

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 671 January, Term, 1941

FARMERS & MERCHANTS BANK OF FOLEY, A CORPORATION, Complainant

Vs.

CERTAIN LANDS, LILLIAN WENTWORTH, ET ALS., Defendant S

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 24th day of October, 1940, in the Fairhope Courier a newspaper published in Fairhope, Alabama, that a copy of said order was posted at the Court House door in Bay Minette, Baldwin County, on the 24th day of October 1940 and

And it now further appearing to the Register R. S. Duck, that the said NORTHEAST QUARTER OF SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, and LILLIAN S. WENTWORTH, AMIE WENTWORTH, DAISY WENTWORTH, MRS. ED HINES, WILL HOPKINS, PAUL BOBOSCH, ADLOE ORR, GEORGE McEWEN, ROSALIE D, ORR, HENRIETTA D. McEWEN, if they be living, and if dead, the Unknown Heirs and Devisees of them and each of them;

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 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 2nd day of January 1941.

R. S. Duck Register.

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FARMERS AND MERCHANTS BANK
OF FOLEY, ALABAMA, A Corpor-
ation,

Complainant,

-vs-

NORTHEAST QUARTER OF SOUTH°
EAST QUARTER OF SECTION 8,
TOWNSHIP 8, RANGE 4 EAST, IN
BALDWIN COUNTY, ALABAMA, AND
LILLIAN S. WENTWORTH, AMIE
WENTWORTH, DAISY WENTWORTH,
MRS. ED HINES, WILL HOPKINS,
PAUL BOBISCH, ADLOE ORR,
ROSALIE D. ORR, GEORGE MC-
EWEN, HENRIETTA D. MCEWEN,
IF THEY BE LIVING AND IF
DEAD THE UNKNOWN HEIRS AND
DEVISEES OF THEM AND EACH OF
THEM.

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE F. W. HARE JUDGE OF THE CIR-
CUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY.

Comes your Complainant, the Farmers and Merchants
Bank of Foley, Alabama, a corporation organized under the laws of
the State of Alabama, and brings this its Bill of Complaint against
the following described real property situated in Baldwin County,
Alabama, to-wit:-

Northeast Quarter of Southeast Quarter
of Section 8, Township 8 South, Range
4 East.

Complainant further brings its Bill of Complaint against any and all
persons, firms or corporations claiming any title to, interest in,
lien or encumbrance upon, the above described land or any part there-
of and especially brings this Bill of Complainant against Lillian S.
Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed Hines, Will H. Hopkins,
Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D.
McEwen, if they be living and if dead against their heirs, devisees
and grantees, and Complainant respectfully shows unto your Honor as
follows:-

FIRST:

That it is in the actual, peaceable, adverse poss-
ession of the above described land claiming to own the same in its
own right in fee simple and using the same in every way that it is
susceptible to use.

SECOND:

That no suit is pending to test Complainant's

(page two)

title to , interest in or right to possession of said land.

THIRD:

Complainant further shows that it claims the entire fee simple title in and to said land, having acquired the same by deed from S. P. Gaillard Jr. and Baldwin Land Holding Company, a corporation, dated August 3, 1936 and recorded in 60 N. S. pages 10-11 and by Mortgage Foreclosure Deed from William F. Engelbrecht and Tillie B. Engelbrecht, his wife, dated July 23, 1932 and recorded in 53 N. S. pages 137-8.

FOURTH:

Complainant further shows unto your Honor that the title to the said land stands on the records in the Probate Court of Baldwin County, Alabama, in the name of your Complainant; Complainant further shows unto your Honor that all of the Defendants are over the age of 21 years and are non-residents of the State of Alabama and that their place of residence and post office address is unknown to your Complainant; if any of the above named Defendants be dead the names and addresses of their heirs and devisees or grantees, if any, are unknown to your Complainant; Complainant further shows unto your Honor that it has used diligence in trying to ascertain the residences or post office addresses of these several Defendants and has been unable to do so; that in this investigation and inquiry Complainant has had a complete abstract of title of said real estate made from the records of Baldwin County, Alabama; that it has had diligent inquiry made in the neighborhood of the said land as to the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or maybe, interested in the same or who claim any interest therein.

FIFTH:

Complainant further shows unto your Honor that it has paid taxes on the above described land for 10 years next preceding the filing of this Complaint and has been in the actual possession of said land during that period of time; that no other person, firm, or corporation has been in possession of the same or paid any taxes thereon during the last 10 years.

