

795

WARRANTY DEED.

THE STATE OF ALABAMA }  
COUNTY OF BALDWIN }

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten Dollars, to us in hand paid by RALPH G. NELSON, the receipt whereof is hereby acknowledged, We, Charles A. Nelson and Jennie B. Nelson, husband and wife, do grant, bargain, sell and convey unto the said RALPH G. NELSON, the following described lands situated in Baldwin County, Alabama, to-wit:-

From the Southwest corner of Gov. Subdivision No. 3, in Fl. Sec. 24, Fl. T. 7. S. R. 2. E., run North 476 feet, to the North line of the Kornbeck tract for a point of beginning; thence run N 11 00' E 700 feet, more or less, up the North line of said Kornbeck tract to an iron stake on the Margin of Fish River; thence up the Margin of Fish River and Turkey Branch till Turkey Branch intersects the West line of aforesaid Gov. Subdiv., No. 3, thence South 700 feet, more or less, to the point of beginning. Lot contains Seven Acres and is in Government Subdivision No. 3, or the NE 1/4 of the NW 1/4 of Fl. Sec., 24, Fl. T. 7. S. R. 2. E. Also conveying all Riparian rights pertaining to same.

Conveying all title to this within described property as per conveyance from the heirs of Joseph Nelson, deceased, Dated the 24th day of January, A. D., 1931.

TO HAVE AND TO HOLD to the said RALPH G. NELSON, and his heirs or assigns forever.

And we do covenant with the said RALPH G. NELSON, that we are seized in fee of the above described premises; that we have the right to sell and convey the same, that the said premises are free from all encumbrances; and that we will and our heirs, executors and administrators shall forever WARRANT AND DEFEND the same to the said RALPH G. NELSON, and to his heirs or assigns, against the lawful claims of all persons whomsoever.

WITNESS our hands and seals this 16<sup>th</sup> day of October, A. D., 1941.

WITNESSES:

Charles A. Nelson L.S.

Jennie B. Nelson L.S.

THE STATE OF ALABAMA }  
COUNTY OF BALDWIN }

Mobile

I, Mildred J. Ziegler

, a Notary Public, in and for said State and County, do hereby certify that Charles A. Nelson and Jennie B. Nelson, husband and wife, 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 said conveyance, they executed the same voluntarily on the day the same bears date

and I do further certify that on the 16<sup>th</sup> day of October, A. D., 1941, came before me the within named Jennie B. Nelson, Known to me to be the wife of the within named Charles A. Nelson, who being examined separate and apart from her husband in reference to her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

In witness whereof, I hereunto set my hand, and official seal, this 16<sup>th</sup> day of October, A. D., 1941.

AFFLIX SEAL.

Mildred J. Ziegler

My Commission Expires: August 24<sup>th</sup>, 1945

QUIT CLAIM DEED

STATE OF ALABAMA )  
BALDWIN COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That we the undersigned, Ralph G. Nelson, a single man, Sara Clements, a single woman, Frank B. Nelson and Mary E. Nelson, his wife, Lula E. Merriman and Charles E. Merriman, her husband, Georgiana McKenzie, a widow, Devereaux Nelson and Grace Peal Nelson, his wife, James Nelson and Georgiana Nelson, his wife,

In consideration of the sum of one dollar and other valuable considerations to them in hand paid by Charles A. Nelson, the receipt whereof is hereby acknowledged, do remise, release, quit claim and convey to the said Charles A. Nelson, all their right, title, interest and claim, in or to, the following described real estate (or lands) situated in Baldwin County Alabama, to wit:-

From the Southwest corner of Gov. Subdivision No. 3, in FL. Sec.24, FL.T. 7.S.R.2.E., run North 476 feet, to the North line of the Kornbeck tract for appoint of beginning; thence run N 11° 00' E 700 feet, more or less, up the North line of said Kornbeck tract to an iron stake on the margin of Fish River, thence up the Margin of Fish River and Turkey Branch until Turkey Branch intersects the West Line of aforesaid Gov. Subdivision No. 3, thence South 700 feet, more or less, to the point of beginning. Lot contains seven acres and is in Government Subdivision No. 3, or the NE 1/4 of the NW 1/4 of FL. Sec., 24, FL. T.7.S.R.2.E. Also conveying all Riparian rights pertaining to same.

Conveying all title to this within described property as per conveyance from the heirs of Joseph Nelson, Deceased, dated the 1st. day of October, A. D., 1941.

TO HAVE AND TO HOLD to the said Charles A. Nelson, and his heirs or assigns forever.

