complainant further prays that upon the final hearing of this cause it will be ordered, adjudged and decreed that complainant at the time of the filing of this bill of complaint had the legal title to the above described land, and that none of the defendants, or any other person, have or own the same, or any part thereof, or have any right, title or interest therein or thereto; or any lien or incumbrance thereon, and complainant prays for such other, further, different and general relief as in equity and good conscience he may be entitled to receive in the premises. And your complainant will ever pray.


SOLICITOR FOR COMPLAINANT.

STATE OF ALABAMA.
BALDWIN COUNTY.

Before me, Ida M. Turubull, a Notary Public in and for said County in said State, this day personally appeared J. P. Beebe, who is known to me and who being first duly sworn on oath deposes and says that he is the attorney or record for A. F. Smith, complainant, in that certain cause pending in the Circuit Court of Baldwin County, Alabama, in Equity, wherein the said A. F. Smith is complainant and the Southeast quarter of the Southeast quarter of Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama, except 30 ft. off of the South and East ends thereof for public highway and the West half of the Southwest quarter of the Southeast quarter of Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama, and Alice Worden, John E. Mathes, Clara M. Mathes, J. E. Mathers, C. E. Mathers, and J. B. Rogers and if any are dead, their unknown heirs, devisees or personal representatives and any and all persons claiming any part thereof are defendants; that he has read the said bill of complaint and knows the facts therein alleged are true, to which said bill of complaint this affidavit is attached and made a part thereof.



Sworn to and subscribed before
me on this the 17th day of
September, 1940.

Ida M. Turubull
Notary Public, Baldwin County,
Alabama.

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: R.S. Dush
Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194_____

ATTEST: _____
Register Circuit Court, Baldwin County, Ala.

No. 663
Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

A. G. Smith

Applicant

vs. Plaintiff.....

Arthur G. Smith, Clerk of the Court

Defendant

EQUITY COST BILL

Term, 19_____

Free Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

RECORDED

A. F. Smith,
Complainant.

vs.

The Southeast quarter of
the Southeast quarter, ex-
cept 30 ft. off of the South
and East ends thereof for
public highway; and the
West half of the Southwest
quarter of the Southeast
quarter, all in Section 1,
Township 5 South of Range
3 East, Baldwin County,
Alabama, Alice Worden,
John E. Mathes, Clara E.
Mathes, J. E. Mathers,
C. E. Mathers, and J.
B. Rogers, Defendants.

BILL OF COMPLAINT

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

o o o o o o o o o o
Filed in office this

17 day of Sept. 1940.

A. S. Duch

REGISTER

JOHN P. BEEBE

ATTORNEY AT LAW

LAMBERT BUILDING

RAY MINETTE ALABAMA

THE STATE OF ALABAMA, }
Baldwin County. } CIRCUIT COURT, IN EQUITY.

No. 663 Fall Term, 1940

A. F. SMITH

, Complainant..

Vs.

CERTAIN LANDS BALDWIN COUNTY, ALABAMA, ALICE WORDEN ET AL Defendant S

SE 1/4 of SE 1/4 except 30 off S and E ends and W 1/2 of SW 1/4 of SE 1/4
Motion is hereby made for a Decree Pro Confesso against and Alice Worden, John E. Mathes,
Section 1, Township 5 South of Range 3 East and Alice Worden, John E. Mathes,
Clara E. Mathes, J. E. Mathers, C. E. Mathers and J. B. Rogers Defendant S

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 19th day of November 1940

John P Beebe
Solicitor.

No. -----

Page -----

**State of Alabama,
Baldwin County.**

CIRCUIT COURT, IN EQUITY.

Complainant ...

Vs.

Defendant ...

**Motion for Decree Pro Confesso
On Publication.**

Filed November 19, 1940

R.S. Duch

Register.

Recorded in ----- Record,

Vol. ----- Page -----

Register.

CHANCERY EXECUTION

BILL OF COSTS

No. 663
A. F. Smith
Complainant
Vs. *Certain Lands, Baldwin Co., et al.,*
Plaintiff
Respondents
Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$	Cents
Filing each bill and other papers .. 1.2	1	20	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	6	05
Issuing each subpoena ..			Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Issuing each copy thereof ..			Each notice sent by mail to creditor ..	15	
Entering each return thereof ..			Filing, receipting for and docketing each claim, etc.	25	
For each order of publication ..	1	00	For all entries on subpoena docket, etc.	50	
Issuing writ of injunction ..	1	50	For all entries on commission docket, etc.	50	
For each copy thereof ..			Making final record, per 100 words ..	15	
Entering each return thereof ..			Certified copy of decree ..	1 00	
Issuing Writ of Attachment ..	1	00	Report of divorce to State Health Office (Acts 1915)	50	
Entering each return thereof ..			Total Fees of Register ..	13	05
Docketing each case ..	1	00	FEES OF SHERIFF		
Entering each appearance ..			Serving and returning subpoena on deft. \$1	50	
Issuing each decree pro confesso on per. ser.	1	00	Serving and returning subpoena for witness ..	65	
Issuing each decree pro confesso on publica.	1	00	Levyng attachment ..	3 00	
Each order appointing guardian ..	1	00	Entering and returning same ..	25	
Any other order by Register ..			Selling property attached ..		
Issuing commission to take testimony ..			Impaneling Jury ..	75	
Receiving and filing ..			Executing writ of possession ..	2 50	
Endorsing each package ..			Collecting execution for costs ..	1 50	
Entering order submitting cause ..			Serving and returning sci. fa., each ..	65	
Entering any other order of court ..			Serving and returning notice ..	65	
Noting all testimony ..			Serving and returning writ of injunction	1 50	
Abstract of cause, etc. ..	1	00	Serving and returning writ of exeat ..	1 50	
Entering each decree ..			Taking and approving bonds, each ..	75	
For every 100 words over 500 ..			Collecting money on execution ..		
Taking account, etc. ..	3	00	Making deed ..	2 50	
Taking testimony, etc. ..			Serving and returning application, etc.	1 00	
Each report, 500 words or less ..	2	50	Serving attachment, contempt of court	1 50	
For every 100 words over 500 ..			Total Fees of Sheriff ..	1	50
Amount claimed less than \$500, etc. ..	2	00	RECAPITULATION		
Issuing each subpoena ..			Register's Fees ..	13	05
Witness certificate, each ..			Sheriff's Fees ..	1	50
Issuing execution, each ..			Commissioner's Fees ..	5	00
Entering each return ..			Solicitor's Fees ..		
Taking and approving bond, each ..	1	00	Witness Fees ..		
Making copy of bill, etc. ..			Guardian Ad Litem ..		
Each notice not otherwise provided for ..			Printer's Fees <i>Baldwin Times</i>	24	57
Each certificate or affidavit, with seal ..			Trial Tax ..	3	00
Each certificate or affidavit, no seal ..			Recording Decree in Probate Court ..	2	00
Hearing and passing on application, etc.	3	00	Total ..	49	62
Each settlement with receiver, etc. ..	3	00			
Examining each voucher of Receiver, etc.					
Examining each answer, etc. ..	3	00			
Recording resignation, etc. ..					
Entering each certificate to Supreme Court					
Taking questions and answers, etc. ..					
For all other ser relating to such proceedings	1	00			
For services in proceeding to relieve minors, etc. same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.					
Sub Total Carried Forward ..	6	05			