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Lillian S. Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D. McEwen, if living, and if dead the unknown heirs and devisees of them and each of them, have no right, title, interest in, or, lien or encumbrance upon said land and that in said Decree your Honor will cause a certified copy of the Decree to be filed in the Probate Office of Baldwin County, Alabama, and to be recorded therein, and that in said Decree your Honor will direct in whose name it shall be indexed in the Direct and Indirect Indexes of the Records thereof in said Probate Court of Baldwin County, Alabama, and Complainant further prays for such other, further, different, and general relief as in equity may seem just and meet, and Complainant will ever pray.

Idyart Chason & Pason
Solicitors for Complainant.

STATE OF ALABAMA,
BALDWIN COUNTY.

Before me *S. McLaughlin*, a Notary Public in and for said State and County, personally appeared John Chason, who upon oath deposes and says:-

That he is the agent of, and one of the attorneys for, the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of 21 years and non-residents of the State of Alabama, their place of residence being unknown to your affiant; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named Defendants are dead the names of their heirs devisees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residence as he believes is not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon knowledge are true; that he is informed as to the facts stated upon information and belief, and verily believes, and so states, that the

(page five)

same are true.

John G. Mason

Sworn to and subscribed before
me, a Notary Public whose seal
is hereto affixed, this 19th
day of October, 1940.

James H. Smith
Notary Public, Baldwin County,
State of Alabama.

TESTIMONY OF CHARLES J. EBERT

My name is Chas. J. Ebert. I am over the age of 21 years and a resident of Foley, in Baldwin County, Alabama. I am familiar with the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, Township 8 South, Range 4 East in Baldwin County, Alabama, and have known such land for a number of years. The Farmers and Merchants Bank of Foley, Alabama was at the time of the filing of its Bill of Complaint, ~~_____~~, and still is a Corporation duly organized under the laws of the State of Alabama. Said Corporation, Farmers and Merchants Bank of Foley, filed its Bill of Complaint against the above described land and against the Defendants therein named. The said Bank was at the time of filing its Bill of Complaint and still is in the actual, peaceable, adverse possession of said land, claiming to own the same in its own right in fee simple and using the same in every way that it is susceptible to use. There was no suit pending to test its title to, interest in, or right to possession of said land at the time of ^{filing} said Bill of Complaint. The said Bank acquired title to said land by deeds as set out in said Bill of Complaint. The said Bank used due diligence in trying to learn the names and addresses of any person, firm or corporation claiming to own said land, or any part thereof, and whether or not any of them were dead. The said Bank and those under whom it claims have been paying taxes on the land above described for more than 10 years last past preceeding the filing of the said Bill of Complaint, and it and those under whom it claims have been in the actual, peaceable and adverse possession of said land during that period of time. The said Farmers and Merchants Bank of Foley, Alabama in making its inquiry had a complete abstract of title made to said lands and had diligent inquiry made in the neighbourhood of said land as to the names of any person, firm or corporation who might claim to own the same or any part thereof. The said land stands on the records in the Office of the Judge of Probate in Baldwin County, Alabama, in the name of the Farmers and Merchants Bank of Foley, Alabama.

Chas. J. Ebert

TESTIMONY OF E. F. SANDERS.

My name is E. F. Sanders. I am over the age of 21 years and a resident of Foley in Baldwin County, Alabama. I am Cashier of the Farmers and Merchants Bank of Foley, Alabama, a Corporation whose principal place of business is Foley, Alabama. The said Farmers and Merchants Bank of Foley filed its Bill of Complaint against the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, Township 8 South, Range 4 East in Baldwin County, Alabama, and against the Defendants therein named. The said Farmers and Merchants Bank of Foley was at the time of the filing of its Bill of Complaint and still is a Corporation duly incorporated under the laws of the State of Alabama with its principal place of business at Foley, Alabama. The said Farmers and Merchants Bank of Foley was at the time of the filing of its Bill of Complaint in said cause and still is in the actual, peaceable, adverse possession of said land above described, claiming to own in its own right in fee simple and using the same in every way that it is susceptible to use; there was no suit pending to test the title of the Farmers and Merchants Bank of Foley, its interest in, or its right to possession of said land. The said Farmers and Merchants Bank of Foley and those/whom it claims have been in the actual peaceable adverse possession of said land, paying taxes on the same for more than 10 years next preceeding the filing of its Bill of Complaint in said cause. The said Bank acquired the title to said land by deeds as set out in said Bill of Complaint. There was no other person firm or corporation in the actual possession of said land or any part thereof at the time of the filing of said Bill of Complaint nor at this time. I am personally acquainted with the lands involved in this suit and have acquainted with such lands for a number of years. The title to said land stands on the records in the Probate Court of Baldwin County, Alabama, in the Farmers and Merchants Bank of Foley. All of the Defendants named in the said Bill of Complaint are over the age of 21 years and are non-residents of the State of Alabama, their places of residence being unknown to me. The Farmers and Merchants Bank of Foley, acting through its agents and employees used due diligence in trying

to ascertain the residences and post office addresses of the several Defendants and was unable to do so. In this investigation the said Bank had a complete abstract of title of said real estate made from the records of Baldwin County, Alabama, and has made inquiry in the neighbourhood of said land as to ownership of the same and the addresses of any person, firm or corporation who might claim any interest in the same.