And we do covenant with the said Charles A. Nelson, that we are seized in fee of the above described premises; that we have the right to sell and convey same, that the said premises are free from all encumbrances; and that we will and our heirs, executors and administrators shall forever WARRANT AND DEFEND the same to the said Charles A. Nelson, and to his heirs or assigns, against the lawful claims of all persons whomsoever.

Witness our hands and seals this 21<sup>st</sup> day of November, A.D., 1941.

<u>Mrs Sara Clements</u> L.S. ✓	_____	L.S.
<u>Lula E Merriman</u> L.S. ✓	_____	L.S.
<u>Frank B. Nelson</u> L.S. ✓	_____	L.S.
<u>Mary E Nelson</u> L.S.	_____	L.S.
<u>Georgiana McKenzie</u> L.S. ✓	_____	L.S.
<u>D H Feltov</u> L.S. ✓	_____	L.S.
<u>Grace Peal Nelson</u> L.S.	_____	L.S.
<u>Charles E Merriman</u> S.	_____	L.S.
<u>Ralph G Nelson</u> S. ✓	_____	L.S.
<u>James S Nelson</u> L.S. ✓	_____	L.S.
<u>Georgie E Nelson</u> L.S.	_____	L.S.
_____ L.S.	_____	L.S.
_____ L.S.	_____	L.S.

STATE OF ALABAMA )  
MOBILE COUNTY )

I, A.M. Martin, a Notary Public in and for said State and County, do hereby certify that James S. Nelson and Georgia E. Nelson, his wife, whose names are signed to the foregoing conveyance, and whom are known to me, acknowledged before me, on this day that, being informed of the contents of the said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 21st day of November, 1941.

Arthur M. Martin.  
Notary Public, Mobile County, Ala.  
MY COMMISSION EXPIRES JULY 26, 1942

STATE OF ALABAMA )  
MOBILE COUNTY )

I, A. M. Martin, a Notary Public in and for said State and County, do hereby certify that on the 21st day of November, 1941, came before me the within named Georgia E. Nelson known to me to be the wife of James S. Nelson, who being examined separate and apart, individually from her husband in reference to here signature to the within conveyance, acknowledged that she signed the same of here own free will and accord, and without fear, constraint or threats on the part of her husband.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 21st day of November, 1941.

Arthur M. Martin.  
Notary Public, Mobile County, Ala.  
MY COMMISSION EXPIRES JULY 26, 1942

STATE OF ALABAMA)  
MOBILE COUNTY )

I, A. M. Martin, a Notary Public in and for said State and County, do hereby certify that Sara Clements, a single woman; Lula E Merriman and Charles Meriman, her husband; Frank B. Nelson and Mary E. Nelson, his wife, Ralph G. Nelson, a single Man, Georgiana McKenzie, a widow; D. H. Nelson and Grace Pearl Nelson, his wife; 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 said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand this 21st day of November, 1941.

Arthur M. Martin  
Notary Public, Mobile County, Ala.  
~~NOTARY PUBLIC~~  
MY COMMISSION EXPIRES JULY 26, 1942

STATE OF ALABAMA)  
MOBILE COUNTY )

I, A. M. Martin, a Notary Public in and for said State and County, do hereby certify that on the 21st day of November, 1941, came before me the within named Sara Clements known to me to be a widow; Lula E. Merriman known to me to be the wife of Charles Merriman; Mary E. Nelson known to me to be the wife of Frank B. Nelson; Georgiana McKenzie known to me to be a widow; Grace Pearl Nelson known to me to be the wife of D. H. Nelson, who being examined separate and apart, individually from their husbands in reference to their signatures to the within conveyance, acknowledged that they signed the same of their own free will and accord, and without fear, constraint or threats on the part of their husbands.

IN WITNESS WHEREOF, I hereunto set my hand, this 21st day of November, 1941.

Arthur M. Martin  
Notary Public, Mobile County, Ala.  
MY COMMISSION EXPIRES JULY 26, 1942

A  
488  
CERTIFICATE  
NO. 7636.

THE UNITED STATES OF AMERICA  
TO ALL TO WHOM THESE PRESENTS SHALL COME,  
GREETING:

E

WHEREAS, Daniel Gordon, John Morton and Alexander Morton, of Lowndes County, Mississippi, have deposited in the General Land Office of the United States, a Certificate of the Register of the Land Office at St. Stephens Whereby it appears that full payment has been made by the said David Gordon, John Morton, and Alexander Morton, according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands" for the Lots or Divisions two, three, four and five of West fractional Section twenty-four, in township seven South, of Range two East, in the District of Lands Subject to Sale at St. Stephens, Alabama, containing Three hundred and twenty seven acres and ten hundredths of an acre, according to the official plat of the survey of the said Lands, returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said David Gordon, John Morton and Alexander Morton.