The State of Alabama, { No. 663
 Baldwin County. { Circuit Court, In Equity January Term, 1941
 To Any Sheriff of the State of Alabama—GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of A. F. Smith Defendant
 you cause to be made the sum of \$ 49.12 Dollars,
 which _____ Plaintiff
 recovered of _____ on the 28 day of November 1940
 by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,

costs of suit, and have the same to render to the said _____ and make return of this Writ and the execution thereof, according to law.

Interest from _____ 193_____ to date of collection.

Witness my hand, this 15 day of January 1941
 _____, Register.

A. F. SMITH,

Complainant,

vs.

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, except 30 feet off of the South and East ends thereof for public highway, and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama; and Alice Worden, John E. Mathes, Clara E. Mathes, J. E. Mathers, C. E. Mathers and J. B. Rogers, and any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of said lands,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 663.

TO THE HON. R. S. DUCK, REGISTER OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA:

Comes the complainant, A. F. Smith, in the above styled cause, by his solicitor of record, said cause being ready for submission, and requests that all the papers therein, together with all evidence, be submitted to Hon. F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, for final decree.

This the 28 day of November, 1940.


Solicitor for Complainant.

Report for Submission

Filed November 28, 1940
R. S. Deuch, Register

Page 9
No. 663

No. 663

The State of Alabama,
Baldwin County.

Circuit Court, In Equity.

A. F. Smith
Complainant

vs.

Estelle Lande, Baldwin Co.
et al, Respondents

CHANCERY EXECUTION
Fi. Fa.

\$49.12

Total - - - \$

Fee Book *Conrad*, Page *663*

Execution Docket *Conrad*, Page *663*

Complainant's Solicitor.

The State of Alabama,
Baldwin County.

ha----- duly waived ----- right
to the exemption of personal property as to
the collection of the debt for which this execu-
tion is issued.

Register.

Received in office this

15

day of *Jan*

1941

W. R. Stuart

Sheriff

Execution Docket..... Page.....

The State of Alabama, }
Baldwin County.

By virtue of the within execution I have ~~received~~ *received* this 4th day of February 1941 collected Twenty nine dollars and twelve cents (\$49.12) from the Complainant *A. F. Smith*, and on the 5th day of February 1941 I turned the same amount over to *R. S. Duck* Clerk of the Circuit Court.

W. R. Stuart Sheriff
By M. B. Hamilton Deputy Sheriff

THE STATE OF ALABAMA
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

A. F. SMITH,

COMPLAINANT

VS.

CERTAIN LANDS, ALICE WORDEN, ET AL.

RESPONDENT

I, Nan Alice Thompson,

Deputy

Register and Commissioner

have called and caused to come before me A. F. SMITH, WILL W. WHITE, AND
W. C. BYRD

witness^{es} named in the Requirement for Oral Examination, on the 27th day of November
1940, at the office of R. S. DUCK, Register in Chancery
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 witnesses do

~~do~~ depose and say as follows:

My name is Will W. White. I am 70 years of age and have lived in Baldwin County, Alabama, 29 years and have lived in the vicinity of Loxley, Baldwin County, Alabama, for the same period of time. I am acquainted with the property that is described as The Southeast quarter of the Southeast quarter, except 30 feet off of the South and East ends thereof for public highway, and the West half of the Southwest quarter of the Southeast quarter, All in Section 1, Township 5 South of Range 3 East. For more than 10 years next preceeding the giving of this testimony and for more than 10 years prior to 17th day of September, 1940, this property has been under fence. In fact the fence has been there for least thirty years. I have never known of anyone being in possession of this property except A. F. Smith and those through whom he claims title. The property has not been cultivated by anyone since i have known the same.

Will W. White

My name is W. C. Byrd. I am 28 years old and have live in the vicinity of Loxley, Baldwin County, Alabama, for about 14 years. I am personally acquainted with the property that belongs to Mr. A. F. Smith, which is described as The Southeast quarter of the Southeast quarter, except 30 feet off of the South and East ends for public highway, and the West half of the Southwest quarter of the Southeast quarter, all in Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama, During the 14 years that I have known this property there has been a fence around it. During the time I have known the same, namely 14 years next preceeding the time I offer this testimony no one has been in the possession of the same except Mr. A. F. Smith and those through whom he claims title. The land is not in cultivation and has not been in

ORAL EXAMINATION

I, Nan Alice Thompson, ^{Deputy} as Register and Commissioner hereby certify that the foregoing deposition— on Oral Examination was taken down in writing by me in the words of the witness ^{ES} and read over to them and they signed the same in the presence of myself ^{and} John P. Beebe

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ^{ES} or had proof made before me of the identity of said witness ^{ES} 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 27th day of November, 19 40.

Nan Alice Thompson (L. S.)
Deputy Register of the Circuit Court of
Baldwin County, Alabama.

No. _____	Page _____
THE STATE OF ALABAMA	
Baldwin County	
IN CIRCUIT COURT, IN EQUITY	
_____	Complainant
_____	Vs.
_____	Respondent
ORAL DEPOSITION	
Filed <u>November 27</u> , 19 <u>40</u>	<u>R. S. Duck</u> , Register
RECORDED IN	
_____	Record
Vol. _____	Page _____
_____	Register

Exhibits "A," "B," + "C," withdrawn by Complainant

cultivation during the time I have known the same.