J. Sanders

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

January

Term, 1941

FARMERS & MERCHANTS BANK OF FOLEY, a Corp.,

No. 671

vs.

Complainant

CERTAIN LANDS, LILLIAN S. WENTWORTH,

ET ALS.,

Respondents.

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 of 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 Receiver or Trustee.....	3.00		
Settlements with Receiver or Trustee, each.....	3.00		
Examining Vouchers in Settlements, each.....	.10		
Examining Answers on Exceptions, each—Answer.....	3.00		
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		
ertificate 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		
Continued copy of Decrees.....	1.00		
Total Register's Fees	12 20		
		Total Sheriff's Fees	
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	12 20
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	
		Commissioner's Fees <i>Stewart</i>	5 00
		Guardian Ad Litem.....	
		Publisher's Fees <i>Flaherty, Lawyer</i>	
		Solicitor's Fees.....	22 64
		Court Reporter's Fees, Per Day or fraction thereof.....	5 00
		Trial Tax.....	3 00
		<i>Costs including Decree on Probate Appeal</i>	1 30
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court	44 14
		Total Fees and Costs	
		Judgment	
		Total Fees, Costs, and Judgment	

FARMERS AND MERCHANTS BANK
OF FOLEY, ALABAMA, A Corpora-
tion,

Complainant,

-vs-

NORTHEAST QUARTER OF SOUTH-
EAST QUARTER OF SECTION 8,
TOWNSHIP 8 SOUTH, RANGE 4
EAST IN BALDWIN COUNTY, ALABAMA,
AND LILLIAN S. WENTWORTH, AMIE
WENTWORTH, DAISY WENTWORTH,
MRS. ED HINES, WILL HOPKINS,
PAUL BOBISCH, ADLOE ORR,
ROSALIE D. ORR, GEORGE MC-
EWEN, HENERIETTA, D. MCEWEN,
IF THEY BE LIVING AND IF
DEAD THE UNKNOWN HEIRS AND DE-
VISEES OF THEM AND EACH OF
THEM.

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause coming on to be heard is submitted for final decree upon the Bill of Complaint, the Affidavit attached thereto, the Notice of Publication, the Order designating newspaper, the Affidavit of Publication, Decree Pro Confesso on publication against said Defendants and the Testimony as noted. And it appearing to the Court that the Farmers and Merchants Bank of Foley, Alabama, a Corporation, is in the actual, peaceable, adverse possession of the following described real estate situated in Baldwin County, Alabama, to-wit:-

Northeast Quarter of Southeast Quarter of Sec-
tion 8, Township 8 South, Range 4 East.

being the same land as heretofore described in the Caption of this Decree and against which this proceeding is brought, claiming to own the same in its own right in fee simple and using the same in every way that it is susceptible to use.

And it appearing to the Court that no suit is pending to test Complainant's title to, interest in or right to possession of said land.

And it appearing to the Court that all parties interest in said land, togetherwith the Defendants whose names are set forth in the Bill of Complaint, have had due notice of these proceedings by publication for the length of time as prescribed by law and the rules of this Court, and the Court understanding the same is of the

opinion that Complainant is entitled to the relief prayed for in its Bill of Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complainant is the owner in fee simple of the lands described in this Decree and that no other person, firm or corporation has any title to or interest in or lien or encumbrance upon said land or any part thereof and especially is this so as to the Defendants whose names are set forth in the Caption to this Decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any claim, title to, or interest in or encumbrance upon the aforesaid land or any part thereof that Lillian Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed. Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D. McEwen, if they be living and if dead the unknown heirs and devisees of them and each of them, hold or claim to hold are a cloud upon the title of the Complainant in this cause as to the aforesaid land, and that their said title to, interest in, lien or encumbrance upon said land or any part thereof are hereby decreed to be null and void and as such are removed as a cloud upon the title of the Complainant and that such title to, interest in, lien or encumbrance upon said land or any part thereof held by the aforesaid Defendants or any of them, are hereby removed and held from naught as being void and of no force and effect, and such Defendants have no interest, title to, lien or encumbrance upon said land or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this Decree be recorded in the Office of the Judge of Probate of Baldwin County, Alabama, and that said Decree shall be indexed on the Direct Indexes in the name of the Farmers and Merchants Bank of Foley, Alabama, a Corporation, and that it shall be indexed on the Indirect Indexes on the records of Baldwin County, Alabama, in the name of Lillian Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed. Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D. McEwen, and that the Register of this Court shall within thirty days from the rendition of this Decree file said certified copy of this Decree in the Office of the Judge of Probate for record and tax the expense thereof as a part

