

The State of Alabama, }  
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

December Term, 1942

*D. Z. ... + ...*  
No. *667* vs. *...*  
*...*  
*...*

667

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	Impaneling 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.....	2.00		
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 decree</i>			
Total Register's Fees.....	15 10		
		Total Sheriff's Fees.....	3 20
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	15 10
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	2 00
		Commissioner's Fees.....	
		Guardian Ad Litem.....	
		Publisher's Fees.....	30 20
		Solicitor's Fees.....	33 35
		Court Reporter's Fees, Per Day or fraction thereof.....	5 00
		Trial Tax.....	3 00
		<i>...</i>	2 50
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court.....	66 95
		Total Fees and Costs.....	
		Judgment.....	
		Total Fees, Costs, and Judgment.....	

STATE OF ALABAMA. }

BALDWIN COUNTY. }

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon MRS. V. O. LEA, VIVA LEA PICKENS, CLARENCE LLOYD PARKER, GRACE EVIE DESPORTE, RIVER PARK FRUIT COMPANY, a corporation, JAS. B. SMITH, CHARLES C. REDWOOD, ALICE D. REDWOOD, JANE F. HOLCOMBE, C. H. AINLEY, B. F. LIPPINCOTT, E. S. TESSON, O. H. WINEGAR, J. F. WILSON, E. E. POSEY, EDWARD MORRISON, SARAH M. MORRISON, N. J. COLEMAN, EDWARD T. KRAMES, CALEB PRICE, GEORGE M. BONNER, GODFREY TAPPER, SARAH E. HICKMAN, GEORGE BARNETT, GEORGE B. BARRETT, RICHARD BARNETT, RICHARD BARRETT, C. F. LINSKOTT, LEWIS C. ROBERTS, LINSKOTT ROBERTS, ALEX. LINDSTROM, AXEL LINDSTROM, A. V. LINDSTROM, HARRIET BAILEY, INGA TROSTHOL, SCHUMAN & EVANS, if they be living, or if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by D. Z. GROVE and HELEN G. GROVE against said above named, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondents shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of the said Circuit Court, this 2 day of October, 1940.

*R. S. Duck*

Register.

D. Z. GROVE and HELEN G. GROVE,

Complainants,

vs.

RIVER PARK FRUIT COMPANY, a corporation, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

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

Come your Complainants, D. Z. GROVE and HELEN G. GROVE, and present this Bill of Complaint against the following described lands in Baldwin County, Alabama, to-wit:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;

Tracts 33 and 34 or Northwest quarter of Northwest quarter of Northwest quarter;

Tract 38 or South half of Northwest quarter of Southwest quarter of Northwest quarter;

Tract 39 or North half of Southwest quarter of Southwest quarter of Northwest quarter,

All according to plat of River Park in Section 1, Town-

ship 7 South of Range 2 East; \*

Tract 5 in the Northeast quarter of Southeast quarter, and Lots 25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to plat of River Park in Section 36, Township 6 South, Range 2 East;

And all being in Baldwin County, Alabama;

and against Clarence Lloyd Parker, Apartment 4, 776 Congress Street, Portland, Maine, Grace Evie Desporte, 1321 Alvarez Street, Jacksonville, Florida, Mrs. V. O. Lea and Mrs. Viva Lea Pickens, Daphne, Alabama, River Park Fruit Company, a corporation, address unknown; and Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol, Schuman & Evans, and against each of them, separately and severally, and if either or any of them be dead, then against their and each of their heirs, devisees, grantees, personal representatives and assigns, separately and severally, and against any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said lands, 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 bona fide residents of Baldwin County, Alabama; that the respondents hereinabove named are all over twenty-one years of age; that the complainants are the owners in fee simple and in the actual possession of said lands in Baldwin County, Alabama, described as follows, to-wit:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;

Tracts 33 and 34 or Northwest quarter of Northwest quarter of Northwest quarter;

Tracts 38 or South half of Northwest quarter of Southwest quarter of Northwest quarter;

Tract 39 or North half of Southwest quarter of Southwest quarter of Northwest quarter,

All according to plat of River Park in Section 1, Township 7 South of Range 2 East;

Tract 5 in the Northeast quarter of Southeast quarter, and Lots 25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to plat of River Park in Section 36, Township 6 South, Range 2 East;  
And all being in Baldwin County, Alabama.

2. That no suit is pending to test the complainants' title to, interest in or their right to the possession of said lands.

3. That the complainants obtained title to said lands by purchases as follows: Tracts 1, 2, 3 and 4, or Northeast quarter of Northwest quarter of Section 1, Township 7 South, Range 2 East, from Richard Barrett, by State Auditor, deed dated December 29, 1924, recorded in Deed Book 35 N.S., pp. 314-15; Tracts 33 and 34 or Northwest quarter of Northwest quarter of Northwest quarter of Section 1, Township 7 South, Range 2 East, from Linscott Roberts, by State Auditor, deed dated December 29, 1924, recorded in Deed Book 35 N.S., page 314; Tract 38 or South half of Northwest quarter of Southwest quarter of Northwest quarter of Section 1, Township 7 South of Range 2 East, from Alex. Lindstrom by Judge of Probate, deed dated June 3, 1929, recorded 46 N.S., pp. 495-6; Tract 39 or North half of Southwest quarter of Southwest quarter of Northwest quarter of Section 1, Township 7 South, Range 2 East, from A. V. Lindstrom by Probate Judge, deed dated October 22, 1929, recorded 48 N.S., pp. 135-6; Tract 5 in Northeast quarter of Southeast quarter of Section 36, Township 6 South, Range 2 East, from Edward T. Krames by Tax Collector, deed dated June 3, 1929, recorded 46 N.S., page 495; Lots 39 and 40, in Section 36, Township 6 South, Range 2 East, from Sarah R. Hickman by State Auditor, deed dated December 29, 1924, recorded 35 N.S., pp. 313-14, and Lots 25, 26, 27, 28, 29, 30, 31 and 32, in Section 36, Township 6 South, Range 2 East, from George S. Barrett by State Auditor, deed dated December 23, 1924, recorded 31 N.S., pp. 312-13; all of said deeds being recorded in the office of the Probate Judge of Baldwin County, Alabama.

