

6002

STATE OF ALABAMA,)
)
) Condemnor,) IN THE CIRCUIT COURT OF
 VS.) BALDWIN COUNTY, ALABAMA
)
) AT LAW NO. 5897
 J. F. BARNES, ET AL.,)
)
) Defendants.) 6001-6009-6011-6012
) 6014-6016-6022

ORDER DISMISSING APPEAL

This cause coming on to be heard on this date by consent of the parties is submitted on the motion to dismiss the appeal heretofore taken in this cause, which motion was heretofore filed by J. F. Barnes, W. P. Brown and Sons Lumber Company, Inc., a corporation, Ray E. Loper Lumber Company, Inc., a corporation, Ruth L. Page, L. T. Rhodes, Jr., and Southern Bell Telephone and Telegraph Company, Inc., a corporation, and on the separate motion to dismiss the said appeal which was heretofore filed in this cause by Ella H. Ward, from all of which it appears that the appeal heretofore taken by the State of Alabama, in this cause and in the causes described in the said motions, from the Probate Court of Baldwin County, Alabama to this court, was improperly taken and that the motions of the said parties to dismiss the said appeal should be granted.

It is, therefore, ORDERED AND ADJUDGED by the court as follows:

1. The appeal heretofore taken by the State of Alabama in this cause and in each and all of the causes described in the said motion shall be and the same is hereby dismissed.

2. This cause shall be and it is hereby remanded to the Probate Court of Baldwin County, Alabama, insofar as it applies to the parties filing the said motion, namely, J. F. Barnes, W. P. Brown & Sons Lumber Company, Inc., a corporation, Ray E. Loper Lumber Company, Inc., a corporation, Ruth L. Page, L. T. Rhodes, Jr., Southern Bell Telephone and Telegraph Company, Inc., a corporation, and Ella H. Ward, and the lands owned by them.

3. The rendition of this order has been consented to by the State of Alabama.

ORDERED AND ADJUDGED on this the 10 day of March, 1965.

Filed
 3-10-65
J. H. ...

Joseph J. ...
 Judge

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W. J. ...
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W. J. ...
 Clerk

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 Judge

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