W. C. Byrd

My name is A. F. Smith. I am the complainant in the cause. I am over twenty one years of age and a resident of Loxley, Baldwin County, Alabama. There is no suit now pending to quiet the title to the property described in the bill of complaint, which is described as follows, to-wit: The Southeast quarter of the Southeast quarter, except 30 feet off of the South and East ends thereof for public highway, and the West half of the Southwest quarter of the Southeast quarter, all in Section 1 Township 5 South of Range 3 East, Baldwin County, Alabama. I purchased this property from Frank W. Walker and his wife, and from Jackie Graydon as the Executrix of the Estate of J. C. Graydon. I am now in the possession of the above described property and all of the same and have been in possession of the same since I purchased it. At the time I purchased this property it was under a fence and has remained thereunder down to this date. I have been personally acquainted with this property for at least 25 years next preceeding the filing of the bill of complaint in this cause and during the whole of that time the said property has been under fence. The fence was placed on the property by predecessors in title and has remained there to this date. I own the property described above in fee simple and in peaceable possession of the same and was also in the peaceable possession of the same at the time suit was brought. The title to this property now stands on the records of Baldwin County, Alabama, in my name. My title to the same came through Jackie Graydon and Frank W. Walker. I have regular assessed the said property for State and County taxes and have paid the same as they became due. No other person than myself and those through whom I claim title have ever been in the possession of this property since I have known the same.

A. F. Smith

THE STATE OF ALABAMA,
Baldwin County

}

CIRCUIT COURT

TO NAN ALICE THOMPSON

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 A. F. Smith, Will W. White, W. C. Byrd;

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

A. F. SMITH,

is Complainant

and CERTAIN LANDS, ALICE WORDEN, ET ALS.,

are Defendant,^s

on oath to be by you administered, upon them to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all Convenient speed, under your hand.

Witness 23rd day of NOVEMBER, 1940

R.S. Duch

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

A. F. SMITH,
Complainant.

vs.

SOUTHEAST QUARTER OF THE
SOUTHEAST QUARTER EXCEPT
30 FT. OFF OF THE SOUTH
AND EAST ENDS THEREOF FOR
PUBLIC HIGHWAY AND
WEST HALF OF THE SOUTHWEST
QUARTER OF THE SOUTHEAST
QUARTER IN SECTION 1, TOWNSHIP
5 SOUTH OF RANGE 3 EAST, BAL-
DWIN COUNTY, ALABAMA, AND
ALICE WORDEN, ET AL.,
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

WHEREAS, A. F. Smith has filed his bill of complaint in this Court on the 17th day of September, 1940, alleging that he is the owner in fee simple of and is in the actual, peaceable possession of said lands described, situated in Baldwin County, Alabama, to-wit: The Southeast quarter of the Southeast quarter except 30 ft. off of the South and East ends thereof for public highway, and the West half of the Southwest quarter of the Southeast quarter all in Section 1, Township 5 South of Range 3 East; and further alleging that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, in his name; and further alleging that he and those through whom he claims title have held said lands under color or title for more than ten (10) years next preceding the filing of said bill of complaint and that he and those through whom he claims have annually listed and paid the taxes on said lands in Baldwin County, Alabama, for more than ten (10) years consecutively next preceding the bill of complaint and that there is no suit pending to test the validity of his title to, interest in, claim, lien or incumbrance on the said lands, and that the said described lands and Alice Worden, John E. Mathes, Clara E. Mathes, J. E. Mathers, C. E. Mathers and J. B. Rogers are defendants, or should any of the named defendants be dead, then against the heirs, next of kin and personal representatives, claim or reputed to claim some

title to, interest in, lien or incumbrance on the said lands, or some part thereof and it appearing from the said bill of complaint, the same having been verified as required by law, that diligent search and inquiry has been made to ascertain the names and post office addresses of all of the named defendants, but that the complainant was unable to determine the present post-office addresses of all of the said named defendants;

It is therefore ORDERED, ADJUDGED AND DECREED that notice to the lands above described and the above named defendants, and to any and all persons claiming any title to, interest in, lien or incumbrance upon said land or any part thereof, of the pendency of said suit, be drawn by the Register and published in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four (4) consecutive weeks.

WITNESS my hand this the 17th day of September 1940.

JUDGE.

A. F. Smith,
Complainant.

vs.

The SE quarter of the SE
quarter except 30 ft. off
of the South and East ends
thereof for public highway;
and the W half of the SW
quarter of the SE quarter, all
in Section 1, Township 5 South
of Range 3 East, Baldwin County
Alabama, Alice Worden, John E.
Mathes, Clara E. Mathes, J. E.
Mathers, C. E. Mathers and
J. B. Rogers,
Defendants.

ORDER OF PUBLICATION

o o o o o o o o o o

Filed in office this 17
day of Sept. 1940.

A. S. Dorch

Register.

NOTICE OF PENDENCY OF BILL OF COMPLAINT

(IN THE CIRCUIT COURT OF
)
(BALDWIN COUNTY , ALABAMA.
)
(IN EQUITY.

A. F. Smith, Complainant, vs. the Southeast quarter of the Southeast quarter except 30 ft. off of the South and East ends thereof for public highway and the West half of the Southwest quarter of the Southeast quarter all in Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama, Alice Worden, John E. Mathes, C. E. Mathers, J. E. Mathers, Clara E. Mathes, J. B. Rogers, addresses unknown, and any and all persons claiming any title to, interest in, lien or incumbrance on the whole or any part of the above described lands, Defendants.

NOTICE IS HEREBY GIVEN That A. F. Smith did on the 17th day of September, 1940, file a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or incumbrance on the said lands or any part thereof, to quiet and establish his title to the said lands as and to be in fee simple, clear of incumbrance, against the said named and described persons and against any and all persons claiming any title to, interest in, lien or incumbrance on the said lands, or any part thereof, and to settle and clear up all doubts and disputes concerning the same.

That the complainant in his bill of complaint alleges that he is the owner in fee simple of the said lands, and each part thereof; that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have for more than ten (10) consecutive years next preceding the filing of the said bill of complaint annually listed and paid the taxes on said lands to the proper officers of Baldwin County, Alabama, and no other persons, except this complainant, and those through whom he claims, have paid any taxes on the said property during the said period of (10) ten years and that his title to the said lands is derived by mesne conveyance from the State of Alabama through, by and under the following instruments:

Tax Deed from G. W. Humphries, Judge of Probate, to M. E. Walker, dated July 3, 1929 and recorded 46 NS., p. 555-6.

Tax Deed from J. E. and C. E. Mathers by Judge of Probate to J. C. Graydon, date June 13, 1928 and recorded in 45 NS., p. 98-99.

Quit Claim Deed from Jackie Graydon, as executrix of the estate of J. C. Graydon, deceased, to the complainant, dated Nov. 30, 1926 and recorded in 60 NS. p. 593.

Warranty Deed from Frank W. Walker and wife to the Complainant dated July 11, 1938 and recorded in 65 NS., p. 198.