4. That the title to said lands claimed by the complainants stands upon the record in the Probate Court of Baldwin County, Alabama, in the names of D. Z. Grove, Helen G. Grove, Mrs. V. O.

Lea, Mrs. Viva Lea Pickens, Clarence Lloyd Parker, Grace Evie Des-  
porte, River Park Fruit Company, a corporation, Jas. B. Smith,  
Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley,  
B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E.  
Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T.  
Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hick-  
man, George Barnett, George S. Barrett, Richard Barnett, Richard Bar-  
rett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lind-  
strom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol,  
Schuman & Evans.

5. That no one has at any time within ten years next pre-  
ceding the filing of this bill of complaint paid any taxes upon or  
had any possession of said lands, or any part thereof, except D. Z.  
Grove and Helen G. Grove.

6. That the only persons known by your complainants to  
claim said lands, or any part thereof, or any interest therein, are:  
D. Z. Grove, Helen G. Grove, Mrs. V. O. Lea, Mrs. Viva Lea Pickens,  
Clarence Lloyd Parker, Grace Evie Desporte, River Park Fruit Company,  
a corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood,  
Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H.  
Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morri-  
son, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner,  
Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett,  
Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts,  
Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom,  
Harriet Bailey, Inga Trosthol, and Schuman & Evans; that a diligent  
search and inquiry has been made from residents in the vicinity of  
said lands, from residents of Fairhope, Silverhill, Summerdale, Mar-  
low and Bay Minette, in Baldwin County, Alabama, and from the records  
at Bay Minette, the County Seat of Baldwin County, Alabama, to as-  
certain the present addresses of said parties whose addresses are  
unknown, and whether or not they or any of them are dead, and if  
dead, the names, ages and addresses of their and each of their  
heirs, and they are unknown; that from such information obtainable,  
all are over twenty-one years of age and non-residents of the State

of Alabama.

WHEREFORE, your complainants pray that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process make the said Mrs. V. O. Lea, Mrs. Viva Lea Pickens, Clarence Lloyd Parker, Grace Evie Desporte, River Park Fruit Company, a corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol, and Schuman & Evans, and each of them, and the unknown heirs, devisees, grantees, personal representatives and assigns of them, if either or any of them should be dead, and any other person, firm or corporation claiming any right, title to, interest in, lien or encumbrance upon said lands, to-wit:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;  
Tracts 33 and 34, or Northwest quarter of Northwest quarter of Northwest quarter;  
Tracts 38 or South half of Northwest quarter of Southwest quarter of Northwest quarter;  
Tract 39 or North half of Southwest quarter of Southwest quarter of Northwest quarter;  
All according to plat of River Park in Section 1, Township 7 South of Range 2 East;

Tract 5 in the Northeast quarter of Southeast quarter, and Lots 25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to plat of River Park in Section 36, Township 6 South, Range 2 East;  
And all being in Baldwin County, Alabama;

or any part thereof, to be made parties respondent to this bill of complaint, and by appropriate process require them, and each of them, to separately and severally 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 of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of en-

cumbrances, to the said lands and to each part and parcel thereof, is vested in your complainants, D. Z. Grove and Helen G. Grove, as against Mrs. V. O. Lea, Mrs. Viva Lea Pickens, Clarence Lloyd Parker, Grace Evie Desporte, River Park Fruit Company, a corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol and Schuman & Evans, if they be living, and if dead, their and each of their unknown heirs, devisees, grantees, personal representatives and assigns, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said lands, or any part thereof, and that any and all doubts and disputes concerning the same be cleared up. And your complainants pray for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BEEBE & HALL,

By Hubert M. Hall  
Solicitors for Complainants.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority in and for said County, in said State, personally appeared Hubert M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says that he is a member of the firm of Beebe & Hall, Solicitors of record and agents of the complainants, D. Z. Grove and Helen G. Grove, in the above styled cause, and duly authorized by them to make this affidavit; and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true, and from such information obtained he verily believes and so states the same to be true.

Hubert M. Hall

Sworn to and subscribed before me this the 2nd day of October, 1940.

Ida M. Turnbull  
Notary Public, Baldwin County, Ala.

667

**RECORDED**

*Filed for Mrs. V. I. Pe  
+ Mrs. Vira Lea Pierson  
Daphne, Ala.*

D. Z. GROVE and HELEN G.  
GROVE,  
Complainants,  
vs.

RIVER PARK FRUIT COMPANY,  
a corporation, ET AL.,  
Respondents.

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

BILL TO QUIET TITLE.

Filed Oct 2, 1940  
A.S. Duen  
Register.

Executed this the  
7<sup>th</sup> day of Oct  
1940 by serving  
a copy of the  
within Bill to Quiet  
Title on

Mrs. V. I. Pe and  
Mrs. Vira Lea Pierson

W. R. Stuart  
Sheriff

by  
A. B. Pruitt



The State of Alabama,  
Baldwin County.

No. \_\_\_\_\_ CIRCUIT COURT IN EQUITY.

----- D. Z. GROVE and HELEN G. GROVE ----- Complainant<sup>s</sup>

VS.

----- RIVER PARK FRUIT COMPANY, a Corporation, ET AL. ----- Defendant<sup>s</sup>

Motion is hereby made for a Decree Pro Confesso against Clarence Lloyd Parker -----

----- 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 by registered mail/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 \_\_\_\_\_ 4th \_\_\_\_\_ day of \_\_\_\_\_ December \_\_\_\_\_ 19 40

BEHREND & HALL,

By: *Ann Hall*

----- Solicitor, -----

Bay Minette, Ala.,

19/16

1940

*Hm Hall*

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>Final decree -</i>	<i>102 Trors</i>	<i>vs. Leon K. Grant &amp; Co</i>			<i>250</i>
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*Paid Cash  
by RS Dusk  
19/16/40  
Hm Hall*

The State of Alabama,  
Baldwin County.