NOW KNOW YE, That the United States of America, in consideration of the Premises, and in conformity with the several acts of Congress, in such case made and provided, Have Given and Granted, and by these presents Do Give and Grant, unto the said David Gordon, John Morton, Alexander Morton and to their heirs, the said tract above described: To Have and To hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said David Gordon, John Morton and Alexander Morton and to their heirs and assigns forever, as tenants in common and not as joint tenants.

In Testimony Whereof, I, Martin Van Buren, President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the tenth day of July in the Year of our Lord one thousand eight hundred and thirty-nine and of the Independence of the United States the Sixty-fifth.

(L.S.)  
1193783.

My the President:  
Martin Van Buren, Jr., Secty  
H.M.Garland  
Recorder of the General Land  
Office.

Department of the Interior,  
General Land Office,  
Washington, D.C. Oct. 1, 1925.

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

(Seal)

M.P.LeRoy, Recorder.

State of Alabama, |  
Baldwin County. |

I, W.D.Stapleton, Judge of Probate for said County, hereby certify that the following privilege tax has been paid on the within instrument as required by acts 1923 Viz. \$8, cts. 00.

W.D.Stapleton, Judge of Probate,  
BY J.L.Kessler, Clerk.

Filed for record Jan. 20th, 1926 at 1:50 P.M.

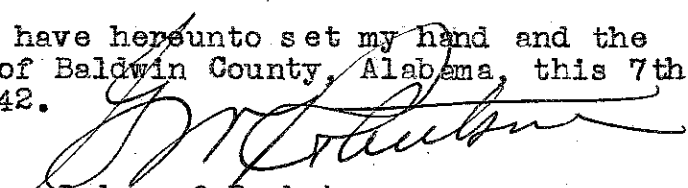
Recorded January 25th, 1926.

W.D.Stapleton, Judge of Probate.

The State of Alabama, |  
Baldwin County. | SS.

I, G.W.Robertson, Judge of the Probate Court, and Custodian of the Records and Files of the same, in and for Baldwin County, State of Alabama, do hereby certify that the foregoing is a true, correct and complete copy of an Instrument of Writing as the same appears of record in Deed Record 38 N.S. at page 256, now on file in the office of Judge of Probate of Baldwin County, Alabama.

In Witness Whereof, I have hereunto set my hand and the seal of the Probate Court of Baldwin County, Alabama, this 7th day of September, A.D., 1942.

  
Judge of Probate.

THE STATE OF ALABAMA, |  
MOBILE COUNTY. |

Know all men by these presents that I, O.S. Jewett, Register and Master in Chancery, of the Chancery Court for the First District of the Southern Chancery Division of said State in pursuance of the command made by the Honorable the Chancery Court for the District aforesaid, and in execution of a certain Decree made by said Court at the term thereof, held in and for said district, at Mobile, on the first Monday of April A.D., Eighteen hundred & fifty one in a certain suit in Chancery pending in said Court, wherein Richard Morton, Admx. of the Estate of John Morton decd & Executor of the Last Will and Testament of Alex. Morton Decd. Complainant and John Joseph and William Wood, David Gordon, Eno M. Jones & wife, Henry Dubose et al Defendants. And in obedience to the requirements of said Decree I did expose at public sale in front of the Court House of said County on the first Monday of June A.D., 1851, between the hours of Twelve O'clock Noon and three O'clock in the afternoon on said day the lands ordered to be sold by said Decree, after having given thirty days/<sup>previous</sup> notice of the said intended sale, by publication in the Herald & Tribune a Newspaper printed in the City of Mobile, at which said sale so made as aforesaid Noah Harrington, Junior became the purchaser of the said land so ordered to be sold, and described as follows, to-wit: Lots 2,3,4,5 West fractional section 24, Township 7 South, Range 2 East, containing 327 10/100 acres for the sum of One hundred & forty-seven 20/100 dollars. Now therefore, be it known that I O.S. Jewett, Register and Master as aforesaid, in consideration of the premises and pursuance to the authority aforesaid and of the said sum of money paid to me in hand, have bargained, sold and conveyed, and by these presents do bargain, sell and convey all the right, title, interest, claim, property and demand which the said defendant had at the time of filing the bill of complaint of the said complainant and now have in and unto all that certain lot, piece or parcel of ground as herein before described togetherwith

all and singular the rights, privileges, tenements, hereditaments, and appurtenances unto him the said Noah Harrington, Junior, his heirs and assigns in fee simple. It being expressly understood that I do hereby convey to him all the right, title and interest in said premises, which by the Decree aforesaid, I am authorized to convey, and that he shall have all the rights thereto which I can and may lawfully convey to him in as full and ample a manner as I have power to convey the same, with all the rights and privileges thereunto appertaining, but not otherwise. In Testimony Whereof, I the said Origen S. Jewett, Register and Master in Chancery of the Chancery Court for the First District of the Southern Chancery Division of the State of Alabama, have hereunto signed my name, and affixed the Seal of said Court this Second day of June Eighteen hundred & fifty-one.

