

736

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

IN THE CIRCUIT COURT OF  
SAID STATE AND COUNTY. IN EQUITY.

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summon The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; and W.D.Stapleton to appear and plead, answer or demur, within thirty days from the service hereof, to the bill of complaint filed in this court, and hereinafter set out, by Cornelia Hall against them.

HEREIN fail not, and make due return, as the law directs.

WITNESS my hand this the 16th day of July, A.D.1941.

R. S. DUCK, Register.

By: [Signature]  
AS DEPUTY REGISTER.

\*\*\*\*\*

CORNELIA HALL, Complainant,

versus

The First National Bank of Mobile,  
a National Banking Association;  
Peoples Fertilizer Company, a Corporation;  
Henry Jones, and W. D. Stapleton,  
Respondents.

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

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT, IN EQUITY:

Now comes your complainant, Cornelia Hall, and brings this her bill of complaint against the First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; Henry Jones, and W. D. Stapleton, and shows and alleges unto your Honor and the Court as follows:

1. Complainant is a resident of Baldwin County, Alabama, and is over the age of twenty-one years. The respondent, The First National Bank of Mobile, is a National Banking Association, organized and existing under the laws of the United States of America, and has its office and principal place of business in Mobile, Mobile County, Alabama. The Respondent, Peoples Fertilizer Company, is a Corporation organized and existing under the laws of the State of Alabama, and has its office and principal place of business in Foley Baldwin County, Alabama. The respondent, Henry Jones, is over the age of 21 years and is a non-resident of the State of Alabama, his place of residence and postoffice address being 11309 Center Line, Road, Route 1, Center Line, Michigan. The respondent W. D. Stapleton, is over the age of 21 years and is a resident of Baldwin County, Alabama, residing in Bay Minette in said County.

2. Complainant is in actual and peaceable possession of, and owns in fee simple in her own right, and so claims, all that real property in Baldwin County, Alabama, described as follows:-

Commence at the southwest corner of Alberta Drive and Foley Avenue, -as per map of plat of "PETERSON'S POINT" recorded in Map Book 1 at page 82 of the records in the office of the Probate Judge of said State and County, - thence run southwardly along the westerly line of Alberta Drive to Wolf's Bay, thence up the said Wolf's Bay, with its meanderings, to a point where the south line of Foley Avenue, if extended, would strike said Wolf's Bay, thence eastwardly along said line if extended and along the southerly line of Foley Avenue to place of beginning; and ALSO

Commence at a point on the West side of Peterson's Drive as shown on the map or plat of Peterson's Point recorded in Map Book 1 at page 82 of the Records in the office of the Probate Judge of said State and County, which point is the Southeast Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision and run thence South along the West line of Peterson's Drive 209 feet to a point which is the Northeast Corner of Lot Numbered 23 in Block Numbered 1 of the said Subdivision; thence run West along the North line of Lots Numbered 23, 24, 25 and 26 in the said Block 1, 182.8 feet to a point on the East side of ~~###~~ an alley; thence North along the East line of the said alley 209 feet to a point which is the Southwest Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision; thence East along the South line of said Lot 22, 182.8 feet to the point or place of beginning; and, ALSO,

Beginning at a point on the West side of Lullwater Drive, as shown on the map or plat of Peterson's Point, recorded in Map Book 1 at page 82, Baldwin County, Records, which point is due West from the Northwest Corner of Lot Numbered 45 in Block Numbered 1 as shown by the said plat, thence South along the West side of the said Lullwater Drive to a point which is due West of the Northwest Corner of Lot Numbered 28 in Block 1 of the said Peterson's Point Subdivision as shown by the said plat thereof; thence due West to a point on the low water mark of Wolf or Wolf's Bay, thence Northwardly along Wolf or Wolf's Bay and following the meanderings thereof to a point due West of the place of beginning of this description; thence East to the place of beginning.

3. The respondents claim or are reputed to claim, some right, title, or interest in or lien or encumbrance upon said lands, and complainant therefore calls upon them to set forth and specify their title, claim, interest or encumbrance and how and by what instrument the same is derived and created.

4. No suit is pending to enforce or test the validity of such title, claim or encumbrance, and complainant brings and maintains this suit in equity to settle the title to such lands, and to clear up all doubts or disputes concerning the same.