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of the cost of this proceeding, and that the Probate Judge shall record such copy in the same book and manner in which deeds are recorded and index the same as said Decree orders and directs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Farmers and Merchants Bank of Foley, Alabama, be and it is taxed with the cost of this proceeding for which execution may issue.

Dated at Monroeville, Alabama, this 20th day of January, 1941.



Judge.

RECORDED

No. 671

Page

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

FARMERS & MERCHANTS BANK OF

FOLEY, A CORP.,

Vs. Complainant,

CERTAIN LANDS, ET ALS.,

Respondents.

Decree Pro Confesso of Publication

Issued January 2nd, 1941. 19

R.S. Buck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

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

ATTEST: R. S. DUCK

Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194_____

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

No. 671

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

FARMERS & MERCHANTS BANK OF

FOLEY, A CORPORATION,

Complainant, Plaintiff

CERTAIN LANDS, ET AL.,

Respondents.

Defendant-----

EQUITY COST BILL

January Term, 19 **41**

Fee Book _____ Page _____

Plaintiff's Attorney,

Defendant's Attorney.

RECORDED

FINAL DECREE.

FAIRMERS AND MERCHANTS BANK OF
FOLEY, A CORPORATION

Complainant,

-VS-

CERTAIN LAND, LILLIAN S. WENTWORTH,
ET AL

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

~~Filed~~ JANUARY 21st, 1941.

A. S. Duchs
~~Register~~ Register

THE STATE OF ALABAMA }
Baldwin County }

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

Farmers & Merchants Bank of Foley COMPLAINANT
a Corporation vs.

Certain Lands, Lillian S. Wentworth RESPONDENT
et als.

I, ERIN STUART

~~as Register and~~ Commissioner _____

have called and caused to come before me E. F. Sanders and _____

Charles J. Ebert

witness ~~es~~ named in the requirement for Oral Examination, on the 2nd day of January
1941, at the office of HYBART & CHASON

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 E. F. Sanders and _____

Charles J. Ebert doth depose and say as follows:

I, ERIN STUART 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 witnesses and read over to them and they signed the same in the presence of myself and John Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

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

Given under my hand and seal, this 4th day of January 1941.

Erin Stuart (L. S.)

No. _____ Page _____
THE STATE OF ALABAMA,
 BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Thurmond & McDonald Bank

a Corp,
 COMPLAINANT

Estimote Funds, et al.,
 VS.
 RESPONDENT

ORAL DEPOSITION

Filed January 4, 1941

A.S. Drake, Register.

RECORDED IN _____
 Record

Vol. _____ Page _____

_____, Register

671 RECORDED

BILL OF COMPLAINT.

FARMERS AND MERCHANTS BANK,
A CORPORATION,

Complainant.

-vs-

CERTAIN LANDS, LILLIAN S.
WENTWORTH, ET AL,

Respondents.

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

FILED OCTOBER 19, 1940.

R.S. Duch

Register.

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA

Fairhope, Alabama

Nov - 30 19 40

M

R. D. Duke

IN ACCOUNT WITH

THE FAIRHOPE COURIER

E. B. GASTON ESTATE Publisher

Advertising and Commercial Printing

RATES ON APPLICATION

*Legal notice of
50 Bonds Re-Harmon
Merchant Bank in
issues Oct - 24 - 31 -
Nov - 7 - 14*

22.64

THE STATE OF ALABAMA, }
Baldwin County. }

CIRCUIT COURT, IN EQUITY.

No. 671 January, Term, 1931

FARMERS & MERCHANTS BANK OF FOLEY, a Corporation, Complainant..

Vs.