O.S.Jewett (L.S.)

The State of Alabama, |  
Mobile County. |

Be it remembered, that O S. Jewett, Register and Master in Chancery appeared personally before me William Brooks, a Justice of the Peace for said County & State duly commissioned and qualified and acknowledged that he signed, sealed and delivered the within Deed to Noah Harrington on the day and year, and for the uses and purposes therein mentioned.

Given under my hand & seal this twenty-fourth day of June, 1851.

William Brooks (L.S.)  
Justice Peace M.C.

Received for Record June 25th, A.D., 1851  
and Recorded July 1st, A.D., 1851.


Patrick Byrne, Judge Probate.



THE STATE OF ALABAMA, |  
BALDWIN COUNTY. |      SS.

I, G.W. Robertson, Judge of the Probate Court, and Custodian of the Records and Files of the same, in and for said Baldwin County, State of Alabama, do hereby certify that the foregoing is a true, correct and complete copy of an instrument of writing as the same appears of Record in Deed Record F. at pages 159 and 160, now on file in my office.

In Witness Whereof, I have hereunto set my hand and the seal of the Probate Court of Baldwin County, Alabama, this 7th day of September, A.D., 1942.

  
Judge of Probate.

This Indenture, made the tenth day of April in the year of our Lord one thousand eight hundred and fifty-four between Noah Harrington & Sphronia A. Harrington, his wife, of the County of Mobile and State of Alabama, of the first part and Joseph Nelson of the County of Baldwin and State aforesaid of the second part, Witnesseth, That the said party of the first part for and in consideration of the sum of Four Hundred and nine Dollars lawful money of the United States of America to them in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged and the said party of the second part, his heirs executors and administrators forever released and discharged from the same by these present, Hath granted, bargained, sold, aliened, remised, released, enfeoffed, conveyed and confirmed and by these presents do grant, bargain, sell, alien, remise, release, enfeoff, convey and confirm unto the said party of the second part, his heirs and assigns forever, All those certain lots or pieces of land situate, lying and being in the County of Baldwin and State of Alabama, being the Lots or Divisions two, three, four & five, west fractional section twenty-four in Township Seven South of Range Two East, in the Districts of Lands subject to sale at St. Stephens Alabama, containing three hundred & twenty-seven acres, and ten hundredths of an acre, according to the official plat of a survey of the said lands returned to the General Land Office by the Surveyor General.

Together with all and singular the tenements, hereditaments, rights, members, privileges and appurtenances, unto the above-mentioned and described premises belonging or in anywise appertaining. To have and to hold the above-granted and described premises with the appurtenances unto the said party of the second part, his heirs and assigns forever. And the said Noah Harrington, for himself and his heirs the above described and hereby granted and released premises and every part and parcel thereof, with the

hereditaments and appurtenances unto the said party of the second part, his heirs and assigns against the said party of the first part and his heirs and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

In witness whereof, the said parties of the first part have hereunto set their hand and seals the day and year first above written.

N. Harrington (L.S.)

S.A.Harrington (L.S.)

State of Alabama, |  
Mobile County. |

I, Joseph R. Eastburn, a Notary Public, commissioned and sworn hereby certify that Noah Harrington and Sophronia A. Harrington, whose names are signed to the within conveyance and who are known to me acknowledged before me this day that being informed of the contents of the within conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and Notarial Seal, this twelfth day of April, A.D., 1854.

J.R.Eastburn, Notary Public (L.S.)

Recd. for record and Recorded April 9<sup>th</sup> A.D. 1855,

Patrick Byrne, Judge.

The State of Alabama, |  
Baldwin County. | SS.

I, G.W.Robertson, Judge of the Probate Court, and Custodian of the Records and Files of the same, in and for Baldwin County, State of Alabama, do hereby certify that the foregoing is a true, correct and complete copy of an Instrument of Writing as the same appears of record in Deed Record F. at pages 514 and 515, now on file in the office of Judge of Probate of Baldwin County, Alabama.

Witness my hand and the seal of the Probate Court of Baldwin County, Alabama, this 7th day of September, A.D. 1942.

  
Judge of Probate.

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred. Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY

} Case No. ~~75~~<sup>44</sup>x 795.