No. .... CIRCUIT COURT IN EQUITY.

D. Z. GROVE, ET AL. .... Complainant

vs.

RIVER PARK FRUIT COMPANY, ET AL. .... Defendant

Motion is hereby made for a Decree Pro Confesso against Mrs. V. O. Lea and Viva Lea

Pickens ..... Defendant s.

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

This 4th day of December 19 40

BREBE & HALL  
BY: *[Signature]* ..... Solicitor.

No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

D. Z. GROVE, ET AL.

vs.

RIVER PARK FRUIT COMPANY, ET AL.

**MOTION FOR DECREE PRO  
CONFESSO ON PERSONAL SERVICE**

Filed December 5th 1940

*R. S. Duncanson*

Register.

Recorded in \_\_\_\_\_ Record,

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

No. \_\_\_\_\_

**RECORDED**

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

D. Z. GROVE, ET AL.

vs.

RIVER PARK FRUIT CO., ET AL.

**MOTION FOR DECREE PRO  
CONFESSO ~~ON~~ PERSONAL SERVICE  
BY REGISTERED MAIL**

Filed December 5th 19 40

*R. J. Duch*

Register.

Recorded in \_\_\_\_\_ Record,

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

Statement

# The Baldwin Times

Bay Minette, Alabama

10-25-

1940

Hon. R. S. Duck, Clerk -

Job Printing:

Advertising:

Notice of D. J. Grane + Wife -

748 Words @ 4 1/2¢

~~33.35-~~

# RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 Edward R. Parker  
(Signature of name of addressee)

2 \_\_\_\_\_  
(Signature of addressee's agent - Agent ship in care, addressee's name on line ONE above)

Date of delivery 10-17 1940

446940  
10-17-40  
N.S. Smith, Register

## RECEIPT FOR REGISTERED ARTICLE No. 180

Fee paid 1 class postage paid 12-3, 1940  
(Date)

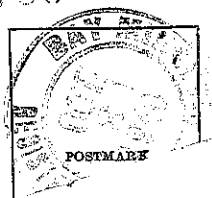
Declared value, \$ None Surcharge paid, 0

From P. S. Truck Co.  
(Street and number)

Addressed to John M. Smith  
(Street and number)

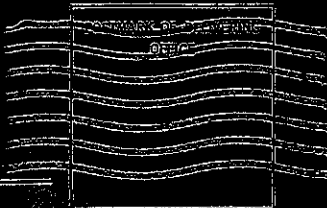
1321 Albany St.  
(Street and number)

Return receipt fee 0.3 in person Special delivery fee \_\_\_\_\_  
or order 1.0 Postmaster \_\_\_\_\_



Post Office Department  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$30.



Return to *T. J. Buck*  
(NAME OF SENDER)

Street and Number,  
or Post Office Box.

REGISTERED ARTICLE

No. *119* Post Office .....

INSURED PARCEL

No. .... State .....

14-5224



LEGAL NOTICE

Published Every Thursday

THE BALDWIN TIMES

PUBLISHED 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. H. Faulkner (handwritten signature)

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

Notice of D. Z. Grove & Wife (handwritten)

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

Table with 2 columns: Issue Date (October 3, 10, 17, 24, 1940) and Issue Number (Vol. 51 No. 36-39)

the undersigned this 25 day of

1940

Publ. County (handwritten)

J. H. Faulkner (handwritten signature)

Publisher

In the Circuit Court of Baldwin County, Alabama: In Equity. D. Z. GROVE and HELEN G. GROVE, Complainants, vs. RIVER PARK FRUIT COMPANY, a corporation, ET AL., Respondents. It having been made to appear in the above cause, by the affidavit of Hubert M. Hall, Solicitor of record and agent of D. Z. Grove and Helen G. Grove, complainants in the above cause, that Mrs. V. O. Lea and Viva Lea Pickens are residents of Baldwin County, Alabama; that Clarence Lloyd Parker is a resident of Portland, Maine, his address being Apartment 4, 776 Congress Street; Grace Evie Desporte, is a resident of Jacksonville, Florida, her address being 1321 Alvarez Street; and River Park Fruit Company, a corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard Barrett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol, Schuman & Evans, if they be living, or if they be dead, their heirs, devisees, grantees, personal representatives and assigns, are non-residents of the State of Alabama, their addresses being unknown; that the said complainants own in fee simple the following described lands in Baldwin County, Alabama, to-wit: Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter; Tracts 33 and 34 or Northwest quarter of Northwest quarter of Northwest quarter; Tract 38 or South half of Northwest quarter of Southwest quarter of Northwest quarter; Tract 39 or North half of Southwest quarter of Southwest quarter of Northwest quarter. All according to Plat River Park in Section 1, Township 7 South of Range 2 east; Tract 5 in the Northeast quarter of Southeast quarter, and Lots 25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to Plat River Park in Section 36, Township 6 South, Range 2 East; And all being in Baldwin County, Alabama; having acquired the same by conveyances from Richard Barrett, Linscott Roberts, Axel Lindstrom, A. V. Lindstrom, Edward T. Krames, Sarah E. Hickman and George S. Barrett; that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, the County in which said lands lie, in the names of the parties hereinabove named; that no person is known to have paid taxes upon said lands, or to have been in possession of said lands, or any part thereof, within ten years next prior to the filing of this bill of complaint, except D. Z. Grove and Helen G. Grove. It is therefore ORDERED and NOTICE IS HEREBY GIVEN that said respondents, Mrs. V. O. Lea, Viva Lea Pickens, Clarence Lloyd Parker, Grace Evie Desporte, River Park Fruit Company, a corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard Barrett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, Harriet Bailey, Inga Trosthol, Schuman & Evans, if they be living, or if they be dead, their heirs, devisees, grantees, personal representatives and assigns, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon said lands herein described in Baldwin County, Alabama, or any part or parcel thereof, appear in this Court and plead, answer or demur to the bill of complaint in this cause filed, on or before November 3, 1940, or upon their having failed to do so at the expiration of thirty days from said date, a decree pro confesso be taken against them. It is further ORDERED that this order and notice be published in The Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks. IN WITNESS WHEREOF, I, R. S.