CERTAIN LANDS, LILLIAN WENTWORTH, ET ALS. Defendant.S

Northeast quarter of South east
quarter of Sec. 8, T8S., R4 E.,

Motion is hereby made for a Decree Pro Confesso against
Baldwin Co., Ala., and Lillian S. Wentworth, Amie Wentworth, Daisy Went-
worth, Mrs. Ed Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Defendant.S
Rosalie D. Orr, Geo. McEwen, Henrietta D. McEwen;

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 2nd day of January 1931

Hybert G. Mason
Solicitor.

Bay Minette, Ala.,

1/21 1941

RB Luck

IN ACCOUNT WITH

G. W. ROBERTSON

Judge of Probate, Baldwin County

Please Return Bill With Remittance

Recording

from

to

Privilege Tax

Rec. Fee

Total

Rec'd from BK.

15 Lands

130

*Paid
1/21/40
BWR*

FARMERS AND MERCHANTS BANK OF FOLLEY,

A Corporation,

VS.

CERTAIN LAND, LILLIAN S. WENTWORTH,

ET AL,

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, _____
~~Summons, Order designating newspaper, Notice to non-residents, Defend-~~
~~ants, Affidavits of publication, Notices for decree pro confesso~~
~~on publication, Decree pro confesso on publication, Request for~~
~~decree in vacation, Testimony of T. F. Sanders and Charles J.~~
~~Ebert.~~

and in behalf of Defendant upon _____

By part of Chas. J. Mason
Solicitor for Complainant. Register

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Farmers + Merchants

Bank of Foley, a Corp.

Complainant
vs.

Certain Lands, et als.

Respondents

NOTE OF TESTIMONY

Filed in Open Court this *13th*

day of *January* 19*14*

R. S. Duich

REGISTER

RECORDED

No. 671

Page

State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

FARMERS & MERCHANTS BANK OF
FOLEY, A CORP.,

Complainant

Vs.

CERTAIN LANDS, ET ALS.,

Defendant

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

Filed January 2nd, 1941., 193

R.S. Dush

Register.

Recorded in Record,

Vol. Page

Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO ERIN STUART;

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

E. F. Sanders and Charles J. Ebert

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

FARMERS & MERCHANTS BANK OF FOLEY, a Corporation,

is Complainant

and CERTAIN LANDS, LILLIAN S. WENTWORTH, et als.,

are Defendant,

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 2nd day of January, 19 41.

R.S. Duck

REGISTER

Commissioner's Fee \$ 5.00

Witness' Fees, \$

THE FAIRHOPE COURIER

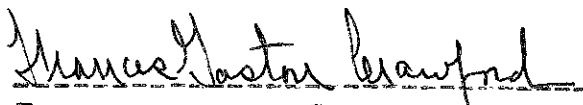
E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894


FAIRHOPE, ALABAMA

This is to certify that the
attached legal notice appeared
in the following issues of the
Fairhope Courier: Oct., 24, 31, Nov., 7, 14.


Frances Gaston Crawford.

Editor Fairhope Courier

Subscribed and sworn to before me
this 30th. day of November 1940.


Notary Public

Legal Notice

In The Circuit Court of Baldwin
County, Alabama, In Equity,
Farmers and Merchants Bank of
Foley, Alabama, A Corporation,
Complainant

vs.

Northeast Quarter of Southeast
Quarter of Section 8, Township 8
South, Range 4 East in Baldwin
County, Alabama and Lillian S.
Wentworth, Amie Wentworth, Daisy
Hopkins, Paul Bobisch, Adloe Orr,
Rosalie D. Orr, George McEwen,
Henrietta D. McEwen, if living and
if they be dead the unknown Heirs
and Devisees of them and each of
them, Defendants.

It having been made to appear
in the above styled cause from the
Affidavit of John Chason, one of
the Solicitors of Record for the
Complainant in said cause, that the
Defendants, Lillian Wentworth,
Amie Wentworth, Daisy Wentworth
Mrs. Ed Hines Will Hopkins, Paul
Bobisch, Adloe Orr, Rosalie D. Orr,
George McEwen, Henrietta D. Mc-
Ewen are non-residents of the
State of Alabama, their residence
or Post Office address being un-
known to Complainant.

Notice is hereby given to Lillian
S. Wentworth, Amie Wentworth,
Daisy Wentworth, Mrs. Ed Hines,
Will Hopkins, Paul Bobisch, Adloe
Orr, Rosalie D. Orr, George Mc-
Ewen, Henrietta D. McEwen, if
they be living and if dead the un-
known heirs and devisees of them
and each of them, and to any and
all persons, firms and corporations
claiming any interest in, title to,
lien or encumbrances upon the land
herein described, that on the 19th
day of October, 1940 the Farmers
and Merchants Bank of Foley, Ala-
bama, a corporation, filed in the
Equity Side of the Circuit Court of
Baldwin County, Alabama, its Bill
of Complaint against the following
described land in Baldwin County,
Alabama, viz:

Northeast Quarter of Southeast
Quarter of Section 8, Township 8,
South, Range 4 East.