CIRCUIT COURT  
Sept., Term, 194-2

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Charley Nelson. 1350 Kelleg St Mobile. ala.  
Jesse Nelson. c/o Charley St. Nelson. Same Address.  
if to be found in your County, at the instance of the Complainant.

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 10 o'clock of the forenoon, on the 9th day of Sept., 194-2

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein Ralph G Nelson, Plaintiff

and Marion S Adams. et al. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 31 day of August. 194-2

R. S. Deech Clerk

6/6

Mobile Co.

Linnville

Received in office this 3 day of

September

194 42

W. H. Holcombe

SHERIFF

I have executed this writ

by serving copies

to

Charley Nelson

Jose Nelson

ORIGINAL

No. 795.

Page

THE STATE OF ALABAMA

Baldwin County 9

CIRCUIT COURT

Ralph G Nelson.

Plaintiff

VS.

Marion S Adams. et al.

Defendant

CIVIL SUBPOENA

Issued this 31 day of

August.

194 2

W. H. Holcombe

SHERIFF

J. A. Linnville, Jr.

Randall

Clerk.

9-3-42

# The BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

**LEGAL NOTICE**

RALPH C. NELSON, Complainant,  
vs.  
MARION S. ADAMS, ET AL., Respon-  
dents.  
IN THE CIRCUIT OF BALDWIN  
COUNTY, ALABAMA, IN EQUITY,  
NO. 795.

It having been made to appear in the above cause by the affidavit of Hubert W. Hall, Solicitor of record and agent of Ralph G. Nelson, Complainant, in the above cause, that E. N. Rodgers is a resident of Baldwin County, Alabama; Marion S. Adams and Taylor-Lowenstein & Company are residents of Mobile County, Alabama; and Lee R. Courtright, Judy Ann Davis, Allen Grist, James R. Grist, James D. Tatam, Joel H. Tatam, Sarah I. Tatam, Miles Harry, Sarah A. Grist, Benjamin Grist, Sarah A. Forbes, David Gordon, John Morton, Alexander Morton, Noah Harrington, and S. M. Pickler, if they be living, or if they be dead, their heirs, devisees and grantees, are non-residents of the State of Alabama, their addresses being unknown, that the said Complainant owns in fee simple the following described lands in Baldwin County, Alabama, to-wit:

From the Southwest corner of Gov. Subdivision No. 3, in Fl. Sec. 24, Fl. T. 7 S. R. 2 E., run North 47 1/2 feet, to the North line of the Kornbeck tract for a point of beginning; thence run N 11 degrees E. 700 feet, more or less, up the North line of said Kornbeck tract to an iron stake on the Margin of Fish River; thence up the Margin of Fish River and Turkey Branch till Turkey Branch intersects the West line of aforesaid Gov. Subdiv. No. 3, thence South 700 feet, more or less, to the point of beginning. Lot contains Seven Acres and is in Government Subdivision No. 3, on the NE 1/4 of the NW 1/4 of Fl. Sec. 24, Fl. T. 7 S., R. 2 E. Also conveying all Riparian rights pertaining to same.

Having acquired the same by conveyance from Chas. A. Nelson and Jennie B. Nelson, husband and wife; that the title to said land stands on the records of the Probate Court of Baldwin County, Alabama, the county in which said land lies, in the names of the parties hereinabove named; that the Complainant and those through whom he claims by mesne conveyance have been in the actual possession of said lands for more than ten years next preceding the filing of this Bill of Complaint; and that the only parties known to have paid any taxes on said land during said period are Marion S. Adams and E. N. Rodgers.

IT IS THEREFORE ORDERED, and notice is hereby given that said Respondents, Marion S. Adams, E. N. Rodgers, Taylor-Lowenstein & Company, Lee R. Courtright, Judy Ann Davis, Allen Grist, James R. Grist, James D. Tatam, Joel H. Tatam, Sarah I. Tatam, Miles Harry, Sarah A. Grist, Benjamin Grist, Sarah A. Forbes, David Gordon, John Morton, Alexander Morton, Noah Harrington, and S. M. Pickler, if they be living, or if they be dead, their heirs, devisees and grantees, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon said lands herein described in Baldwin County, Alabama, or any part or parcel thereof, appear in this Court and plead, answer or demur to the Bill of Complaint in this cause filed, on or before the 16th day of February, 1942, and upon their having failed to do so at the expiration of thirty days from said date, a decree pro confesso be taken against them.

IT IS FURTHER ORDERED that this order and notice be published in the same newspaper published in Baldwin County, Alabama, for \_\_\_\_\_ weeks.