Affidavit of Publication

*Filed Oct. 25, 1940*  
*R. S. Duchy, Register*

THE BRYANTON LAMER

D. Z. GROVE AND HELEN GROVE,

vs.

RIVER PARK FRUIT COMPANY, ET AL.

CIRCUIT COURT OF  
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 3rd day of October 1924, a copy of the Bill of Complaint filed in this cause was sent to Clarence Lloyd Parker

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 16th day of October 1924, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said Clarence Lloyd Parker

Defendant

This the 9th day of December 1924

*R. S. Dorch*

Register.

THE STATE OF ALABAMA, }  
Baldwin County

CIRCUIT COURT

TO MRS. O'BYRNE J. WHITLEY

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 D. Z. Grove and Hubert M. Hall

as witnesses in behalf of Complainants in a cause pending in our Circuit Court of Baldwin County, of said State, wherein D. Z. Grove and Helen Grove

are Complainants, and River Park Fruit Company, a Corporation, et al.

are Defendant,<sup>s</sup>

on oath to be by you administered, upon them

to take and certify the deposition<sup>s</sup> of the witness<sup>es</sup> and return the same to our Court, with all Convenient speed, under your hand.

Witness 9th day of December, 19 40.

*R.S. Duch*

REGISTER

Commissioner's Fee \$ 10.00

Witness' Fees. \$ \_\_\_\_\_

D. Z. GROVE, ET AL.,  
Complainants,

VS.

RIVER PARK FRUIT COMPANY,  
ET AL.,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 667.

NOTICE OF THE TIME OF TAKING TESTIMONY:

NOTICE is hereby given that the Complainants will, on the 12th day of December, 1940, before Mrs. O'Byrne J. Whitley, as Special Commissioner, take the testimony, orally, of the following witnesses on behalf of the Complainants:

D. Z. Grove,

Hubert M. Hall,

Dated this 9th day of December, 1940.

BEEBE & HALL,

By: Wm Hall  
Solicitors for Complainants.



D. Z. GROVE and HELEN GROVE,  
 Complainants,  
 VS.  
 RIVER PARK FRUIT COMPANY,  
 a Corporation, ET AL.,  
 Respondents.

IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA,  
 IN EQUITY,  
 NO. 667.

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION:

Motion is hereby made for a Decree Pro Confesso against River Park Fruit Company, a Corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah E. Hickman, George Barnett, George B. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol, Schuman & Evans, if they be living, or if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, and any other person, firm or corporation claiming any right, title to, interest in, lien or encumbrance upon the following described lands, in Baldwin County, Alabama, to-wit:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;  
 Tracts 33 and 34, or Northwest quarter of Northwest quarter  
 of Northwest quarter;  
 Tracts 38 or South half of Northwest quarter of Southwest  
 quarter of Northwest quarter;  
 Tract 39 or North half of Southwest quarter of Southwest  
 quarter of Northwest quarter;  
 All according to plat of "River Park in Section 1, Township 7  
 South, Range 2 East;

Tract 5 in the Northeast quarter of Southeast quarter, and  
 Lots 25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according  
 to plat of River Park in Section 36, Township 6 South, Range  
 2 East;  
 And all being in Baldwin County, Alabama;

Respondents, 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 Respondents are non-residents of the State of Alabama, and have failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 4th day of December, 1940.

BEEBE & HALL,  
 By: Wm Hall  
 Solicitors for Complainants.

**RECORDED**

MOTION FOR DECREE PRO  
CONFESO ON PUBLICATION:

D. Z. GROVE, ET AL.,

Complainants,

VS.

RIVER PARK FRUIT COMPANY,  
a Corporation, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 667

Filed December 5th, 1940.

*R. S. Auch*

Clerk.



REQUEST FOR TAKING OF  
TESTIMONY:

D. Z. GROVE, ET AL.,

Complainants,

VS.

RIVER PARK TRUST COMPANY,  
ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALTIMORE COUNTY, MARYLAND,

IN EQUITY,

NO. 667.

Filed December 9th, 1940.

*M. J. [Signature]*  
Clerk.

**RECORDED**

CLERK.

*R. S. Bell*

Filed December 9th, 1940.

NO. 667.

IN EQUITY,

BALDWIN COUNTY, ALABAMA,

IN THE CIRCUIT COURT OF

Respondents.

ET AL.,

HAYES PAPER MILL COMPANY,

VS.

Complainants,

D. Z. GROVE, ET AL.,

NOTICE OF THE TIME OF  
TAKING TESTIMONY:

**RECORDED**

NO. \_\_\_\_\_

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**THE STATE OF ALABAMA**

**Baldwin County**

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CIRCUIT COURT

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D. Z. GROVE, ET AL.

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Complainant s

VS.

RIVER PARK FRUIT COMPANY, ET AL.

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Defendant s

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**Commission To Take Deposition**

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**COMMISSIONER:**

Mrs. O'Byrne J. Whitley

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**Witnesses:**

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**RECORDED**

No. ....

**CIRCUIT COURT OF BALDWIN  
COUNTY, ALA.**

**In Equity.**

D. Z. GROVE, ET AL.

vs.

RIVER PARK FRUIT COMPANY, ET AL.

**Decree Pro Confesso After  
Notice By Registered Mail.**

Filed in office this 9th day of

December, 1940

*R.S. Duch*

Register

Entered in O. B. Page

THE STATE OF ALABAMA }  
Baldwin County }

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

D. Z. GROVE and HELEN GROVE

COMPLAINANT

VS.