And against the Defendants here-
inabove named and any and all
other persons, firms, or corpora-
tions claiming any interest in, lien
or encumbrance upon the above de-
scribed land, and you are hereby
notified to appear and plead, ans-
wer, or demur within thirty days
from the 26th day of November,
1940, or a decree pro confesso will
be rendered against you;

That said Bill of Complaint was
and is filed for the purpose of es-
tablishing the title of said Com-
plainant to said land and for the
purpose of quieting its title there-
to and clearing up all doubts and
disputes concerning the same.
It has paid the taxes on said land
for the last 10 years prior to the
filing of said Bill of Complaint and
no other person, firm or corpora-
tion has paid any taxes on said
land during said 10 year period.

Witness my hand this 19th, day
of October, 1940.

R. S. Duck, As Register of the
Circuit Court of Baldwin County,
Alabama.

Hybart, Chason & Chason,
Solicitors for Complainant.

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

January

Term, 1941

FARMERS & MERCHANTS BANK OF FOLEY, a Corp.,

No. 671 vs. Complainant

CERTAIN LANDS, LILLIAN S. WENTWORTH,

ET ALS., Respondents.

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.....	3.00		
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		
ertificate 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>Continued Copy of Decree</i>			
	1.00		
Total Register's Fees	12 20		
		Total Sheriff's Fees	
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	12 20
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	
		Commissioner's Fees <i>S. Stewart</i>	5 00
		Guardian Ad Litem.....	
		Publisher's Fees <i>F. W. ...</i>	
		Solicitor's Fees.....	22 64
		Court Reporter's Fees, Per Day or fraction thereof.....	5 00
		Trial Tax.....	3 00
		<i>Costs recording Decree in Probate Office</i>	1 30
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court	44 14
		Total Fees and Costs	
		Judgment	
		Total Fees, Costs, and Judgment	

Survey of Publications

Filed December 3, 1940
R.S. Deak, Register

RECORDED

NO. _____

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

Complainant _____

VS.

Defendant _____

Commission To Take Deposition

COMMISSIONER:

Filed January 2, 1941
R. S. Dorch, Registrar

Witnesses:

NOTICE TO NON-RESIDENT.

Moore Ptg. Co.—Bay Minette.

FARMERS & MERCHANTS BANK OF FOLEY,
 a Corp.,
 No. Complainant

vs.

LILLIAN S. WENTWORTH, ET AL.,
 Respondents.

The State of Alabama,
 Baldwin County.

Circuit Court, in Equity.

This the 19th day of
 October, 1940, 192

In this cause it being made to appear to the Clerk of this Court by the affidavit of
 JOHN CHASON

that the Defendants, Lillian S. Wentworth, Amie Wentworth, Daisy Wentworth,
 Mrs. Ed Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Rosa Lee D.
 Orr, Geo. McEwen, Henrietta D. McEwen;

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant S over the age of 21
 years; it is, therefore, ordered that publication be made in the Fairhope Courier,
 Fairhope a newspaper publish-
 ed in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring
 the said Respondents

to answer or demur to the Bill of Complaint in this cause by the 26th day of
 November, 1940 192, or after thirty days therefrom a decree Pro Confesso may be
 taken against them.

R.S. Dush

Register.

RECORDED

ORDER DESIGNATING NEWSPAPER

Filed October 19, 1940

R.S. Dyer, Register

FARMERS AND MERCHANTS BANK
OF FOLEY, ALABAMA, A Corpor-
ation,

Complainant,

-vs-

Northeast Quarter of South-
east Quarter of Section 8,
Township 8 South, Range 4
East in Baldwin County, Ala-
bama, and LILLIAN S. WENTWORTH,
AMIE WENTWORTH, DAISY
WENTWORTH, MRS. ED HINES,
WILL HOPKINS, PAUL BOBISCH,
ADLOE ORR, ROSALIE D. ORR,
GEORGE McEWEN, HENRIETTA D.
McEWEN, IF LIVING AND IF
THEY BE DEAD THE UNKNOWN
HEIRS AND DEVISEES OF THEM
AND EACH OF THEM,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

It having been made to appear in the above styled cause from the Affidavit of John Chason, one of the Solicitors of Record for the Complainant in said cause, that the Defendants, Lillian Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D. McEwen are non-residents of the State of Alabama, their residence or Post Office address being unknown to Complainant.

