

778

L. IRWIN,

COMPLAINANT,

VS.

GLENWOOD STATE BANK,
A corporation,

RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN CHANCERY.

DECREE.

This cause coming on to be heard on the Bill of Complaint, the certificate of the Register as to service upon the Respondent by registered mail and Decree proconfesso against the Respondent, was submitted to the Court and upon consideration thereof the Court finds that it has jurisdiction of the parties and of the subject matter of the cause, that the allegations of the Bill of Complaint are confessed by the Respondent and are true and that the Complainant is entitled to relief as prayed.

It is therefore ordered, adjudged and decreed that the Complainant, L. Irwin, is the owner of an indefeasible title in fee simple in and to the following described real estate in Baldwin County Alabama, to-wit:-

The Northeast quarter (NE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section thirty-two (32) Township seven (7) South of Range four (4) East.

That the Respondent, Glenwood State Bank, an Indiana corporation, has no right, title, interest in or to or lien or encumbrance upon any part of said lands and that the title of the Complainant thereto be, and the same hereby is, quieted and confirmed in the Complaint; that a certified transcript of this Decree be filed for record by the Register in the office of the Judge of Probate of Baldwin County, Alabama where the same shall be recorded and the name of the Respondent indexed in the direct index and the name of the Complainant indexed in the reverse index and that the Complainant pay the costs of this proceeding

taxed at _____ dollars.

Dated this 14th day of January, 1942.

J. W. Hare
Judge

CERTIFICATE OF REGISTER

I, R. S. Duck, Register in Chancery, do hereby certify that on the 6th day of December, 1941, I mailed to the Respondent, Glenwood State Bank at Glenwood, Indiana, summons and copy of the Bill of Complaint by registered mail, postage pre-paid endorsed "Return receipt requested. For delivery only to the person to whom addressed".

That on the 11th day of December, 1941, I received through the mail the return receipt showing that such registered mail was delivered to the Respondent on the 9th day of December, 1941.

IN WITNESS WHEREOF: I have hereunto set my hand this 11th day of December, 1941.



Register

The State Of Alabama }
Baldwin County }

Circuit Court of Baldwin County, In Equity.

To Any Sheriff of the State of Alabama—GREETINGS:

WE COMMAND YOU, That you summon GLENWOOD STATE BANK, a corporation

of Rush County, Indiana 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

against said GLENWOOD STATE BANK, a corporatin

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant 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, Regiser of said Circuit Court, this 6th day of December, 194 .



Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

L. IRWIN,

COMPLAINANT

VS.

GLENWOOD STATE BANK,
A corporation,

RESPONDENT.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

IN CHANCERY

Copy
BILL OF COMPLAINT

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

PART ONE

Your Complainant L. Irwin respectfully shows unto the Court that he is over the age of twenty-one (21) years and a bona fide resident of Baldwin County, Alabama, residing at Foley therein; that the Respondent, Glenwood State Bank, is a corporation organized and existing under the law of the State of Indiana with its domicile in Glenwood, Rush County, Indiana and is a foreign corporation and a non-resident of the State of Alabama.

PART TWO

Your Complainant L. Irwin avers that he is in the actual and peaceable possession, claiming to own the same in his own right, of the following described land in Baldwin County, Alabama, to-wit:

1. The Northeast quarter (NE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section thirty-two (32), Township seven (7) South of Range four (4) East.
2. That the Respondent, Glenwood State Bank, claims or is reputed to own the same or some part thereof or some interest therein, or some lien or incumbrance thereon, and no suit is pending to enforce the validity of such title, claim, or incumbrance of the Respondent and this Complainant brings this suit in equity to settle the title to such lands and to clear up all doubts or disputes concerning the same and calls upon the Respondent to set

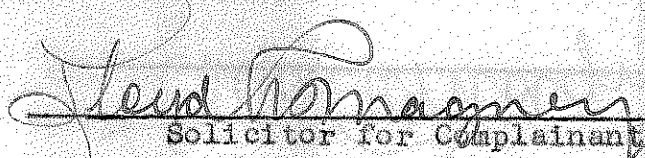
forth and specify its title, claim, interest, or incumbrance, and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS

Wherefore your Complainant prays this Honorable Court to grant to him the writ of summons of the State of Alabama directed to the Respondent, Glenwood State Bank, requiring it to answer demur or plead to this Bill of Complaint within the time required by law and to stand to and abide any decree which may be entered herein and that said summons and a copy of this Bill be served upon said Respondent, Glenwood State Bank, by registered mail as by law provided.