IN WITNESS WHEREOF, I, R. S. Duck, as Register in Chancery of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal, this the 17th day of September, 1940.

R. S. Duck

REGISTER

John P. Beebe, Solicitor for Complainant.

*Published 4 times
beginning 9-19-40*

A. F. SMITH,

Complainant,

vs.

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, except 30 feet off of the South and East ends thereof for public highway, and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama; and Alice Worden, John E. Mathes, Clara E. Mathes, J. E. Mathers, C. E. Mathers and J. B. Rogers, and any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of said lands,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 663.

Complainant having on the 20 day of November, 1940, filed his motion and request for oral examination of Will W. White, W. C. Byrd and A. F. Smith, as witnesses for complainant, and due and proper notice thereof having been given as required by law on the Order book of this court, and Nan Alice Thompson, as Deputy Register in Chancery, being a suitable person to act as Commissioner to take the depositions of said witnesses,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said motion for oral examination of Will W. White, W. C. Byrd and A. F. Smith, as witnesses for complainant, be and is hereby granted, and that the said Nan Alice Thompson is hereby appointed as Commissioner to take the depositions of said witnesses.

WITNESS my hand this the 20 day of November, 1940.

R. S. Durb

Register.

A. F. SMITH,

Complainant,

vs.

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, except 30 feet off of the South and East ends thereof for public highway, and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama; and Alice Worden, John E. Mathes, Clara E. Mathes, J. E. Mathers, C. E. Mathers and J. B. Rogers, and any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of said lands,

Respondents.

IN THE CIRCUIT COURT OF

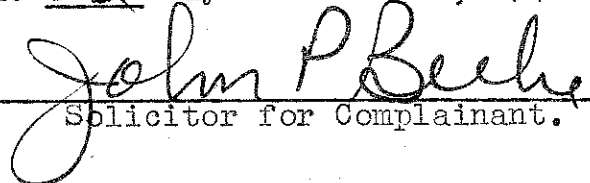
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 663.

The Solicitor for the complainant in the above styled cause hereby gives notice to the above named persons, that the depositions of Will W. White, W. C. Byrd and A. F. Smith, witnesses for the complainant, will be taken before Nan Alice Thompson, Deputy Register in Chancery, at her office in the court house, Bay Minette, Alabama, on November 27, 1940.

WITNESS my hand this the 23 day of November, 1940.


Solicitor for Complainant.

A. F. SMITH,

Complainant,

vs.

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, except 30 feet off of the South and East ends thereof for public highway, and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama; and Alice Worden, John E. Mathes, Clara E. Mathes, J. E. Mathers, C. E. Mathers and J. B. Rogers, and any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of said lands,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 663.

FINAL DECREE.

This cause coming on to be heard, is submitted for final decree upon the original bill of complaint filed September 17th, 1940, upon the order of the Register made and entered September 17th, 1940, directing notice of the pendency of the said suit be given by publication once a week for four consecutive weeks in The Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, upon notice of the pendency of the said suit as given by publication in The Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks and proof of such publication, together with the copy thereof, certified by the publisher of said paper on the 12th day of October, 1940, motion and application of complainant for oral examination of the said complainant, A. F. Smith, and Will W. White and W. C. Byrd, witnesses for complainant, dated November 20, 1940, notice to defendants of such motion for oral examination of said witnesses for complainant dated November 20, 1940, given by entry on the order book of the Register as certified by the Register; order granting motion of complainant for oral examination of A. F. Smith, Will W. White and W. C. Byrd, witnesses for complainant, entered November

20, 1940, and directing issuance of commission to Nan Alice Thompson, Deputy Register in Chancery, to take oral depositions of said witnesses dated November 23, 1940, notice to the defendants of the time and place of the taking of the oral examination of said witnesses for complainant dated November 23, 1940, given by entry on the order book of the Register as certified by the Register; motion for decree pro confesso on publication, dated November 19th, 1940; decree pro confesso on publication, dated November 20th, 1940; and upon the evidence adduced by the complainant, all as noted by the Register, and the same being considered by the Court, the Court is of the opinion, and does find, ascertain and decree, that due and proper notice of the pendency of the said bill of complaint against the said lands and against any and all persons claiming any interest in the said land or any part thereof, or any interest therein, or any lien or incumbrance thereon, has been given in the manner required by law, and that the complainant is entitled to the relief as prayed for in his bill of complaint and of his title to the said property;

It is therefore ASCERTAINED, ORDERED, ADJUDGED and DECREED by the Court that the said complainant, A. F. Smith, is over the age of twenty-one years and a resident of Baldwin County, Alabama; that at the time of the submission of this cause for final decree the complainant was and is in the actual and peaceable possession, claiming to own the same absolutely and in fee simple, of all that certain tract of land situated in Baldwin County, Alabama, described as follows, to-wit:

The Southeast quarter of the Southeast quarter, except 30 feet off of the South and East ends thereof for public highway; and the West half of the Southwest quarter of the Southeast quarter, all in Section 1, Township 5 South of Range 3 East;

That there is no suit pending in any court to test his title to, interest in, or his right to the possession of said lands; that the said complainant and those through whom he claims title, have held title to said tract of land and have paid taxes on said tract of land for more than ten years next preceding the filing of the bill of complaint in this cause; that complainant's title to

the said land was derived from tax deed from G. W. Humphries, Judge of Probate, Baldwin County, Alabama, to M. E. Walker dated July 3rd, 1929, and recorded in the office of the Judge of Probate of said County in 46 NS, pages 555-6; tax deed from J. E. and C. E. Mathers by Judge of Probate to J. C. Graydon, dated June 13, 1928, and recorded in 45 NS, pages 98-99; quit claim deed from Jackie Graydon, as Executrix of the estate of J. C. Graydon, deceased, to your complainant, dated November 30, 1936, and recorded in 60 NS, page 593; Warranty Deed from Frank W. Walker and wife to your complainant dated July 11, 1938, and recorded in 65 NS, page 198; that the said land was confirmed in Josiah V. Thompson as purchaser from the Mobile and Girard Railroad Company by deed dated April 25th, 1893, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Book "S", pages 629-41; that the said complainant and those through whom he claims title to said land have been in actual, open, notorious, continuous possession of the said land for more than ten years next preceding the filing of said bill of complaint in said cause; and have remained in the continuous, open and actual adverse possession of the said land and have annually listed and paid the taxes thereon for more than ten years next preceding the filing of said bill of complaint; that during the whole of said time down to the filing of said bill of complaint in this cause neither of the said defendants named in the said bill of complaint nor any other person has had possession of said land, or any part thereof, and that at the time of the filing of this bill of complaint the said A. F. Smith had and now has the fee simple title to the lands above described.