PRAYER FOR PROCESS.

WHEREFORE, the premises considered the Complainant prays that your Honor will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; Henry Jones and W. D. Stapleton, respondents to this Bill of Complaint, requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

PRAYER.

Complainant further prays that upon the hearing of this Complaint, this Honorable Court establish the title of Complainant in and to the lands herein described, and further find and decree that the said The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; Henry Jones and W. D. Stapleton have no claim, right, title to or interest in, or lien or encumbrance upon the said land herein described, or any part thereof, and grant unto your Complainant such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

H. E. SMITH,  
Solicitor for Complainant.

Handwritten notes and signatures on the left margin, including "Bill of Complaint", "Prayer for Process", and "Prayer".



*R. J. Duck*  
Register

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HENRY JONES

VS. Plaintiff.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. D. STAPLETON and LELLA

STAPLETON, Defendant.

M. A. STONE

~~STAPLETON~~, Clerk of the Circuit Court of ~~Mobile~~ Baldwin

the 20th day of August, 1934, it being a day of the regular term of the Circuit Court of ~~Mobile~~ Baldwin Alabama, State of Alabama, hereby certify that on

the said plaintiff in the above entitled cause, then pending in the said Court, recovered a judgment against the defendant W. D. STAPLETON

for One Thousand, fifty-nine and 32/100 (\$1059.32) Dollars; together with the cost of the said cause, amounting to

Ten and 05/100 Dollars, and that the name of the attorneys for the plaintiff in said cause is B. F. McMILLAN, JR.

WITNESS my hand and seal of the said Circuit Court of ~~Mobile~~ Baldwin of August, A. D. 1934, this the 23rd day

*M. A. Stone*  
Clerk of Circuit Court of ~~Mobile~~ Baldwin, Ala.  
Baldwin

Judgment in the Circuit Court of Mobile County, Alabama, rendered the 20th day of August, 1934

For - - \$1059.32

Cost, - - \$ 10.<sup>05</sup>

*B. F. McMILLAN, JR.*  
Attorneys for Plaintiff.

STATE OF ALABAMA, )

BALDWIN COUNTY. )

THIS INDENTURE, made by W. D. Stapleton and Leila H. Stapleton his wife, hereinafter for convenience called the grantors, to Corneilia Hall, hereinafter for convenience called the grantee, WITNESSETH:

That, WHEREAS, the grantee herein is now, and she and her predecessor in title have been since February 9th, 1935, in actual and peaceable possession of the property hereinafter described;

And, WHEREAS, since the said date of February 9th, 1935, grantors have not claimed any right or title to or interest in the said land;

And, WHEREAS, the grantee and her predecessor in title claim and own the said property by and through former conveyance by grantors;

And, WHEREAS, the description of said land in said conveyance by grantors is vague or indefinite;

And, WHEREAS, the grantors herein are willing and ready to confirm and ratify the title of grantee in and to the said land and do disclaim any and all right and title thereto as of the date hereof and as of the date or period from February 9th, 1935, to the date hereof;

Now, THEREFORE, in consideration of the premises and for the purpose of perfecting title in the grantee, the grantors do hereby remise, release, quitclaim and convey to the grantee all that real property in Baldwin County, Alabama, described as follows:

Commence at the southwest corner of Alberta Drive and Foley Avenue, as per map or plat of "PERTERSON'S POINT" recorded in Map Book 1 at page 82 of the records in the office of the Probate Judge of said State and County, thence run southwardly along the westerly line of Alberta Drive to Wolf's Bay, thence up the said Wolf's Bay, with its meanderings, to a point where the south line of Foley Avenue, if extended, would strike said Wolf's Bay, thence eastwardly along said line if extended and along the southerly line of Foley Avenue to the place of beginning; and ALSO,

Commence at a point on the West side of Peterson's Drive as shown on the map or plat of Peterson's Point recorded in Map Book 1 at page 82 of the Records in the office of the Probate Judge of said State and County, which point is the Southeast Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision and run thence South along the West line of Peterson's Drive 209 feet to a point which is the Northeast Corner of Lot Numbered 23 in Block Numbered 1 of the said Subdivision; thence run West along the North line of Lots Numbered 23, 24, 25 and 26 in the said Block 1, 182.8 feet to a point on the East side of an alley 209 feet to a point which is the Southwest Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision; thence East along the South line of said Lot 22, 182.8 feet to the point or place of beginning; and, ALSO,