NOTICE IS HEREBY GIVEN TO Lillian S. Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed. Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D. McEwen, if they be living and if dead the unknown heirs and devisees of them and each of them, and to any and all persons, firms and corporations claiming any interest in, title to, lien or encumbrances upon the land herein described; that on the 19th day of October, 1940, the Farmers and Merchants Bank of Foley, Alabama, a corporation, filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, its Bill of Complaint against the following described land in Baldwin County, Alabama, viz:-

Northeast Quarter of Southeast Quarter
of Section 8, Township 8 South, Range 4
East.

and against the Defendants hereinabove named and any and all other persons, firms, or corporations claiming any interest in, lien or

(page two)

encumbrance upon the above described land, and you are hereby notified to appear and plead, answer, or demur within thirty days from the 26th day of November, 1940, or a decree pro confesso will be rendered against you;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainant to said land and for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same;

That the title to said land stands in the name of the Complainant on the records in the office of the Judge of Probate in Baldwin County, Alabama.

That Complainant acquired title to said land by Deed from S. P. Gaillard Jr. and Baldwin Land Holding Company, a Corporation dated August 3, 1936 and recorded in 60 N. S. pages 10-11 and by Mortgage Foreclosure Deed from Willism F. Engelbrecht and Tillie B. Engelbrecht, his wife, dated July 23, 1932 and recorded in 53 N. S. pages 137-8.

Complainant further alleges in its Bill of Complaint that it is in the quiet and peaceable possession of said land claiming to own the same absolutely and in fee simple and that it and those under whom it claims, have been in possession of said land for more than 10 years next preceeding the filing of the Bill of Complaint, and that it has paid the taxes on said land for the last 10 years prior to the filing of said Bill of Complaint and no other person, firm or corporation has paid any taxes on said land during said 10 year period.

Witness my hand this 19th day of October, 1940.

R. S. Dush
As Register of the Circuit Court of
Baldwin County, Alabama.

HYBART, CHASON & CHASON,
Solicitors for Complainant.

FARMERS AND MERCHANTS BANK
OF FOLEY, ALABAMA, A Corpor-
ation,

Complainant,

-vs-

NORTHEAST QUARTER OF SOUTH
EAST QUARTER OF SECTION 8,
TOWNSHIP 8, RANGE 4 EAST, IN
BALDWIN COUNTY, ALABAMA, AND
LILLIAN S. WENTWORTH, AMIE
WENTWORTH, DAISY WENTWORTH,
MRS. ED HINES, WILL HOPKINS,
PAUL BOBISCH, ADLOE ORR,
ROSALIE D. ORR, GEORGE MC-
EWEN, HENRIETTA D. MCEWEN,
IF THEY BE LIVING AND IF
DEAD THE UNKNOWN HEIRS AND
DEVISEES OF THEM AND EACH OF
THEM.

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE F. W. HARR JUDGE OF THE CIR-
CUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY.

Comes your Complainant, the Farmers and Merchants
Bank of Foley, Alabama, a corporation organized under the laws of
the State of Alabama, and brings this its Bill of Complaint against
the following described real property situated in Baldwin County,
Alabama, to-wit:-

Northeast Quarter of Southeast Quarter
of Section 8, Township 8 South, Range
4 East.

Complainant further brings its Bill of Complaint against any and all
persons, firms or corporations claiming any title to, interest in,
lien or encumbrance upon, the above described land or any part there-
of and especially brings this Bill of Complaint against Lillian S.
Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed Hines, Will H. pkins,
Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D.
McEwen, if they be living and if dead against their heirs, devisees
and grantees, and Complainant respectfully shows unto your Honor as
follows:-

FIRST:

That it is in the actual, peaceable adverse poss-
ession of the above described land claiming to own the same in its
own right in fee simple and using the same in every way that it is
susceptible to use.

SECOND:

That no suit is pending to test Complainant's

(page two)

title to , interest in or right to possession of said land.

THIRD:

Complainant further shows that it claims the entire fee simple title in and to said land, having acquired the same by deed from S. P. Gaillard Jr. and Baldwin Land Holding Company, a corporation, dated August 3, 1936 and recorded in 60 N. S. pages 10-11 and by Mortgage Foreclosure Deed from William F. Engelbrecht and Tillie B. Engelbrecht, his wife, dated July 23, 1932 and recorded in 53 N. S. pages 137-8.