It is further ORDERED, ADJUDGED and DECREED that the said A. F. Smith at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple title to the above described lands and to each and every part and parcel thereof.

It is further ORDERED, ADJUDGED and DECREED that neither of the said defendants, Alice Worden, John E. Mathes, Clara E. Mathes, J. E. Mathers, C. E. Mathers, J. B. Rogers, nor any other person, have any right, title or interest in or claim or incumbrance upon

the whole or any part of the said lands, and that the fee simple title to the said lands, and each and every part and parcel thereof, be and the same is hereby quieted and established in and declared to be in the said A. F. Smith.

It is further ORDERED, ADJUDGED and DECREED that a certified copy of this decree be by the Register of this Court recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the same be indexed in the direct index in the names of the said defendants, and in the reverse index in the name of the said A. F. Smith, as the same is provided by Section 9923 of the Code of Alabama for 1923, and that the costs thereof be taxed as a part of the cost in this proceeding.

It is further ORDERED, ADJUDGED and DECREED that the said A. F. Smith be and he is hereby taxed with the cost of this proceeding, for which let execution issue.

This the 28th day of November, 1940.

F. W. Ware
Judge.

Statement

The Baldwin Times

Bay Minette, Alabama

10-10

, 194 0

Hon. R. S. Duck

Job Printing:

E BALDWIN TIMES

PRINTED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY

J. K. 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

A. F. Smith vs. certain lands

LEGAL NOTICE

Notice of Pendency of Bill of Complaint. In the Circuit Court of Baldwin County, Alabama. In Equity.

A. F. Smith, Complainant, vs. the Southeast quarter of the Southeast quarter except 30 ft. off of the South and East ends thereof for public highway and the West half of the Southwest quarter of the Southeast quarter all in Section 1, Township 5 South of Range 2 East, Baldwin County, Alabama; Alice Worden, John E. Mathes, C. E. Mathers, J. E. Mathers, Clara E. Mathes, J. B. Rogers, addresses unknown, and any and all persons claiming any title to, interest in, lien or incumbrance on the whole or any part of the above described lands. Defendants.

NOTICE IS HEREBY GIVEN That A. F. Smith did on the 17th day of September, 1940, file a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or incumbrance on the said lands or any part thereof, to quiet and establish his title to the said lands as and to be in fee simple, clear of incumbrance, against the said named and described persons and against any and all persons claiming any title to, interest in, lien or incumbrance on the said lands, or any part thereof, and to settle and clear up all doubts and disputes concerning the same.

That the complainant in his bill of complaint alleges that he is the owner in fee simple of the said lands, and each part thereof; that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have for more than ten (10) consecutive years next preceding the filing of the said bill of complaint annually listed and paid the taxes on said lands to the proper officers of Baldwin County, Alabama, and no other persons, except this complainant, and those through whom he claims, have paid any taxes on the said property during the said period of (10) ten years and that his title to the said lands is derived by mesne conveyance from the State of Alabama through, by and under the following instruments:

Tax Deed from G. W. Humphries, Judge of Probate, to M. E. Walker, dated July 3, 1929, and recorded 46 NS., p. 555-6.

Tax Deed from J. E. and C. E. Mathers by Judge of Probate to J. C. Graydon, date June 13, 1928, and recorded in 45 NS., p. 98-99.

Quit Claim Deed from Jackie Graydon, as executrix of the estate of J. C. Graydon, deceased, to the complainant, dated Nov. 30, 1926, and recorded in 60 NS., p. 593.

Warranty Deed from Frank W. Walker and wife to the Complainant dated July 11, 1938, and recorded in 65 NS., p. 193.

IN WITNESS WHEREOF, I, R. S. Duck, as Register in Chancery of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal, this the 17th day of September, 1940.

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

<i>September 19, 1940</i>	Vol. <i>51</i> No. <i>34</i>
<i>" 26, 1940</i>	Vol. <i>51</i> No. <i>35</i>
<i>October 3, 1940</i>	Vol. <i>51</i> No. <i>36</i>
<i>" 10, 1940</i>	Vol. <i>51</i> No. <i>37</i>

Date of third publication

Date of fourth publication

Subscribed and sworn before the undersigned this 12th day of

October 1940
J. M. ...
Notary Public
Baldwin County

J. K. Faulkner
Publisher

UNITED STATES DEPARTMENT OF JUSTICE

THE PATENT OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PATENT AND TRADEMARKS

RECEIVED
OCT 12 1940

REGISTERED MAIL

RECEIVED
OCT 12 1940

*Filed Oct 12, 1940
R. S. Deuch, Register*

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 663 Fall, Term, 1940

A. F. SMITH,

Complainant

Vs.

CERTAIN LANDS, BALDWIN COUNTY, ALA., ALICE WORDEN, ET AL.,

Defendant

In this cause it appears to the Register R. S. Duck, that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 19th day of September, 1940, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 19th day of September 1940 and _____

And it now further appearing to the Register R. S. Duck that the said The Southeast quarter of the Southeast quarter, except 30 ft. off of the South and East ends thereof for public highway; and the West half of the Southwest quarter of the Southeast quarter, all in Section 1, Township 5 South of Range 3 East, Baldwin County, Alabama; Alice Worden, John E. Mathes, Clara E. Mathes, J. E. Mathers, C. E. Mathers, J. B. Rogers;

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of 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 above named respondents.

This 20th day of November 1940

R. S. Duck

Register.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

A. F. SMITH,

Complainant,

Vs.

CERTAIN LANDS, ET ALS.,

Decree Pro Confesso of Publication

Issued November 20, 19 40

R. S. Duck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

A. F. SMITH,

Complainant,

vs

SE $\frac{1}{2}$ of SE $\frac{1}{4}$, except 30 feet
off of S & E ends thereof
for public highway, and W $\frac{1}{2}$
of SW $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 1, T 5 S,
R 3 E, Baldwin County, Ala.,
and Alice Worden et al.,

Respondents.

FINAL DECREE.

Filed 4 day of December
1940.