Beginning at a point on the West side of Lullwater Drive as shown on the map or plat of Peterson's Point recorded in Map Book 1 at page 82, Baldwin County Records, which point is due West from the Northwest Corner of Lot Numbered 45 in Block Numbered 1 as shown by the said plat, thence South along the West side of the said Lullwater Drive to a point which is due West of the Northwest Corner of Lot Numbered 28 in Block 1 of the said Peterson's Point Subdivision as shown by the said plat thereof; thence due West to a point on the low water mark of Wolf or Wolf's Bay, thence Northwardly along Wolf or Wolf's Bay and following the meanderings thereof to a point due West of the place of beginning of this description; thence East to the place of beginning.

TO HAVE AND TO HOLD the same unto the said grantee her heirs or assigns, FOREVER.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 8th day of September, 1941.

  
Leila H. Stapleton (SEAL)

STATE OF ALABAMA, )

BALDWIN COUNTY. )

I, P. E. Teter, a Notary Public ~~ERR~~ in and for said State and County, hereby certify that W. D. Stapleton and Leila Stapleton, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed ~~and~~ the same voluntarily on the day the same bears date.

And I do further certify that on the 8th day of September, 1941, came before me the within named Leila Stapleton, known to me to be the wife of the within named W. D. Stapleton who, being examined ~~se~~ separate and apart from the husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear constraints or threats on the part of the husband.

In witness whereof, I hereto set my ~~my~~ ~~at~~ hand this the 8th day of September, 1941.

  
Notary Public, Baldwin County,  
Alabama.

Complainant's Exhibit "a"  
R. S. Deek  
Repiat



I, R. S. Duck as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness \_\_\_\_\_ and read over to her and she signed the same in the presence of myself and H. E. Smith and of Frank L. Horne, of the firm of Hodnette and Horne at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness \_\_\_\_\_ or had proof made before me of the identity of said witness \_\_\_\_\_; 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.

~~Enclose the said Oral Examination in an envelope to the Register of said Court.~~

Given under my hand and seal, this 9th day of September 1941.

R. S. Duck (L. S.)  
as Register in Chancery.

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

**THE STATE OF ALABAMA,  
BALDWIN COUNTY**

**IN CIRCUIT COURT, IN EQUITY**

Cornelia Hall

COMPLAINANT

vs.

First National Bank of

Mobile et als

RESPONDENT

**ORAL DEPOSITION**

Filed September 9th, 1941

\_\_\_\_\_, Register.

RECORDED IN

\_\_\_\_\_, Record

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

\_\_\_\_\_, Register

said Wolf's Bay, thence eastwardly along said line if extended and along the southerly line of Foley Avenue to the place of beginning; and ALSO,

Commence at a point on the West side of Peterson's Drive as shown on the map or plat of Peterson's Point recorded in Map Book 1 at page 82 of the Records in the office of the Probate Judge of said State and County, which point is the Southeast Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision and run thence South along the West line of Peterson's Drive 209 feet to a point which is the Northeast Corner of Lot Numbered 23 in Block Numbered 1 of the said Subdivision; thence run West along the North line of Lots Numbered 23, 24, 25 and 26 in the said Block 1, 182.8 feet to a point on the East side of an alley; thence North along the East line of the said Alley 209 feet to a point which is the Southwest Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision; thence East along the South line of said Lot 22, 182.8 feet to the point or place of beginning; and ALSO,

Beginning at a point on the West side of Lullwater Drive as shown on the map or plat of Peterson's Point recorded in Map Book 1 at page 82, Baldwin County Records, which point is due West from the Northwest Corner of Lot Numbered 45 in Block Numbered 1 as shown by the said plat, thence South along the West side of the said Lullwater Drive to a point which is due West of the Northwest Corner of Lot Numbered 28 in Block k of the said plat thereof; thence due West to a point on the low water mark of Wolf or Wolf's Bay, thence Northwardly along Wolf or Wolf's Bay and following the meanderings thereof to a point due West of the place of beginning of this description; thence East to the place of beginning.