PRAYER FOR RELIEF

Your Complainant further prays that upon final hearing of this cause your Honor will make and enter a decree that this Complainant is the owner in fee simple of said lands hereinbefore described; that the Respondent Glenwood State Bank has no right, title, or interest in or incumbrance on such lands or any part thereof and that the title of this Complainant may be quieted and confirmed in him and that this Complainant may have such other, further, or other relief in the premises as may be just and equitable.


Solicitor for Complainant

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Lloyd A. Magney being first duly sworn on his oath deposes and says: That he is Solicitor of Record for the Complainant

Subscribed in my presence and sworn to before me this 5
day of December, 1941.

Seal

Gus Schultz
Notary Public

L. Irwin
vs.
GLENWOOD STATE BANK, A Corporation

CIRCUIT COURT OF
Baldwin County.
IN EQUITY.

In this cause it being made to appear to the Register that on the 6th day of December 1941, a copy of the Bill of Complaint filed in this cause was sent to GLENWOOD STATE BANK, A Corporation

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 11th day of December 1941, 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

GLENWOOD STATE BANK Defendant

This the 13th day of January 1942

R. S. Duch Register.

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 778

Summons

T. IRWIN

SHENANDOAH TRADING CO.,
COOPERATION

VS.

GLENWOOD STATE BANK,
a corporation

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of _____, 194 _____

Sheriff.

Executed this _____ day of _____, 194 _____

by leaving a copy of the Summons with

Defendant

Sheriff

By _____
Deputy Sheriff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN CHANCERY

L. IRWIN,

COMPLAINANT

VS.

GLENWOOD STATE BANK,
A corporation.

RESPONDENT.

CERTIFICATE OF REGISTER

RECORDED

No. 778

CIRCUIT COURT OF BALDWIN
COUNTY, ALA.

In Equity.

L. IRWIN

vs.

GLENWOOD STATE BANK
A Corporation

Decree Pro Confesso After
Notice By Registered Mail.

Filed in office this 12th day of

December 1941

R. D. [Signature] Register

Entered in O. B. Page

RECEIPT FOR REGISTERED ARTICLE No. 1117

15 fee paid. Post class postage paid. 12-6, 1941

Declared value, \$ Legal Name SurchARGE paid, \$ _____ (Date)

From R. S. Duck, Civ. Clerk (Sender)

Addressed to Linwood, State Bank (Post office and State)

Linwood, Wash. D.C. (Address)

(Street and number) (Post office and State)



Accepting employe will place initials in space below, indicating restricted delivery

Return receipt fee 3 in person _____ or order _____ Special delivery fee _____

Delivery restricted to addressee _____ Fee paid 10 Postmaster, per WA

• • • 16-12685

Post Office Department OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE IS



Return to R. S. Duck, Civ. Clerk (NAME OF SENDER)

Street and Number, or Post Office Box, _____

REGISTERED ARTICLE

35 Post Office Bay Minette

Form 3811
Rev. 1-4-40

RETURN RECEIPT

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

1 *W. H. Clauson*
State Bank
(Signature of name of addressee)

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

Date of delivery *12-9*, 194*1*

RS check

Bay Minette, Ala., 1/15 1944 ✓

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>None</i>	<i>R Drwin</i>	<i>Greenwood Nat BK</i>			<i>5.0</i>
		<i>Paid</i>			
		<i>1/15/44</i>			
		<i>EWB</i>			