R. S. Durr
Register.

JOHN P. BEEBE

ATTORNEY AT LAW

LAMBERT BUILDING

RAY MINETTE ALABAMA

Bay Minette, Ala., Nov 29 1940

R. S. Duck by J. M. Burke Atty

IN ACCOUNT WITH

G. W. ROBERTSON

Judge of Probate, Baldwin County

Please Return Bill With Remittance

Recording	from	to	Privilege Tax	Rec. Fee	Total
<i>Rece. A. F. Smith, Compt. vs Certain lands & other workings etal</i>				<i>200</i>	
<p><i>Paid</i> <i>11/29/40</i> <i>G. W. Robertson Judge</i> <i>J. M. Burke Atty</i></p>					

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ November 1940 Term, 193_____

A. F. SMITH, _____, Complainant

Vs.

CERTAIN LANDS, ALICE WORDEN, ET ALS., _____, Defendant

To R. S. DUCK, _____, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by John P. Beebe

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

John P. Beebe
Solicitor for Complainant.

A. F. SMITH,

Complainant,

vs.

CERTAINLANDS, ALICE WORDEN,

ET ALS., Respondents.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Order of Publication;
Motion for Decree Pro Confesso on Publication; Decree Pro Confesso
on Publication; Proof of Publication; Notice to take Testimony of
witnesses for Complainant; Order of Register to Take Testimony of
witnesses for Complainant; Notice to Witnesses of time and place of
Taking Testimony; Commission to Take Deposition; Testimony of A. F.
Smith, Will W. White, and W. C. Byrd, witnesses for Complainant; Re-
quest of Solicitor for Submission; Request for Decree;
and in behalf of Defendant upon

A. S. Duck

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

A. F. SMITH,

Complainant,

vs.

CERTAIN LANDS, ALICE WORDEN, ET
ALS., Respondents.

NOTE OF TESTIMONY

Filed in Open Court this 28th
day of November, 1940 193

R. S. Duck

REGISTER

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed November 28, 1940

R. S. Duesch
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Term, 1940

Answer Letter March Complaint
No. 673 vs.
John H. Ketch, Respondent

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—		Summoning on Bill, Each Defendant.....	1.50
Docketing Cause, One fee only of.....	1.00	Executing Writ of Injunction, or Ne Exeat, each.....	1.50
Issuing Summons on Bill, each.....	.50*	Executing Subpoenas for Witnesses, each.....	.65
Issuing Copies Thereof, each.....	.40	Executing Writs of Possession, each.....	5.00
Entering Return of Same, each.....	.15	Executing Scire Facias or Notice, each.....	1.50
Orders of Publication to Non-Residents, each.....	1.00*	Taking and Approving Bonds, each.....	1.00
Filing Bill or Other Paper, each.....	.10	Impanelling Jury.....	.75
Copies of Same, Per 100 Words.....	.15	Collecting Execution for Costs Only, each.....	1.50
Entering Appearances, each.....	.25*	Sheriff's Commissions	
Issuing Writs of Injunction, Ne Exeat, each.....	1.50	.....
Issuing Copies Thereof, each.....	.50	.....
Entering Return of Same, each.....	.15	Total Sheriff's Fees	
Decrees Pro Confesso, each.....	1.00*		
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each.....	.50		
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	.20		
Receiving and Filing Depositions, each pkg.....	.10	SUMMARY OF FEES, COSTS, AND JUDGMENT	
Indorsing Depositions Published, each pkg.....	.10	Fees in Circuit Court—	
All Entries on Commission Docket, Each Cause.....	.50	Register's Fees	7.25
Entering Order Submitting Cases for Decree, each.....	.50	Ex-Register's Fees	
Other Orders of Court, each.....	.25	Sheriff's Fees	
Noting Testimony on Hearing of Cause, each.....	.50	Ex-Sheriff's Fees	
Entering Decrees, of 500 Words or Less, each.....	.75	Witness Fees	
Per 100 words over 500.....	.15	Commissioner's Fees	
Taking Accounts, etc., on Ref., per Day.....	3.00*	Guardian Ad Litem	
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15	Publisher's Fees	
Reference and Reports, each.....	2.00*	Solicitor's Fees	
Reports of 500 Words or Less.....	2.50	Court Reporter's Fees, Per Day or fraction thereof .....	.50
Per 100 Words over 500.....	.15	Trial Tax	3.00
Issuing Subpoenas for Witnesses, each.....	.25	.....
Issuing Witness Certificates, each.....	.25	.....
All Entries on Subpoena Docket, each Cause.....	.50	Fees and Costs in Inferior Court:	
Taking and Approving Bonds, each.....	1.00	Clerk of Inferior Court Fees	
Making Complete Record, per 100 Words.....	.15	Sheriff's Fees	
Hearing, etc., Regarding Appointment of Receiver or Trustee	3.00	Witness Fees	
Settlements with Receiver or Trustee, each.....	3.00	.....
Examining Vouchers in Settlements, each.....	.10	Total Fees and Costs in Inferior Court	10.25
Examining Answers on Exceptions, each Answer .....	.20		
Removal Disabilities on Non-Age.....			
Commissions on Sales.....			
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont, each.....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each .....	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each .....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
.....			
Total Register's Fees	7.25		

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

November Term, 194 *0*

Anna Lillian Kuch, Complainant
No. *673* vs.
John W. Kuch, Respondent

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—		Summoning on Bill, Each Defendant.....	1.50
Docketing Cause, One fee only of.....	1.00	Executing Writ of Injunction, or Ne Exeat, each.....	1.50
Issuing Summons on Bill, each.....	.50*	Executing Subpoenas for Witnesses, each.....	.65
Issuing Copies Thereof, each.....	.40	Executing Writs of Possession, each.....	5.00
Entering Return of Same, each.....	.15	Executing Scire Facias or Notice, each.....	1.50
Orders of Publication to Non-Residents, each.....	1.00*	Taking and Approving Bonds, each.....	1.00
Filing Bill or Other Paper, each.....	.10	Impanelling Jury.....	.75
Copies of Same, Per 100 Words.....	.15	Collecting Execution for Costs Only, each.....	1.50
Entering Appearances, each.....	.25*	Sheriff's Commissions.....	
Issuing Writs of Injunction, Ne Exeat, each.....	1.50		
Issuing Copies Thereof, each.....	.50		
Entering Return of Same, each.....	.15		
Decrees Pro Confesso, each.....	1.00*		
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each.....	.50		
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	.20		
Receiving and Filing Depositions, each pkg.,.....	.10		
Indorsing Depositions Published, each pkg.,.....	.10		
All Entries on Commission Docket, Each Cause.....	.50		
Entering Order Submitting Cases for Decree, each.....	.50		
Other Orders of Court, each.....	.25		
Noting Testimony on Hearing of Cause, each.....	.50		
Entering Decrees, of 500 Words or Less, each.....	.75		
Per 100 words over 500.....	.15		
Taking Accounts, etc., on Ref., per Day.....	3.00*		
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15		
Reference and Reports, each.....	2.00*		
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	.15		
Issuing Subpoenas for Witnesses, each.....	.25		
Issuing Witness Certificates, each.....	.25		
All Entries on Subpoena Docket, each Cause.....	.50		
Taking and Approving Bonds, each.....	1.00		
Making Complete Record, per 100 Words.....	.15		
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee.....	3.00		
Settlements with Receiver or Trustee, each.....	3.00		
Examining Vouchers in Settlements, each.....	.10		
Examining Answers on Exceptions, each Answer.....	.30		
Removal Disabilities on Non-Age.....			
Commissions on Sales.....			
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales.....			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each.....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each.....	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
<i>Certified Copy of Record</i>			
Total Register's Fees	7.25		
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	7.25
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	
		Commissioner's Fees.....	
		Guardian Ad Litem.....	
		Publisher's Fees.....	
		Solicitor's Fees.....	
		Court Reporter's Fees, Per Day or fraction thereof.....	.50
		Trial Tax.....	3.00
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court	10.25
		Total Fees and Costs	
		Judgment	
		Total Fees, Costs, and Judgment	