The respondents claimed or were reputed ~~to have some title~~ to claim, at the time I filed my bill of Complaint herein, some right, title or interest in or lien or encumbrance upon said lands.

No suit other than this is pending to enforce or test the validity of such title, claim or encumbrance, and I have brought and maintained this suit in equity to settle the title to such lands, and to clear up all doubts or disputes concerning the same.

Mrs. Clara J. Hall, who conveyed this property to me, purchased the same and received a deed therefor, on ~~February~~ February 9, 1935, at a public sale. On this date she took possession of the property above described, and rented it out and collected the rents up until the time she conveyed to me on March 11, 1939. I know that she had possession commencing February 9, 1935, for I acted as her agent in her transactions with reference to the property and handled it for her. Since March 11, 1939, I have myself been in actual and peaceable possession and no one has ever questioned my rightfully ownership.

W. D. Stapleton was a former owner of the above property and on account of the exact description of the property being in question I have obtained a correction deed from Mr. Stapleton and his wife with an exact description. I submit with my testimony and offer in evidence this deed which is marked Exhibit "A" to my testimony.

No cross-examination by solicitors for respondent, Henry Jones.

Clara J. Hall

TESTIMONY ON BEHALF OF THE RESPONDENT, HENRY JONES.

The respondent, Henry Jones, offers in evidence copy of judgment in his favor against W. D. Stapleton, which copy of judgment is marked Respondent Henry Jones' Exhibit "A".

STATE OF ALABAMA,  
BALDWIN COUNTY.

IN THE CIRCUIT COURT OF SAID  
STATE AND COUNTY. IN EQUITY.

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summon The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; and W. D. Stapleton to appear and plead, answer or demur, within thirty days from the service hereof, to the bill of complaint filed in this court, and hereinafter set out, by Cornelia Hall against them.

HEREIN fail not, and make due return, as the law directs.

WITNESS my hand this the 16<sup>th</sup> day of July, A.D. 1941.

R. S. DUCK, Register,

by *Walter Thompson*  
as Deputy Register.

\*\*\*\*\*

Cornelia Hall, Complainant,

versus

The First National Bank of Mobile,  
a National Banking Association;  
Peoples Fertilizer Company, a Corporation;  
Henry Jones, and W. D. Stapleton,  
Respondents.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA.

IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT, IN EQUITY:

Now comes your complainant, Cornelia Hall, and brings this her bill of complaint against The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; Henry Jones, and W. D. Stapleton, and shows and alleges unto your Honor and the Court as follows:

1. Complainant is a resident of Baldwin County, Alabama, and is over the age of twenty-one years. The respondent, The First National Bank of Mobile, is a National Banking Association, organized and existing under the laws of the United States of America, and has its office and principal place of business in Mobile, Mobile County, Alabama. The respondent, Peoples Fertilizer Company, is a Corporation organized and existing under the laws of the State of Alabama and has its office and principal place of business in Foley, Baldwin County, Alabama. The respondent Henry Jones is over the age of 21 years and is a non-resident of the State of Alabama, his place of residence and postoffice address being 11309 Center Line Road, Route 1, Center Line, Michigan. The respondent, W. D. Stapleton, is over the age of 21 years and is a resident of Baldwin County, Alabama, residing in Bay Minette in said County.

2. Complainant is in actual and peaceable possession of, and owns in fee simple in her own right, and so claims, all that real property in Baldwin County, Alabama, described as follows:

Commence at the southwest corner of Alberta Drive and Foley Avenue, -as per map or plat of "PETERSON'S POINT" recorded in Map Book 1 at page 82 of the records in the office of the Probate Judge of said State and County, -thence run southwardly along the westerly line of Alberta Drive to Wolf's Bay, thence up the said Wolf's Bay, with its meanderings, to a point where the south line of Foley Avenue, if extended, would strike said Wolf's Bay, thence eastwardly along said line if extended and along the southerly line of Foley Avenue to the place of beginning; and ALSO,

