

794

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Gustav Brandt to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, then and there to demur, plead to or answer the Bill of Complaint of L. W. Brannan, Jr.

Witness my hand this 12th day of January, 1942.



Register of the Circuit Court of  
Baldwin County, Alabama, in Equity.

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

Your Orator, L. W. Brannan, Jr., presents this Bill of Complaint against Gustav Brandt, and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator is over twenty-one years of age and a resident of Foley, in Baldwin County, Alabama. The Respondent Gustav Brandt, is over twenty-one years of age and a resident of the city or town of Sifton, Province of Saskatchewan, Dominion of Canada.

2. Your Orator owns and is in the actual, quiet, and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit: Northeast Quarter of Southeast Quarter of Section Twenty-eight (28), Township Seven (7) South Range Five (5) East.

3. The Respondent claims or is reputed to claim some right, title or interest in or encumbrance upon the said lands; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance upon the said lands, and your Orator brings this Bill of Complaint against the said Respondent to settle the title to the said lands and to clear up all doubts and disputes concerning the same. Your Orator here and now calls upon the said Respondent to set forth and specify his right, title or interest in, lien or encumbrance upon the said lands or any part thereof and how and by what instrument the same is derived and created.

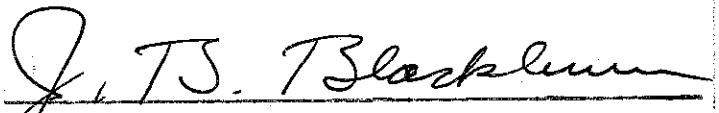
#### PRAYER FOR PROCESS

Your Orator prays that the said Gustav Brandt be made a party respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to him.

#### PRAYER FOR RELIEF

Your Orator further prays that upon a final hearing of this cause your Honor will make and enter a decree against the said

Respondent quieting title to the said land and adjudging and decreeing that your Orator is the owner thereof in his own right; that title thereto is in him, forever quieting your Orator's title against the said Gustav Brandt, adjudging and decreeing that he is without right, title or interest in the said lands and that he has and holds no encumbrance upon the same. Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

  
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is solicitor for the Complainant in the foregoing suit; that he has read over the Bill of Complaint filed in the said cause and that the allegations therein are true.

J. B. Blackburn

Sworn to and subscribed before me on this the 12<sup>th</sup> day of January, 1942.

Ora S. Nelson

Notary Public, Baldwin County, Alabama.

L. W. BRANNAN, JR.,  
Complainant,  
VS.  
GUSTAV BRANDT,  
Respondent.

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

CERTIFICATE

I, Robert S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that I did on January 12, 1942, mail a copy of the Bill of Complaint together with a summons to answer the Bill of Complaint within thirty days from service thereof, in the case of L. W. Brannan, Jr., Complainant, vs. Gustav Brandt, Defendant, now pending in the Circuit Court of Baldwin County, Alabama, in Equity, to the Defendant, Gustav Brandt, at Siltou, Province of Saskatchewan, Dominion of Canada, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed", with return receipt demanded addressed to R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama.

I further certify that the said return receipt was received by me as Register aforesaid and filed in this office on January 26, 1942.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Court on this the 25th day of February, 1942.

*R. S. Duck*

Register.

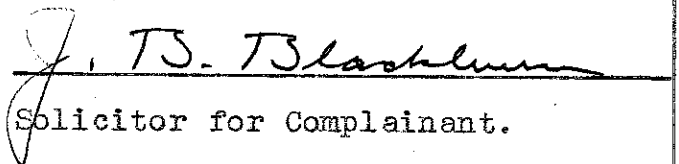
L. W. BRANNAN, JR.,  
Complainant,  
VS.  
GUSTAV BRANDT,  
Respondent.

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

MOTION FOR DECREE PRO CONFESSO

Motion is hereby made for a Decree Pro Confesso against the Respondent, Gustav Brandt, on the ground that he is a non-resident of the State of Alabama; that a copy of the Bill of Complaint together with a summons requiring the said Defendant to answer the said Bill of Complaint in the manner provided by law, was mailed to the Defendant by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed" with return receipt demanded, addressed to R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity; that the said return card or receipt was received and filed by the Register on January 26, 1942, and that more than thirty days have expired since the said return card or receipt was received and filed and the said Defendant has failed to plead, answer or demur to the Bill of Complaint.

Dated this 26th day of February, 1942.

  
Solicitor for Complainant.

L. W. BRANNAN, JR.,

Complainant,

VS.

GUSTAV BRANDT,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

LIS PENDENS NOTICE

Notice is hereby given that the Complainant in this cause has on this date filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a suit against the said Defendant to quiet Complainant's title to said property and to clear up all doubts and disputes concerning the same. The Complaint alleges that Complainant owns and is in the peaceable possession of the property described in the said suit, namely: The Northeast Quarter of Southeast Quarter of Section Twenty-eight, Township Seven South Range Five East, in Baldwin County, Alabama; and prays for a Decree quieting his title to the said property against the said Defendant.

All persons are cautioned against purchasing the said property except subject to the rights of the Complainant.

Dated this 12th day of January, 1942.

J. T. B. T. Blachman  
Solicitor for Complainant.

794

RECORDED

LIS PENDENS NOTICE.

1-12-42

L. W. BRANNAN, JR., 29

Complainant,

VS.

GUSTAV BRANDT, 29

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

No. 1-12-42

STATE OF ALABAMA, BALDWIN COUNTY

Filed 225 PM

Recorded via Facsimile book 1/12 page 29

and I certify that the following privilege tax has been paid.