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO MARY KATE COWDEN

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 ANNA FELLER KUCK

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

ANNA FELLER KUCK

Complainant

and JOHN H. KUCK

Defendant,

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

Witness 25th day of October, 19 40

R. S. Duck

REGISTER

Commissioner's Fee \$5.00

Witness' Fees, \$

ANNA FELLER KUCK

Complainant,

vs.

JOHN H. KUCK,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DEPOSITION

Anna Feller Kuck, being first duly and solemnly sworn on oath did depose and say:

My name is Anna Feller Kuck and I am the complainant in the above entitled action. I was married to the respondent, John H. Kuck, on September 27th, 1940 in Bay Minette, Alabama.

I am 69 years old and for more than thirty years have lived on a farm near Elberta, Alabama. I was married to Fred Feller on November 2nd, 1910 and lived with him as his wife until January 25th, 1933, when he died. We had no children.

He left me 120 acres of land, on which we had made our home. However, only 28 acres of this is cleared and in cultivation, the rest of it being wood land. Since his death, I have made my own living by renting out the cultivated land for about enough to pay the taxes, raising chickens, selling eggs and milking two or three cows.

I am getting to an age, however, where the work necessary to make my living in this way is hard for me and, when I met the respondent/^{and} he wanted to marry me for companionship and to make a home for him, I was interested, as he told me he had money and property and an income sufficient to enable us to live well without me doing anything except keeping house for him.

I became acquainted with him at the church which we both attended, and he told me that his wife had died recently and that he needed someone to make a home for him and that he was able to and would support me in comfort, and I would not have to do any work, except keep house for him.

I made no investigation of his finances but took his word, and we were married.

No sooner was the ceremony performed, before we even went home, he wanted me to go to a lawyer and make a will, leaving all my property to his children. I refused to do this and his attitude toward me began to change at once. When we got to my home he notified me that it would be necessary to sell all the wood and timber off my land and that we would have to make our living off of what we could sell from the farm, as he had no money and had been delayed in collecting money which he expected.

When I refused to have the wood cut or to sell anything off the farm to provide our living, he said that he guessed it had been a mistake that we ever got married.

By that time it was obvious to me that he had married me with the idea that I had money and property and would support him, and I too recognized that I had made a mistake. I went and talked to my good friends and neighbors of many years, Mr. Salzman and Mr. Paul Haupt, and they both advised me that I should take immediate steps to have the marriage annulled.

We never did live together as man and wife and he took the few belongings he had brought to my house and left the next day.

I relied upon his representations as to his ability to take care of me and was deceived by him into believing that he could and would do so, and discovered as soon as the marriage ceremony was performed that his whole idea was to marry me for what little I had, and to force me to take care of and support him and, on such a basis, a happy marriage between us was impossible and, the marriage between us never having been consummated, I now ask that the court declare it a nullity.

Anna Feller Huck

C E R T I F I C A T E

STATE OF ALABAMA }
BALDWIN COUNTY }

I, Mary Kate Cowden, by virtue of the attached Commission To Take Depositions, commissioner to take the testimony of Anna Feller Kuck, do hereby certify that on the 31st day of October, 1940, I caused the said Anna Feller Kuck to appear before me in my office at Foley, Alabama; that after being duly sworn, the testimony of said witness was by me taken down in shorthand, later reduced to typewriting, read over by the witness and subscribed by her.

That I have personal knowledge of the identity of said witness and am not of counsel or kin to any of the parties to this cause, and have no interest in the result of the same.

IN WITNESS WHEREOF: I have hereunto set my hand this 1st day of November, 1940.

Mary Kate Cowden
Commissioner

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194_____

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

No. 673

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

Anna Ellen Neely

Complainant

vs.

Plaintiff

John W. Neely Respondent

Defendant

EQUITY COST BILL

Term, 19_____

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194 _____

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

No. 673

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

James Miller Hill

Complainant

vs.

Plaintiff

John A. Black

Respondent

Defendant

EQUITY COST BILL

Term, 19 _____

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

DEPOSITION

*Filed & recorded 2/8/40
R. S. Duke Register*

LLOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA

ANNA FELLER KUCK,

Complainant

vs.

JOHN H. KUCK,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN CHANCERY SITTING:

PART ONE

Your complainant respectfully shows unto Your Honor that she is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, residing at Elberta therein, and that the respondent, John H. Kuck is also over the age of twenty-one years and a resident of Baldwin County, Alabama, residing at Robertsedale, therein.

PART TWO

Your complainant further avers:

1. That she is 69 years of age and the respondent 81.
2. That the parties were married in Bay Minette, Alabama on the 27th day of September, 1940.
3. That your complainant was induced to enter into a contract of marriage with the respondent by the false and fraudulent representations of the respondent; that her consent to such marriage contract was obtained from her by the fraud of the respondent, which fraud consisted of this: The respondent represented to your complainant that he was a man of wealth and possessed of an income from investments which would enable him to support your complainant in comfort in her declining years and that he desired marriage with your complainant for companionship in his old age, and that his income was ample to support them both in comfort, whereas, the fact is, that the said respondent is not a man of wealth and has no income which would enable him to support himself and your complainant in comfort and, as soon as the marriage ceremony was completed he notified your complainant that they would have to live

in her home and on her money as he had no money with which to support them.