Commence at a point on the West side of Peterson's Drive as shown on the map or plat of Peterson's Point, recorded in Map Book 1 at page 82 of the Records in the office of the Probate Judge of said State and County, which point is the Southeast Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision and run thence South along the West line of Peterson's Drive 209 feet to a point which is the Northeast Corner of Lot Numbered 23 in Block Numbered 1 of the said Subdivision; thence run West along the North line of Lots Numbered 23, 24, 25 and 26 in the said Block 1, 182.8 feet to a point on the East side of an alley; thence North along the East line of the said alley 209 feet to a point which is the Southwest Corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision; thence East along the South line of said Lot 22, 182.8 feet to the point or place of beginning; and, ALSO,

Beginning at a point on the West side of Lullwater Drive as shown on the map or plat of Peterson's Point, recorded in Map Book 1 at page 82, Baldwin County Records, which point is due West from the Northwest Corner of Lot Numbered 45 in Block Numbered 1 as shown by the said plat, thence South along the West side of the said Lullwater Drive to a point which is due West of the Northwest Corner of Lot Numbered 28 in Block 1 of the said Peterson's Point Subdivision as shown by the said plat thereof; thence due West to a point on the low water mark of Wolf or Wolf's Bay, thence Northwardly along Wolf or Wolf's Bay and following the meanderings thereof to a point due West of the place of beginning of this description; thence East to the place of beginning.

3. The respondents claim or are reputed to claim, some right, title or interest in or lien or encumbrance upon said lands, and complainant therefore calls upon them to set forth and specify their title, claim, interest or encumbrance and how and by what instrument the same is derived and created.

4. No suit is pending to enforce or test the validity of such title, claim or encumbrance, and complainant brings and maintains this suit in equity to settle the title to such lands, and to clear up all doubts or disputes concerning the same.

#### PRAYER FOR PROCESS

WHEREFORE, the premises considered the Complainant prays that your Honor will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; Henry Jones and W. D. Stapleton, respondents to this Bill of Complaint, requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

#### PRAYER

Complainant further prays that upon the hearing of this complaint, this Honorable Court establish the title of Complainant in and to the lands herein described, and further find and decree that the said The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; Henry Jones and W. D. Stapleton have no claim, right, title to or interest in, or lien or encumbrance upon the said land herein described, or any part thereof, and grant unto your Complainant such other, further,

different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

J. E. Smith  
Solicitor for Complainant.

STATE OF ALABAMA,  
BALDWIN COUNTY,

I, R. S. Duck, Register of the Circuit Court of said State and County, hereby certify that a copy of the within Summons, together with a copy of the Bill of Complaint filed in this cause was mailed to the Respondent, Henry Jones, at the address given herein, postage prepaid, by registered mail, with return receipt requested and marked for delivery only to person to whom addressed.

This the 17th day of July, 1941.

*R.S. Duck*  
R. S. DUCK, Register.

Executed by serving a copy of the following Bill of Complaints on W.R. Stuart as President of The Peoples Fertilizer Company, a Corporation, and a copy on W.D. Stapleton. This 18th day of July 1941.

W.R. Stuart Sheriff

By *[Signature]*  
Deputy Sheriff

**RECORDED**

ORIGINAL BILL OF COMPLAINT.

Cornelia Hall, Complainant,

vs

The First National Bank of Mobile, a National Banking Association; and Peoples Fertilizer Company, a Corporation; and Henry Jones; and W. D. Stapleton, Respondents.

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

*Served and filed by [Signature]*  
*W.D. Stapleton*

*Filed July 16, 1941*  
*R.S. Duck, Register*

different or general relief as she may be in equity and good  
conscience entitled to receive, and as in duty bound she will ever  
pray.

*H. E. Smith*

Solicitor for Complainant.

ANSWER TO BILL OF COMPLAINT.