RIVER PARK FRUIT COMPANY

RESPONDENT

I, O'Byrne J. Whitley

as ~~Register and~~ Commissioner

have called and caused to come before me D. Z. Grove and Eubert W. Hall,

witnesses named in the Requirement for Oral Examination, on the 12th day of December,

1940, at the office of Beebe & Hall,

in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said D. Z. Grove

doth depose and say as follows:

My name is D. Z. Grove. I live at Marlow, in Baldwin County, Alabama, and am over twenty-one years of age. I am one of the Complainants in the case of D. Z. Grove and Helen G. Grove, Complainants, vs. River Park Fruit Company, a Corporation, et al., Respondents, pending in the Circuit Court of Baldwin County, Alabama, on the Equity side, and being No. 667. The Complainant, Helen G. Grove, is my wife and a resident of Marlow, in Baldwin County, Alabama, and over twenty-one years of age.

My wife and I are the owners in fee simple, and in the actual possession of the land described in the Bill of Complaint in this cause, and being situated in Baldwin County, Alabama, and described as follows:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;  
Tracts 33 and 34, or Northwest quarter of Northwest quarter  
of Northwest quarter;  
Tract 38 or South half of Northwest quarter of Southwest quarter  
of Northwest quarter;  
Tract 39 or North half of Southwest quarter of Southwest quarter  
of Northwest quarter;  
All according to plat of River Park in Section 1, Township 7  
South of Range 2 East;  
Tract 5 in the Northeast quarter of Southeast quarter, and Lots  
25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to plat  
of River Park in Section 36, Township 6 South, Range 2 East;  
And all being in Baldwin County, Alabama.

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

We obtained title to said lands by purchases as follows: Tracts 1, 2, 3, and 4, or the Northeast quarter of the Northwest quarter of Section 1, Township 7 South, Range 2 East, from Richard Barrett, by State Auditor, deed dated December 29th, 1924, and recorded in Deed Book 35 MS, pages 314-15, in the office of the Probate Judge of Baldwin County, Alabama.

**ORAL EXAMINATION**

I, O'Byrne J. Whitley, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition~~s~~ on Oral Examination was taken down in writing by me in the words of the witness~~s~~ and read over to them and they signed the same in the presence of myself and Mrs. Ida M. Turnbull at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness~~s~~ or had proof made before me of the identity of said witness~~s~~; 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 12th day of December, 1940

O'Byrne J. Whitley (L. S.)  
Commissioner

No. _____	Page _____
<b>THE STATE OF ALABAMA</b> <b>Baldwin County</b>	
IN CIRCUIT COURT, IN EQUITY	
Complainant _____	Respondent _____
Vs.	
<b>ORAL DEPOSITION</b>	
Filed <u>Jan. 12<sup>th</sup></u> , 19 <u>40</u>	Register _____
RECORDED IN	Record _____
Vol. _____	Page _____
	Register _____

The acquired title to Tracts 33 and 34 or the Northwest quarter of the Northwest quarter of Section 1, Township 7 North, Range 2 East, from Linscott Roberts, by State Auditor, deed dated December 29th, 1924, and recorded in Deed Book 35 MS, page 314; and acquired title to Tract 38 or the South half of the Northwest quarter of the Northwest quarter of Section 1, Township 7 North, Range 2 East, from Alex. Lindstrom, by Judge of Probate, deed dated June 3rd, 1929, and recorded in Deed Book 46 MS, pages 495-6.

We purchased tract 39 or the North half of the Southwest quarter of the Southwest quarter of the Northwest quarter of Section 1, Township 7 North, Range 2 East, from A. V. Lindstrom, by Probate Judge, deed dated October 22, 1929, and recorded in Deed Book 48 MS, pages 155-6; and Tract 5 in the Northeast quarter of the Southeast quarter of Section 36, Township 6 South, Range 2 East, Lindstrom, by Tax Collector, deed dated June 3rd, 1929, and recorded in Deed Book 46 MS, page 495; and Lots 38 and 40, in Section 36, Township 6 South, Range 2 East, from Sarah R. Hickman, by State Auditor, deed dated December 29th, 1924, and recorded in Deed Book 35 MS, pages 313-14; and Lots 25, 26, 27, 28, 29, 30, 31, and 32, in Section 36, Township 6 South, Range 2 East, from George S. Barrett by State Auditor, deed dated December 23rd, 1924, and recorded in Deed Book 31 MS, pages 312-13; all of said deeds being recorded in the office of the Probate Judge of Baldwin County, Alabama;

That immediately after acquiring title to said lands, by purchases as above shown, we went into the actual possession and have continued in such possession until this date and have annually assessed and paid the taxes on said property; that during said period that we have owned said lands no person, firm or corporation has made any claim to or attempted to exercise any rights of possession to said lands.

That we have had a search of the records in the office of the Probate Judge, and an abstract of title made to said lands, and the title stands upon the records in the Probate Court of Baldwin County, Alabama, in the names of D. Z. Grove and Helen G. Grove, Mrs. V. O. Lee, Mrs. Viva Lee Pickens, Clarence Lloyd Parker, Grace Wale Desporte, River Park Fruit Company, a corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane R. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Lesson, O. H. Wainegar, J. I. Wilton, E. B. Posey, Edward Morrison, Sarah M. Morrison, M. D. Coleman, Edward L. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George S. Barrett, Richard Barnett, C. F. Linscott, Lewis C. Roberts, Alex. Lindstrom, Inga Trostol and Schuman & Evans, however, none of these parties, other than your complainants have made any claims to or attempted to exercise any rights of possession to said lands during the time that your complainants have owned the same; that no one has at any time with ten years next preceding the filing of the bill of complaint assessed said lands or paid any taxes upon or had any possession or attempted to exercise any possession to said lands or any part thereof except the complainants, D. Z. Grove and Helen G. Grove.