3. That because of the advanced age of the parties, the marriage between them was understood to be one of convenience which would result in company and companionship for the respondent and a home and the necessities and some of the comforts of life for your complainant, and that the fraud and deceit of the respondent, practiced upon your complainant as aforesaid, went to the essentials of the proposed relationship between them and was such a fraud upon your complainant as to make a happy married life with the respondent impossible.

4. That your complainant believed the representations of the respondent and relied upon them and, not until after the marriage ceremony, did the respondent inform her to the contrary.

5. That the marriage relation has never been consummated between your complainant and the respondent; they have never lived together but separated almost immediately after the marriage ceremony and as soon as your complainant learned from the respondent of the falsity of his representations to her, and the contract between them is based upon and was procured by the fraud of the respondent, and in equity and in good conscience ought to be annulled.

PRAYER FOR PROCESS

WHEREFORE, your complainant prays that Your Honor will grant to her the writ of summons of the State of Alabama, directed to the respondent, John H. Kuck, and requiring him to answer, plead or demur to this Bill of Complaint within the time allowed by law and to abide such order and decree as may be entered herein; and your complainant shall ever pray, etc.

PRAYER FOR RELIEF

Your complainant further prays that upon final hearing of this cause, Your Honor will make and enter a decree cancelling the marriage contract between the respondent and herself and annulling the marriage relation between the complainant and the respondent.


Solicitor for Complainant.

673
RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

BILL OF COMPLAINT

Filed October 25 1940
R.S. Kuck, Register

ELOYD A. MAGNEY
ATTORNEY AT LAW
MOLEY, ALABAMA

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DECREE

This cause coming on to be heard on the Bill of Complaint, the answer of the respondent, the stipulation of the respondent for the submission of the cause and the testimony, as noted by the Register, and was submitted to the Court and upon consideration thereof the Court finds:

That it has jurisdiction of the subject matter of this cause and the persons of the parties; that the allegations of the Bill of Complaint are true, that the marriage ceremony, which was performed on the 27th day of September, 1940, purporting to join in matrimony the complainant and the respondent, was induced by the fraud of the respondent and was of no real force or effect; that no legal marriage relationship ever came into existence as between the complainant and respondent by reason of said ceremony; that the marriage relationship has never been consummated between the complainant and the respondent and that the said marriage ought to be and the same hereby is declared to be null and void and of no force or effect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the marriage ceremony between the complainant, Anna Feller Kuck, and the respondent, John H. Kuck, performed on the 27th day of September, 1940 be, and the same hereby is declared null and void; that the marriage relationship between complainant and respondent be and the same hereby is annulled, set aside, cancelled and held for naught and the parties released from the obligation of the same and that complainant pay the costs of this action, taxed at \$.

Dated this 7th day of November, 1940.

J. W. Hare
Judge.

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANSWER

Comes now John H. Kuck, the above named respondent, and for answer to the Bill of Complaint says:

FIRST: He admits the allegations of Part One of the Bill of Complaint.

SECOND: He admits the allegations of Paragraphs 1 and 2 of Part Two of the Bill of Complaint.

THIRD: Your respondent denies that he made any false representations to the complainant.

FOURTH: Your respondent admits that the marriage relation has never been consummated between himself and the complainant, and that they have never lived together but separated almost immediately after the marriage ceremony.

WHEREFORE, having fully answered, your respondent prays that he may go hence without day and have judgment for his costs herein expended.



Attorney Pro Se

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

STIPULATION

Comes now John H. Kuck, the above named respondent, and stipulates and agrees that the testimony in this case may be taken before Mary Kate Cowden, acting as commissioner, and the costs submitted on the bill, answer and testimony at any time.



673 RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

STIPULATION

Filed October 25, 1940
R. S. Duck, Register

LLOYD A. MAGNEY
Attorney-at-Law
Foley, Alabama.

673
RECORDED
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

ANSWER

Filed October 25, 1940
R.S. Dush, Registrar

LLOYD A. MAGNEY,
Attorney-at-Law,
Foley, Alabama.

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANNA FELLER KUCK,

Complainant,

vs.

JOHN H. KUCK,

Respondent.

DECREE

Filed November 7, 1940
R. S. Buck, Register

LLOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA

LLOYD A. MAGNEY
LAWYER
FOLEY, ALABAMA
November 5, 1940

Hon. R. S. Duck,
Clerk of the Circuit Court,
Bay Minette, Alabama.

Dear Sir:

Re: Kuck vs. Kuck

Judge Hare has indicated that he will sign a decree in this case and I have forwarded one to him.

I enclose a copy herewith for your use in certifying after the signed decree has been sent to you by Judge Hare.

Very truly yours,


LLOYD A. MAGNEY.

LAM:C

Encl.

LLOYD A. MAGNEY
LAWYER
FOLEY, ALABAMA

November 1, 1940.

Hon. R. S. Duck,
Clerk of the Circuit Court,
Bay Minette, Alabama.

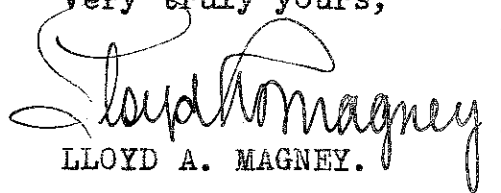
Dear Sir:0

Re: Kuck vs. Kuck

I enclose herewith the testimony in this case and wish that you would send the file to Judge Hare for ~~the~~ decree in vacation.

As soon as the decree is returned, please certify ^a ~~the enclosed~~ copy and send it to me with your cost bill and I will remit at once.

Very truly yours,


LLOYD A. MAGNEY.

LAM:C

Encl.

Anna Feller Kuck,

Complainant.

vs.

John H. Kuck,

Respondent

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
~~Answer and Stipulation; Commission to take Deposition; Testimony~~
~~of Anna Feller Kuck, the Complainant; Request for decree in vacation;~~

and in behalf of Defendant upon Answer.

R. S. Duck

Register.

No. RECORDED

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 2nd
day of November, 1940 193

R. S. Dorch

REGISTER

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 673 November Term, 193~~3~~⁴

ANNA FELLER KUCK,
_____ , Complainant

Vs.

JOHN H. KUCK,
_____ , Defendant

To R. S. DUCK, _____, Register :

In the above stated cause ~~for Decree Pro Confesso~~ ^{Answer} having been ~~taken against~~ ^{filed by} the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by LLOYD A. MAGNEY

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

LLOYD A. MAGNEY
Solicitor for Complainant.

RECORDED

No. _____ Page _____

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed November 2nd, 1930

R. S. Ditch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.