CORNELIA HALL : : No. \_\_\_\_\_  
COMPLAINANT. : IN THE CIRCUIT COURT OF  
VS. : : BALDWIN COUNTY, ALABAMA.  
FIRST NATIONAL BANK OF : : IN EQUITY.  
MOBILE, A NATIONAL BANKING : :  
ASSOCIATION; PEOPLES : :  
FERTILIZER COMPANY, A COR- : :  
PORATION; HENRY JONES; and : :  
W. D. STAPLETON, : :  
RESPONDENTS. :

Comes the defendant, HENRY JONES, and answering said Bill of Complaint thereupon pleads and says:

1. He admits the allegations of the first paragraph of the Bill of Complaint.

2. He denies the material allegations contained in paragraph no. two.

3. For answer to paragraph no. 3 the defendant, HENRY JONES, says that he is the owner of that certain judgment obtained by him in the Circuit Court of Baldwin County, Alabama, on the 20th day of August, 1934 against W. D. Stapleton, which said judgment was duly recorded in the office of the Judge of Probate of Baldwin County, Alabama in Judgment Record at page 339; and that the said judgment has not been satisfied or discharged and that there have been no payments made on said judgment which was recorded July 10, 1935.

4. For answer to paragraph no. 4 of the bill of complaint the defendant, Henry Jones, says that if his judgment be a lien or claim against said lands that his rights be not disturbed.

*Robert Hodnette*  
ROBERT & HODNETTE

SOLICITORS FOR THE DEFENDANT,  
HENRY JONES.



Cornelia Hall, Complainant,

versus

The First National Bank of Mobile,  
a National Banking Association;  
Peoples Fertilizer Company, a Corporation;  
Henry Jones, and W. D. Stapleton,  
Respondents.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA. IN EQUITY.

NUMBER \_\_\_\_\_

NON-MILITARY AFFIDAVIT

Before me, R S Duck

Clerk of Circuit Court  
~~a Notary Public~~

in and for said State and County, personally appeared H. E. Smith,  
who, being first by me duly sworn, desposes and says as follows:  
That he is a regularly licensed and practicing attorney in and of  
Baldwin County, Alabama, and is solicitor of record for the Complain-  
ant in the foregoing cause, and as such solicitor is fully authorized  
to make this affidavit and has personal knowledge of the statements  
herein contained; that none of the Respondents, The First National  
Bank of Mobile, a National Banking Association; Peoples Fertilizer  
Company, a Corporation; Henry Jones, and W. D. Stapleton, are in the  
military or naval service or any branch thereof of the United States  
of America, or any state therein.

H. E. Smith

1941.

Sworn to and subscribed before me this 30 day of August,  
~~July~~

R S Duck

Notary Public, Clerk of Circuit Court,  
Baldwin County, Alabama.

RECORDED

Affidavit

*Filed Aug 21 1941*  
*Product*  
*Request*

736

RECORDED

Answer of Henry Jones

Filed August 16th, 1941.

R. S. Dush

Register.

Cornelia Hall,  
Complainant,

vs.

The First National Bank of Mobile  
a National Banking Association;  
Peoples Fertilizer Company, a  
Corporation; Henry Jones and  
W. D. Stapleton,  
Respondents

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Decree pro confesso on personal service against The First National Bank of Mobile, a National Banking Association, and Peoples Fertilizer Company, a Corporation, respondents; Non-military affidavit of Complainant; Disclaimer of W. D. Stapleton; Oral deposition of Cornelia Hall, complainant; Agreement for submission of cause between solicitor for complainant and solicitors for Henry Jones, a respondent; Exhibit "A" to Complainant's oral deposition.

and in behalf of Defendant ~~xxxx~~ Henry Jones upon Answer and agreed copy of judgment favor said Henry Jones vs W. D. Stapleton.

*Resdwell*

Register.



**RECORDED**

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

**The State of Alabama**  
BALDWIN COUNTY

**IN EQUITY**  
Circuit Court of Baldwin County

Cornelia Hall

vs.

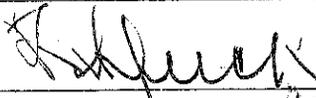
The First National Bank of

Mobile, N.B.A., et als

**NOTE OF TESTIMONY**

Filed in Open Court this 9th

day of September, 1941 ~~1938~~



REGISTER

**RECORDED**

Filed Sept 9 1941  
R. S. Smith  
Register



RETURN RECEIPT

Received from the Postman the enclosed or inserted letter, the number of which appears on the face of this card.

(Signature or name of addressee)

*[Handwritten signature]*

(Signature or name of addressee)

Being taken by *[Handwritten name]*

Form No. 1

*[Vertical handwritten text, possibly a date or reference number]*

The State of Alabama,  
Baldwin County.