Deed Tax

Notary Tax

By *W. S. Roberts* Judge of Probate

By

Filed 1-12-42  
R. S. Burch

40



Bay Minette, Ala., JAN 12 1942 194

*RS Duck*

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>RP</i>	<i>L W Brannon Jr - V - Santa Cruz</i>				<i>50</i>
<i>paid</i> <i>JAN 12 1942</i> <i>WTR</i>					

Bay Minette, Ala.,

MAR 2 - 1942 194

*RS (check)*

IN ACCOUNT WITH

G. W. ROBERTSON

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Recording from to Privilege Tax Rec. Fee Total

*Judgment* *LW Bramm* vs. *Eustas Brandt* *75*

*Paid*  
MAR 2 - 1942  
*MR*

L. W. BRANNAN, JR.,

Complainant,

VS.

GUSTAV BRANDT,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

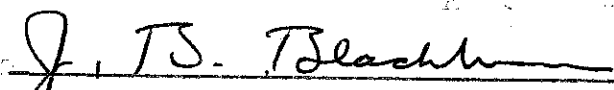
NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the following:

1. Verified Bill of Complaint.
2. Certificate by the Register as to service by registered mail.
3. Motion for Decree Pro Confesso against Defendant.
4. Decree Pro Confesso.
5. Affidavit that the Defendant is not in the military service of the United States.



Register.

  
Solicitor for Complainant.

L. W. BRANNAN, JR.,  
Complainant,  
VS.  
GUSTAV BRANDT,  
Respondent.

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

FINAL DECREE

This cause coming on to be heard on this date is submitted on the original verified Bill of Complaint, Certificate by the Register as to service by registered mail, Motion for Decree Pro Confesso against the Defendant, Decree Pro Confesso against the Defendant and Affidavit that the Defendant is not in the military service of the United States of America, upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in the said Bill of Complaint, WHEREUPON, IT IS ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Complainant, L. W. Brannan, Jr., is as against the Respondent, Gustav Brandt, the true and lawful owner in his own right of the following described real property situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Southeast Quarter of Section Twenty-eight (28), Township Seven (7) South Range Five (5) East.

2. That title to the said land is in the said L. W. Brannan, Jr., and title thereto is forever quieted against the said Gustav Brandt, and the said Respondent, Gustav Brandt, is without any right, title or interest in the said land or any part thereof and has and holds no encumbrance on the said property or any part thereof, or any interest therein, and he is hereby perpetually enjoined from asserting or attempting to assert any claim to the said property or any part thereof or any interest therein or from claiming any lien on the said 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 Probate Court of Baldwin County, Alabama and tax the expense thereof as a part of the costs of this suit.

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

Done on this the 28<sup>th</sup> day of February, 1942.



\_\_\_\_\_  
Judge of the Circuit Court of Baldwin  
County, Alabama, Sitting in Equity.

L. W. BRANNAN, JR.,

Complainant,

VS.

GUSTAV BRANDT,

Respondent.

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

DECREE PRO CONFESSO ON SERVICE BY REGISTERED  
MAIL.

In this cause it being made to appear to the Register from the verified Bill of Complaint filed in this cause that the Defendant, Gustav Brandt, is a non-resident of the State of Alabama; that a copy of the Bill of Complaint, together with a summons requiring the said Defendant to appear and plead, answer or demur to the Bill of Complaint within thirty days from the service of the said summons was mailed to the Defendant by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed", with return receipt requested, addressed to the Register of this Court as such sending officer; that the return receipt was signed by the Defendant, returned to the Register of this Court and filed by him on January 26, 1942, and the said Defendant having failed to plead, answer or demur to the Bill of Complaint in the said cause to the date hereof; IT IS NOW THEREFORE on motion of the Complainant, ORDERED AND DECREED that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said Gustav Brandt, Defendant aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Court on this the 26th day of February, 1942.



Register.

L. W. BRANNAN, JR.,  
Complainant,  
VS.  
GUSTAV BRANDT,  
Respondent.

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

AFFIDAVIT

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared L. W. Brannan, Jr., who, after being by me first duly and legally sworn, deposes and says: That he is the Complainant in the above entitled cause, that the Defendant, Gustav Brandt, is not in the military service of the United States or any branch thereof. The said Defendant resides in the Dominion of Canada, is too old for military service and is not a citizen of the United States of America.

L. W. Brannan Jr.

Sworn to and subscribed before me on  
this the 25th day of February, 1942.

Ora S. Nelson.

Notary Public, Baldwin County, Alabama.

Form 3811  
REV. 1-2-40

*Filed 1-2 E. H. H.*

# RETURN RECEIPT *R. S. Duesch*

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

1 *[Signature]*  
(Signature of name of addressee)

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

Date of delivery *22 January*, 194*2*

U. S. GOVERNMENT PRINTING OFFICE 16-12821

## RECEIPT FOR REGISTERED ARTICLE No. 4193

15 fee paid. 1 class postage paid. 1-12, 194*2*  
(Date)

Declared value, \$ 700.00 Surcharged paid, \$ \_\_\_\_\_

From *R. S. Duesch* (Sender)

Addressed to *Street or Brandt* (Post office and State)

*Salt Lake Province of Utah - Dom - H. Carter* (Post office and State)



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

Return receipt fee 3 { in person 4 Special delivery fee  
or order \_\_\_\_\_ Postmaster, per *W. W. P.*  
Delivery restricted to addressee { Fee paid 1.0



Post Office Department  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE: 100%



Return to *R. G. ...*  
(NAME OF SENDER)

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

REGISTERED ARTICLE

No. *165* Post Office .....

INSURED PARCEL