IN WITNESS WHEREOF, I, \_\_\_\_\_, Clerk of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal on this 12th day of January, 1942.

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

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY,

J. H. Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Ralph C. Nelson vs Marion S. Adams

### COST STATEMENT

663 WORDS @ 4 1/2 cents ..... \$29<sup>84</sup>

I hereby certify this is correct, due and unpaid (paid).

J. H. Faulkner  
Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication January 15, 1942 Vol. 52 No. 51

Date of 2nd publication " 22, 1942 Vol. 52 No. 52

Date of 3rd publication " 29, 1942 Vol. 52 No. 5B

Date of 4th publication Feb. 5, 1942 Vol. 53 No. 1

Subscribed and sworn before the undersigned this 6 day of Feb 1942

G. M. ...  
Notary Public, Baldwin County.  
J. H. Faulkner  
Publisher.

RALPH G. NELSON, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION S. ADAMS, ET AL, RESPONDENTS.

IN EQUITY. No. 795.

TO MARION S. ADAMS, E. N. RODGERS, TAYLOR-LOFFENSTEIN & CO., LEE R. COURTRIGHT, JUDY ANN DAVIS, ALLEN GRIST, JAMES A. GRIST, JAMES D. TATUM, JOEL W. TATUM, SARAH I. TATUM, MILES HARRY, SARA A. GRIST, BENJAMIN GRIST, SARA A. FORBES, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, NOAH HARRINGTON, S. M. PICKLER, THE UNKNOWN HEIRS OF LEE R. COURTRIGHT, JUDY ANN DAVIS, ALLEN GRIST, JAMES A. GRIST, JAMES D. TATUM, JOEL W. TATUM, SARAH I. TATUM, MILES HARRY, SARA A. GRIST, BENJAMIN GRIST, SARA A. FORBES, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, NOAH HARRINGTON, S. M. PICKLER:

You are hereby notified that the Complainant has moved for and obtained an order for the oral examination of:

Ralph G. Nelson	Magnolia Springs, Alabama
Harry H. Parker	Fairhope, Alabama
Charley Nelson	1350 Kellogg Street, Mobile, Ala.
Jessie Nelson	C/o Charley Nelson, Mobile, Ala.
J. M. Bishop	Barnwell, Alabama
Arthur Nelson	Barnwell, Alabama
Budreau Bishop	Barnwell, Alabama
Sam Williams	Barnwell, Alabama
Randolph Nelson	Barnwell, Alabama
Ralieg McKenzie	Barnwell, Alabama
Fred McKenzie	Fairhope, Alabama
Dewey Slocumb	Barnwell, Alabama
Norman Nelson	Baton Rouge, Louisiana,

witnesses for the Complainant, which said examination is to be held before the undersigned commissioner, at the Courthouse, Bay Minette, Alabama, on Wednesday, September 9, 1942, at 10:00 A. M.

Dated this 8<sup>th</sup> day of Aug, 1942.

*Francis Brantley*  
Commissioner.

-----  
RALPH G. NELSON,  
Complainant,  
vs  
MARION S. ADAMS, Et Al,  
Respondents.  
-----

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
NO. 795

We appear for Respondents Marion S. Adams and E. N. Rodgers, separately and severally, in the above styled cause, and reserve the right to demur, plead specially, or answer.

Dated this 30th day of April, 1942.

*McCormey, Lee, Turner & Rogers*  
*C. L. Johnston, Jr.*  
Solicitors for Respondents Marion S. Adams and E. N. Rodgers.



RALPH G. NELSON, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION S. ADAMS, ET AL, RESPONDENTS.

IN EQUITY. No. 795.

TO HONORABLE E. N. RODGERS, BAY MINETTE, ALABAMA:

TO HONORABLE MARION S. ADAMS, 301 WEST STREET, MOBILE, ALABAMA:

TO MESSRS. McCORVY, McLEOD, TURNER & ROGERS, SOLICITORS FOR MARION S. ADAMS AND E. N. RODGERS, MOBILE, ALABAMA:

TO HONORABLE C. A. L. JOHNSTONE, JR., SOLICITOR FOR E. N. RODGERS AND MARION S. ADAMS, MOBILE, ALABAMA:

Notice that the Complainant in the above entitled cause has this day filed an application to have examined orally, before Frances Brantley, as special commissioner, the following named witnesses:

Ralph G. Nelson	Magnolia Springs, Alabama
Harry H. Parker	Fairhope, Alabama
Charley Nelson	1350 Kellogg Street, Mobile, Alabama
Jessie Nelson	c/o Charley Nelson, 1350 Kellogg Street, Mobile, Ala.
J. M. Bishop	Barnwell, Alabama
Arthur Nelson	Barnwell, Alabama
Budreau Bishop	Barnwell, Alabama
Sam Williams	Barnwell, Alabama
Randolph Nelson	Barnwell, Alabama
Ralieg McKenzie	Barnwell, Alabama
Fred McKenzie	Fairhope, Alabama
Dewey Slocumb	Barnwell, Alabama
Norman Nelson	Baton Rouge, Louisiana

and further that an order has this day been made allowing the said examination of said witnesses as applied for, and that the examination will be had at Bay Minette, in Baldwin County, Alabama, on the 9th day of September, 1942, at 10:00 o'clock, A. M.