FOURTH:

Complainant further shows unto your Honor that the title to the said land stands on the records in the Probate Court of Baldwin County, Alabama, in the name of your Complainant; Complainant further shows unto your Honor that all of the Defendants are over the age of 21 years and are non-residents of the State of Alabama and that their place of residence and post office address is unknown to your Complainant; if any of the above named Defendants be dead the names and addresses of their heirs and devisees or grantees, if any, are unknown to your Complainant; Complainant further shows unto your Honor that it has used diligence in trying to ascertain the residences or post office addresses of these several Defendants and has been unable to do so; that in this investigation and inquiry Complainant has had a complete abstract of title of said real estate made from the records of Baldwin County, Alabama; that it has had diligent inquiry made in the neighborhood of the said land as to the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or maybe, interested in the same or who claim any interest therein.

FIFTH:

Complainant further shows unto your Honor that it has paid taxes on the above described land for 10 years next preceeding the filing of this Complaint and has been in the actual possession of said land during that period of time; that no other person, firm, or corporation has been in possession of the same or paid any taxes thereon during the last 10 years.

(page three)

That no one is known to your Complainant to claim said land or any part thereof or any interest therein, except your Complainant and the Defendants to this proceeding as hereinabove named, and Complainant calls upon the several persons hereinabove named as Defendants, or any one else interested, to set forth or specify his or her or its claim, title, interest in or encumbrance upon said land, and how and by what instrument or otherwise the same is derived or created.

PRAYER FOR PROCESS.

To the end, therefore, that equity may be had in the premises, Complainant prays that your Honor will cause the usual writ of process to issue to the following named Defendants, viz: Lillian S. Wentworth, Amie Wentworth, Daisy Wentworth, Mrs Ed Hines, Will Hopkins, Paul Hobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D. McEwen, if they be living and if dead the unknown heirs and devisees of them and each of them, and to any and all other persons, firms or corporations claiming any interest in, right, or title to said land, in the usual form and according to the practice of this Honorable Court, requiring them to plead, answer, or demur to the same within the time required by law and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint, as required by the laws of the State of Alabama, authorizing the quieting of title by proceedings in rem; that your Honor will also order that notice be given of the filing of this Bill of Complaint to the aforesaid Defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint, and requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF.

Your Complainant further prays that on a hearing of this cause that your Honor will establish Complainant's right of title to said land and will decree that the Complainant is the owner in fee simple of the land herein described and that no other person, firm or corporation has any title to, interest in, or lien or encumbrance upon said land or any part thereof, and especially

(page four)

Lillian S. Wentworth, Amie Wentworth, Daisy Wentworth, Mrs. Ed Hines, Will Hopkins, Paul Bobisch, Adloe Orr, Rosalie D. Orr, George McEwen, Henrietta D. McEwen, if living, and if dead the unknown heirs and devisees of them and each of them, have no right, title, interest in, or, lien or encumbrance upon said land and that in said Decree your Honor will cause a certified copy of the Decree to be filed in the Probate Office of Baldwin County, Alabama, and to be recorded therein, and that in said Decree your Honor will direct in whose name it shall be indexed in the Direct and Indirect Indexes of the Records thereof in said Probate Court of Baldwin County, Alabama, and Complainant further prays for such other, further, different, and general relief as in equity may seem just and meet, and Complainant will ever pray.

H. K. Hason
H. K. Hason
Solicitors for Complainant.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me *J. P. MacKumby*, a Notary Public in and for said State and County, personally appeared John Chason, who upon oath deposes and says:-

That he is the agent of, and one of the attorneys for, the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of 21 years and non-residents of the State of Alabama, their place of residence being unknown to your affiant; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named Defendants are dead the names of their heirs devisees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residence as he believes is not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon knowledge are true; that he is informed as to the facts stated upon information and belief and verily believes, and so states, that the

(page five)

same are true.

John G. Jones

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 19th day of October, 1940.

G. M. McNeill
Notary Public, Baldwin County,
State of Alabama.

Notary Seal

John G. Jones

WITNESSETH THAT ON THIS 19th day of October, 1940.

IN WITNESS WHEREOF

I have hereunto set my hand and the seal of my office at Baldwin County, Alabama, this 19th day of October, 1940.

IN WITNESS WHEREOF

WITNESSETH

THE NOTARY PUBLIC, JOHN G. JONES, IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at Baldwin County, Alabama, this 19th day of October, 1940.

-4-2-

WITNESSETH

THE COMMISSIONER OF REVENUE AND FINANCE, STATE OF ALABAMA, IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at the State Capitol, Montgomery, Alabama, this 19th day of October, 1940.

WITNESSETH

12/10