That from a search of the records in the office of the Probate Judge of Baldwin County, Alabama, and as shown by abstract, the only persons known by your complainants to claim said lands or any part thereof or any interest therein, are: D. Z. Grove and Helen G. Grove, the complainants, Mrs. V. O. Lee, Mrs. Viva Lee Pickens, Clarence Lloyd Parker, Grace Wale Desporte, River Park Fruit Company, a corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane R. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Lesson, O. H. Wainegar, J. I. Wilton, E. B. Posey, Edward Morrison, Sarah M. Morrison, M. D. Coleman, Edward L. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George S. Barrett, Richard Barnett, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Inga Trostol and Schuman & Evans; that your complainant has made inquiries and has caused a diligent search and inquiry to be made from residents in the vicinity of said lands, from residents of Fairhope, Silverhill, Sumterdale, Harton and Bay Minette, in Baldwin County, Alabama, and from the records at Bay Minette, the County Seat of Baldwin County, Alabama, and those addresses are given as unknown in the bill of complaint in this cause, and whether or not they or any of them are dead, and if dead, the names, ages and addresses of their heirs, and they are unknown, however, from such information obtainable, all are over twenty-one years of age and non-residents of the State of Alabama.

We are attaching hereto the original deeds hereinabove referred to, marked Exhibits 1, 2, 3, 4, 5, 6, and 7.

We, sometime ago, employed Hubert H. Hall, of the firm of Beebe & Hall, to make an examination of the records and also to ascertain the residences of the respondents named in said bill of complaint, whose addresses were not known, and also to examine the records as to any person who had any claim to said lands, or

who had, during the past ten years, assessed any part of said lands for taxes.

D. Z. Grove  
Helen G. Grove

HUBERT M. HALL, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN,  
DEPOSES AND SAYS:

My name is Hubert M. Hall. I live at Bay Minette, in Baldwin County, Alabama. I am a member of the firm of Besbe & Hall. We were employed sometime ago by Mr. D. Z. Grove and Mrs. Helen G. Grove to examine the records with reference to the lands described in the Bill of Complaint, styled D. Z. Grove and Helen G. Grove, Complainants, vs. River Park Fruit Company, et al., Respondents. We found that the only claimants to the said lands as shown by the records of Baldwin County, Alabama, are as set out in the original Bill of Complaint. We also made inquiries as to the ages and addresses of the Respondents whose addresses are unknown from parties in Bay Minette, Fairhope, Silverhill and in the vicinity of the lands, in Baldwin County, Alabama, but were unable to ascertain them, however, from all information, the Respondents whose addresses are given as unknown are non-residents of the State of Alabama, and over twenty-one years of age. We also made an examination of the tax records of Baldwin County, Alabama, and find that the only parties having paid any taxes on said lands or having assessed the same for the past ten years are D. Z. Grove and Helen G. Grove, his wife.

Hubert M. Hall



D. Z. GROVE, ET AL.,  
 Complainants,  
 VS.  
 RIVER PARK FRUIT COMPANY,  
 a Corporation, ET AL.,  
 Respondents.

IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA,  
 IN EQUITY,  
 NO. 667.

DECREE PRO CONFESSO OF PUBLICATION:

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 3rd day of October, 1940, in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 3rd day of October, 1940;

And it now further appearing to the Register, R. S. Duck, that the said River Park Fruit Company, a Corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah E. Hickman, George Barnett, George B. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol, Schuman & Evans, if they be living, or if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, and any other person, firm or corporation claiming any right, title to, interest in, lien or encumbrance upon the following described lands, or any part or parcel thereof, to-wit:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;  
 Tracts 33 and 34 or Northwest quarter of Northwest quarter of Northwest quarter;  
 Tract 38 or South half of Northwest quarter of Southwest quarter of Northwest quarter;  
 Tract 39 or North half of Southwest quarter of Southwest quarter of Northwest quarter,  
 All according to plat of River Park in Section 1, Township 7 South, Range 2 East;  
 Tract 5, in the Northeast quarter of Southeast quarter, and Lots 25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to plat of River Park in Section 36, Township 6 South, Range 2 East;  
 And all being in Baldwin County, Alabama;

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 Complainants, ordered and decreed by the Register, R. S. Duck, 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 the 9th day of December, 1940.

*A.S. Smith*

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Register.

D. Z. GROVE and HELEN G.  
GROVE,  
  
Complainants,  
  
VS.  
  
RIVER PARK FRUIT COMPANY, a  
Corporation, ET AL.,  
  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
  
IN EQUITY,  
  
NO. 667.

This cause is submitted in behalf of the Complainants upon the original Lis Pendens Notice, Bill of Complaint, Motion for Decree Pro Confesso after Notice by Registered Mail for Grace Evie Desporte; Motion for Decree Pro Confesso after Notice by Registered Mail for Clarence Lloyd Parker; Motion for Decree Pro Confesso on Personal Service for Mrs. V. O. Lea and Viva Lea Pickens; Motion for Decree Pro Confesso on Publication for River Park Fruit Company, a Corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Kramers, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah E. Hickman, George Barnett, George B. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol, Schuman & Evans, if they be living, or if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, and any other person, firm or corporation claiming any right, title to, interest in, lien or encumbrance upon the following described lands in Baldwin County, Alabama, to-wit: Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter; Tracts 33 and 34, or Northwest quarter of Northwest quarter of Northwest quarter; Tract 38 or South half of Northwest quarter of Southwest quarter of Northwest quarter; Tract 39 or North half of Southwest quarter of Southwest quarter of Northwest quarter; All according to plat of River Park in Section 1, Township 7 South, Range 2 East; Tract 5, in the Northeast quarter of Southeast quarter, and Lots 25, 26, 27, 28, 29, 30, 31, 32, 39, and 40, all according to plat of River Park in Section 36, Township 6 South, Range 2 East; and all being in Baldwin County, Alabama; Request for taking of testimony; Notice of the time of taking testimony; Commission issued to O'Byrne J. Whitley to take deposition; Testimony of D. Z. Grove and Hubert M. Hall; and Request for Decree in Vacation, and Proof of Publication.

*R. B. Duch*

Register.

D. Z. GROVE, ET AL.

vs.