You may attend if you choose to do so.

Witness my hand this 24<sup>th</sup> day of August, 1942.

  
Register.

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred. Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY

} Case No. ~~2264~~ 795. }  
CIRCUIT COURT  
Sept. Term, 1942

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon ~~Ralph G Nelson, Magnolia Spgs, Harry Parker, Fairhope.~~  
~~J M Bishop, Arthur Nelson, Budreau Bishop, Sam Williams, Randolph Nelson, Raleigh Mc Kenzie.~~  
~~Fred McKenzie Dewey Sloumb, Barnwell, Ala. Complainant.~~  
if to be found in your County, at the instance of the \_\_\_\_\_

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by ~~10~~ o'clock of the forenoon, on the ~~9th~~ day of ~~September~~, 194 ~~2~~

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein ~~Ralph G Nelson,~~ Plaintiff

and ~~Marion S Adams et al.~~ Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this ~~31~~ day of ~~August~~, 194 ~~2~~

*R. Duck*

Clerk

RALPH G. NELSON, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION S. ADAMS, ET AL, RESPONDENTS.

IN EQUITY. No. 795.

Now comes the Complainant, by Beebe & Hall, Solicitors of record, and makes application to the Register of the Circuit Court of Baldwin County, Alabama, to issue a commission to take the testimony in said cause, on oral examination of the testimony of the following witnesses, viz:

Ralph G. Nelson	Magnolia Springs, Alabama
Harry H. Parker	Fairhope, Alabama
Charley Nelson	1350 Kellogg Street, Mobile, Alabama
Jessie Nelson	c/o Charley Nelson, 1350 Kellogg Street, Mobile, Ala.
J. M. Bishop	Barnwell, Alabama
Arthur Nelson	Barnwell, Alabama
Budreau Bishop	Barnwell, Alabama
Sam Williams	Barnwell, Alabama
Randolph Nelson	Barnwell, Alabama
Raliegh McKenzie	Barnwell, Alabama
Fred McKenzie	Fairhope, Alabama
Dewey Slocumb	Barnwell, Alabama
Norman Nelson	Baton Rouge, Louisiana

The Complainant suggests the name of Frances Brantley, who resides at Bay Minette, in Baldwin County, Alabama, as a suitable person to be appointed Commissioner to take the testimony of said witnesses.

This 24 day of August, 1942.

BEEBE & HALL

By: *Shubert*  
Solicitors for Complainant.