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

Cornelia Hall

Complainant

vs.

The First National Bank of Mobile, N.B.A., et als Defendant<sup>s</sup>

Motion is hereby made for a Decree Pro Confesso against The First National Bank of Mobile, a National Banking Association, and Peoples Fertilizer Company, a Corporation, Defendant<sup>s</sup>.

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

This 25th day of August 19 41

*H. E. Smith*  
for complainant

Solicitor.

SEP 1941

RS Deeds

Bay Minette, Ala., \_\_\_\_\_ 194\_\_\_\_\_

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>Deeds</i>	<i>Cornelia Hall - vs. First National et al</i>				<i>2.02</i>
	<i>Paid 9/12/41 GWR</i>				

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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Cornelia Hall

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vs.

The First National Bank of  
Mobile et als

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

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Filed August 25, 1941

*R. E. Smith*

Register.

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

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

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Register.

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Cornelia Hall,  
Complainant,

vs.

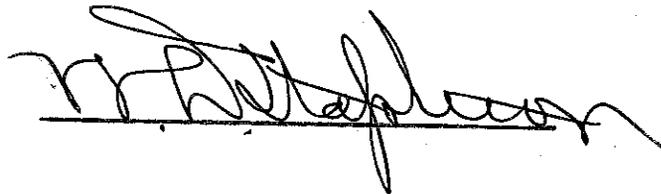
The First National Bank of  
Mobile, a National Banking  
Association; Peoples  
Fertilizer Company, a Cor-  
poration; Henry Jones, and  
W. D. Stapleton,  
Respondents.

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

DISCLAIMER.

Now comes W. D. Stapleton, one of the respondents in the foregoing cause, and disclaims all right, title or interest in or lien or encumbrance upon the lands described in the bill of complaint filed in said cause.

WHEREFORE, having fully answered, this respondent prays to be dismissed with his costs in this behalf expended.

  
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west along the north line of Lots Numbered 23, 24, 25 and 26 in the said Block 1, 182.8 feet to a point on the east side of an alley; thence north along the east line of the said alley 209 feet to a point which is the southwest corner of Lot Numbered 22 in Block Numbered 1 of the said Subdivision; thence east along the south line of said Lot 22, 182.8 feet to the point or place of beginning; and, ALSO,

Beginning at a point on the west side of Lullwater Drive as shown on the map or plat of Peterson's Point recorded in Map Book 1 at page 82, Baldwin County Records, which point is due west from the northwest corner of Lot Numbered 45 in Block Numbered 1 as shown by the said plat, thence south along the west side of the said Lullwater Drive to a point which is due west of the northwest corner of Lot Numbered 28 in Block 1 of the said Peterson's Point Subdivision as shown by the said plat thereof; thence due west to a point on the low water mark of Wolf or Wolf's Bay, thence northwardly along Wolf or Wolf's Bay and following the meanderings thereof to a point due west of the place of beginning of this description; thence east to the place of beginning.

2. That the title to the said land is in the said Cornelia Hall and title thereto is forever quieted against the respondents, The First National Bank of Mobile, a National Banking Association; Peoples Fertilizer Company, a Corporation; Henry Jones; and W. D. Stapleton; and the said respondents, and each of them, are without any right, title or interest in the said land, or any part thereof, and have and hold no lien or encumbrances on the said real property, or any part thereof or any interest therein, and they and each of them are hereby perpetually enjoined from asserting or attempting to assert any claim to the said real property or any part thereof or any interest therein, or from claiming any lien or encumbrances on the said real property or any part thereof or any interest therein.

3. The Register shall, within thirty days from the rendition of this decree, file a certified transcript hereof for record in the office of the Probate Judge of Baldwin County, Alabama, and tax the expense thereof in the costs of this cause.

4. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

DONE on this the 11<sup>th</sup> day of September, 1941.

J. M. Hare  
Judge.

RECORDED

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

Cornelia Hall,  
Complainant,

vs

The First National Bank of  
Mobile, a National Banking  
Association; Peoples Fertilizer  
Company, a Corporation;  
Henry Jones; and  
W. D. Stapleton,  
Respondents.

FINAL DECREE.

RECORDED

Disclaimer

Filed August 25, 1941  
R. S. Birch, Register