RIVER PARK FRUIT COMPANY, ET AL.

CIRCUIT COURT OF  
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 3rd day of October 19~~2~~ 40, a copy of the Bill of Complaint filed in this cause was sent to Grace Evie Desporte

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 9th day of October 19~~2~~ 40, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said Grace Evie Desporte

Defendant

This the 9th day of December 19~~2~~ 40

*R. S. Duch*

Register.

The State of Alabama,  
Baldwin County.

No. \_\_\_\_\_ CIRCUIT COURT IN EQUITY.

D. Z. GROVE, ET AL. Complainant  
vs.

RIVER PARK FRUIT COMPANY, ET AL. Defendant

In this cause it appears to the Register  
that a summons requiring the Defendants, Mrs. V. O. Lea and Viva Lea Pickens

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to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days  
after the service of said Summons upon them  
was served upon them by the Sheriff of Baldwin County, Alabama, on the  
7th day of October 1940

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And the said Defendants having failed to demur, plead to or answer the said Bill of Complaint  
to this date, it is now, therefore, on motion of Beebe & Hall, Solicitors for Complain-  
ants

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things  
taken as confessed against the said Mrs. V. O. Lea and Viva Lea Pickens

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Defendants aforesaid.

This 9th day of December 1940

*R. S. Smith*  
Register.

D. Z. GROVE and HELEN G. GROVE,

Complainants,

VS.

MRS. V. O. LEA, VIVA LEA PICKENS,  
CLARENCE LLOYD PARKER, GRACE EVIE  
DESPOORTE, RIVER PARK FRUIT COMPANY,  
a Corporation, JAS. B. SMITH, CHAR-  
LES C. REDWOOD, ALICE D. REDWOOD,  
JANE F. HOLCOMBE, C. H. AINLEY,  
B. F. LIPPINCOTT, E. S. TESSON, O.  
H. WINEGAR, J. F. WILSON, E. E. POSEY,  
EDWARD MORRISON, SARAH M. MORRISON, W. J.  
COLEMAN, EDWARD T. KRAMES, CALEB PRICE,  
GEORGE M. BONNER, GODFREY TAPPER, SARAH  
E. HICKMAN, GEORGE BARNETT, GEORGE B.  
BARNETT, RICHARD BARNETT, RICHARD BARRETT,  
C. F. LINSKOTT, LEWIS C. ROBERTS, LINSKOTT  
ROBERTS, ALEX. LINDSTROM, AXEL LINDSTROM,  
A. V. LINDSTROM, HARRIET BAILEY, INGA TROS-  
THOL, SCHUMAN & EVANS, IF THEY BE LIVING,  
OR IF THEY BE DEAD, THEIR UNKNOWN HEIRS,  
DEVISEES, GRANTEES, PERSONAL REPRESENTATIVES  
AND ASSIGNS, AND EACH OF THEM, AND ANY OTHER  
PERSON, FIRM OR CORPORATION CLAIMING ANY  
RIGHT, TITLE TO, INTEREST IN, LIEN OR ENCUM-  
BRANCE UPON THE SAID LANDS, OR ANY PART OR  
PARCEL THEREOF, AND THE FOLLOWING DESCRIBED  
LANDS IN BALDWIN COUNTY, ALABAMA:  
Tracts 1, 2, 3, 4, or NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; Tracts 33  
and 34 or NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; Tract 38 or  
SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; Tract 39 or NE $\frac{1}{4}$  of  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$ . All according to plat of  
River Park in Section 1, Township 7 South,  
Range 2 East; Tract 5 in the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ,  
and Lots 25, 26, 27, 28, 29, 30, 31, 32,  
39 and 40, all according to plat of River  
Park in Section 36, Township 6 South, Range  
2 East; and all being in Baldwin County, Ala.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 667.

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 Court that the Complainants are the owner of and in the possession of the said lands and each and every parcel thereof, and that the title of the Complainants has been duly and fully 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 that the Respondents, Mrs. V. O. Lea, Mrs. Viva Lea Pickens, Clarence Lloyd Parker, Grace Evie Despoorte, River Park Fruit Company, a Corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, W. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C.

Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol and Schuman & Evans, if they be living, and if dead, their and each of their unknown heirs, devisees, grantees, personal representatives and assigns, and any other person, firm or corporation claiming any title to, interest in, lien or encumbrance upon said lands, or any part or parcel thereof, have no estate, right, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof, in Baldwin County, Alabama, to-wit:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;  
Tracts 33 and 34, or Northwest quarter of Northwest quarter  
of Northwest quarter;  
Tract 38 or South half of Northwest quarter of Southwest quarter  
of Northwest quarter;  
Tract 39 or North half of Southwest quarter of Southwest quarter  
of Northwest quarter;  
All according to plat of River Park in Section 1, Township 7  
South, Range 2 East;

Tract 5 in the Northeast quarter of Southeast quarter, and Lots  
25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to plat  
of River Park in Section 36, Township 6 South, Range 2 East;  
And all being in Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the full fee-simple title  
to said lands, to-wit:

Tracts 1, 2, 3, 4, or Northeast quarter of Northwest quarter;  
Tracts 33 and 34, or Northwest quarter of Northwest quarter  
of Northwest quarter;  
Tract 38 or South half of Northwest quarter of Southwest quarter  
of Northwest quarter;  
Tract 39 or North half of Southwest quarter of Southwest quarter  
of Northwest quarter;  
All according to plat of River Park in Section 1, Township 7  
South, Range 2 East;

Tract 5 in the Northeast quarter of Southeast quarter, and Lots  
25, 26, 27, 28, 29, 30, 31, 32, 39 and 40, all according to plat  
of River Park in Section 36, Township 6 South, Range 2 East;  
And all being in Baldwin County, Alabama,

is vested absolutely in the Complainants, D. Z. GROVE and HELEN G. GROVE.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a certified  
copy of this decree be recorded in the office of the Judge of Probate of Baldwin  
County, Alabama, in the Direct Index in the names of Mrs. V. O. Lea, Viva Lea Pickens,  
Clarence Lloyd Parker, Grace Evie Desporte, River Park Fruit Company, a Corporation,  
Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley,  
B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. P. Wilson, E. E. Posey, Edward Mor-  
rison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M.  
Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard  
Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex.  
Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthol, and Schuman  
& Evans, and the unknown heirs of Mrs. V. O. Lea, Viva Lea Pickens, Clarence Lloyd

Parker, Grace Evie Desporte, River Park Fruit Company, a Corporation, Jas. B. Smith, Charles C. Redwood, Alice D. Redwood, Jane F. Holcombe, C. H. Ainley, B. F. Lippincott, E. S. Tesson, O. H. Winegar, J. F. Wilson, E. E. Posey, Edward Morrison, Sarah M. Morrison, N. J. Coleman, Edward T. Krames, Caleb Price, George M. Bonner, Godfrey Tapper, Sarah R. Hickman, George Barnett, George S. Barrett, Richard Barnett, Richard Barrett, C. F. Linscott, Lewis C. Roberts, Linscott Roberts, Alex. Lindstrom, Axel Lindstrom, A. V. Lindstrom, Harriet Bailey, Inga Trosthel and Schuman & Evans, and in the Indirect Index in the names of D. Z. Grove and Helen G. Grove.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED 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, for record, and that the cost thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainants pay the costs in this cause, for which execution may issue.

Done at Monroeville, Monroe County, Alabama, on this 14<sup>th</sup> day of December, 1940.

  
\_\_\_\_\_  
Judge of the 21st Judicial Circuit of Ala.



**RECORDED**

DECREE PRO CONFESSO ON  
PUBLICATION:

D. Z. GROVE, ET AL.,

Complainants,

VS.

RIVER PINE FRUIT COMPANY,  
ET AL.,

Respondents:

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 667.

Filed December 9th, 1940.

J. S. Dorch  
Clerk.

RECORDED

No. ....

Page .....

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**The State of Alabama,**  
Baldwin County.

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**CIRCUIT COURT, IN EQUITY**

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D. Z. GROVE, ET AL.

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vs.

RIVER PARK FRUIT COMPANY, ET AL.

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**DECREE PRO CONFESSO ON  
PERSONAL SERVICE**

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Issued December 9th 1940

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*R. S. Auch*

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Register.

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No.

**RECORDED**

**CIRCUIT COURT OF BALDWIN  
COUNTY, ALA.**

**In Equity.**

D. Z. GROVE, ET AL.

vs.

RIVER PARK FRUIT COMPANY, ET AL.

**Decree Pro Confesso After  
Notice By Registered Mail.**

Filed in office this 9th day of

December, 1924

*R. S. Pugh*

, Register

Entered in O. B. Page

**RECORDED**

NOTE OF TESTIMONY:

D. Z. GROVE and HELEN G.  
GROVE,

Complainants,

vs.

RIVER PAK PAPER COMPANY, a  
Corporation, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 667.

Filed December 12th, 1940.

R. S. Duval  
Register.

REC'D

FINAL DECREE:

D. Z. GROVE and HELEN  
GROVE,

Complainants,

VS.

RIVER PARK FRUIT COMPANY,  
a Corporation, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALTIMOR COUNTY, ALABAMA,

IN EQUITY,

NO. 667.

Filed December 16th, 1940.

R.S. Daulton  
Clerk.

The State of Alabama, } No. .... CIRCUIT COURT IN EQUITY.  
Baldwin County.

..... D. Z. GROVE and HELEN G. GROVE ..... Complainants .....

vs.

..... RIVER PARK FRUIT COMPANY, a Corporation, ET AL. .... Defendant .....

Motion is hereby made for a Decree Pro Confesso against ... Grace Ivie Desnothe .....

..... 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...ha s... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This ..... 4th ..... day of ..... December ..... 1940 .....

..... BEEBE & HALL, ..... Solicitor,  
BY: ~~Z. Z. Grove~~ .....

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ Term, 193 \_\_\_\_\_

D. Z. GROVE, ET AL. \_\_\_\_\_, Complainant

Vs.

RIVER PARK FRUIT COMPANY, ET AL. \_\_\_\_\_, Defendant

To HON. R. S. DUCK \_\_\_\_\_, Register :

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

\_\_\_\_\_ 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.

BEEBE & HALL  
By: [Signature]  
Solicitors for Complainant,s

**RECORDED**

No. \_\_\_\_\_ Page \_\_\_\_\_

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

D. Z. GROVE, ET AL.,

Vs.

RIVER PARK FRUIT CO., ET AL.

**REQUEST FOR DECREE IN  
VACATION**

Filed December 13th, 19340

*R. S. Duck*

Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.



No. \_\_\_\_\_

**RECORDED**

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

D. Z. GROVE, ET AL.

vs.

RIVER PAK PULP CO., ET AL.

**MOTION FOR DECREE PRO  
CONFESSO ~~ON PERSONAL SERVICE~~  
BY REGISTERED MAIL.**

Filed December 5th 19 40

*R. S. Duck*

Register.

Recorded in \_\_\_\_\_ Record,

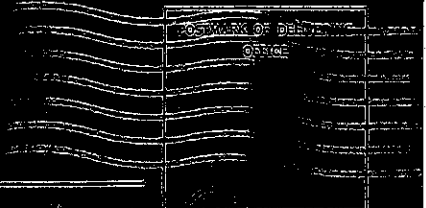
Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

Post Office Department  
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$100



Return to *Mr. J. C. ...*  
(NAME OF SENDER)

Street and Number,  
or Post Office Box, .....

REGISTERED ARTICLE

No. *1* .....

Post Office .....

INSURED PARCEL

No. .... State .....

PS-12421

Form 3811  
1914

# RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 .....  
(Signature or name of addressee)

2 .....  
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery ....., 194...

*Wm. H. Hatcher, Jr.  
U.S. Marshal, Washington*