# CHANCERY EXECUTION

## BILL OF COST

No. **795**

**Ralph G. Nelson,**

Vs. **Marion S. Adams et al.**

Plaintiff  
Defendant

FEES OF REGISTER		Dollars	Cents	Brought Forward	Dollars	Cents
Filing each bill and other papers	\$ 10		90	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	12	25
Issuing each subpoena	50		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Issuing each copy thereof	40	1	20	Each notice sent by mail to creditor	15	
Entering each return thereof	15		15	Filing, receipting for and docketing each claim, etc.	25	
For each order of publication	1.00	1	00	For all entries on subpoena docket, etc.	50	
Issuing writ of injunction	1.50			For all entries on commission docket, etc.	50	
For each copy thereof	50			Making final record, per 100 words	15	
Entering each return thereof	15			Certified copy of decree	1	00
Issuing writ of attachment	1.00			Report of divorce to State Health Office	50	
Entering each return thereof	50	1	00	(Acts 1915)		
Docketing each case	1.00			<b>Total Fees of Register</b>		
Entering each appearance	25		50	FEES OF SHERIFF		
Issuing each decree pro confesso on per. ser.	1.00			Serving and returning subpoena on deft <b>Stuart</b>	\$1	50
Issuing each decree pro confesso on publication	1.00	1	00	Serving and returning subpoena for witness <b>13</b>	65	8 45
Each order appointing guardian	1.00			Levying attachment	3	00
Any other order by Register	50			Entering and returning same	25	
Issuing commission to take testimony	50		50	Selling property attached		
Receiving and filing	10			Impanelling Jury	75	
Endorsing each package	10			Executing writ of possession	2	50
Entering order submitting cause	50			Collecting execution for costs	1	50
Entering any other order of court	25			Serving and returning sci. fa., each	65	
Noting all testimony	50			Serving and returning notice	65	
Abstract of cause, etc.	1.00			Serving and returning writ of injunction	1	50
Entering each decree	75			Serving and returning writ of exeat	1	50
For every 100 words over 500	15			Taking and approving bonds, each	75	
Taking account, etc.	3.00			Collecting money on execution		
Taking testimony, etc.	15			Making deed	2	50
Each report, 500 words or less	2.50			Serving and returning application, etc.	1	00
For every 100 words over 500	15			Serving attachment, contempt of court	1	50
Amount claimed less than \$500, etc.	2.00			<b>Total Fees of Sheriff</b>		
Issuing each subpoena	25	3	25	RECAPITULATION		
Witness certificate, each	25	1	75	Register's Fees	18	55
Issuing execution, each	75			Sheriff's Fees	12	95
Entering each return	15			Commissioner's Fees	16	00
Taking and approving bond, each	1.00			Solicitor's Fees		
Making copy of bill, etc.	15			Witness Fees	44	00
Each notice not otherwise provided for	50		50	Guardian Ad Litem		
Each certificate or affidavit, with seal	50			Printer's Fees <b>Baldwin Times</b>	29	84
Each certificate or affidavit, no seal	25			Trial Tax	3	00
Hearing and passing on application, etc.	3.00			Recording <b>Dee pan</b> Probate Court	1	50
Each settlement with receiver, etc.	3.00			<b>Total</b>		
Examining each voucher of receiver, etc.	10				124	64
Examining each answer, etc.	3.00					
Recording resignation, etc.	75					
Entering each certificate to Supreme Court	50					
Taking questions and answers, etc.	25					
For all other ser. relating to such proceedings	1.00					
For services in proceeding to relieve minors, etc., same fees as in similar cases.						
Commission on sales, etc.: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.			1225			
Sub Total Carried Forward						

**THE STATE OF ALABAMA,**  
Baldwin County.

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

CIRCUIT COURT, IN EQUITY

TERM, 194 \_\_\_\_\_

To any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of \_\_\_\_\_

Defendant

you cause to be made, the sum of \_\_\_\_\_

Dollars,

which \_\_\_\_\_

Plaintiff

recovered of \_\_\_\_\_ on the \_\_\_\_\_

194 \_\_\_\_\_

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of \_\_\_\_\_

Dollars,

costs of suit, and have the same to render to the said \_\_\_\_\_ and make return of this Writ and the execution thereof, according to law.

Interest from \_\_\_\_\_ 194 \_\_\_\_\_ to date of collection.

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_ 194 \_\_\_\_\_

Register.

Received in office this 31st day of

August 1942

W.R. Stewart

SHERIFF

I have executed this writ

Returning in full

Baldwin

ORIGINAL

N795

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Ralph G. Nelson.

Plaintiff

VS.

Marion. S Adams. et al.

Defendant

CIVIL SUBPOENA

Issued this 31 day of

Aug.

1942

Roduck

Clerk.

W.R. Stewart

SHERIFF

Harry Pearson

**RECORDED**

RALPH G. NELSON, COMPLAINANT,

VS.

MARION S. ADAMS, ET AL, RESPONDENTS.

APPLICATION FOR ORAL EXAMINATION

*Filed July 27 1942*  
*Beebe & Hall*

BEEBE & HALL

RECORDED

RALPH G. NELSON, COMPLAINANT,

VS.

MARION S. ADAMS, ET AL, RESPONDENTS.

NOTICE OF TAKING TESTIMONY

9/10/1914

BEEBE & HALL

MOTION TO DISMISS

RALPH G. NELSON,	)	
	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
VS.	)	
	)	IN EQUITY
MARION S. ADAMS,	)	
	)	CASE NO. 795
Respondent.	)	

TO THE HONORABLE TELFAIR MASHBURN, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes now Your Movant, James E. Keith, Jr., acting by and through his attorney, Tolbert M. Brantley, and respectfully shows unto the Court as follows:

1.

That Ralph G. Nelson and Marion S. Adams are both dead and have been for more than 12 months.

2.

That the heirs of Ralph G. Nelson have failed to revive this suit.

3.

That the heirs of Marion S. Adams have failed to revive this suit.

4.

That this suit was filed in the Circuit Court of Baldwin County, Alabama, to quiet title on certain land described therein on the 12th day of January, 1942. No action has been taken in this matter since 1943.

5.

That Your Movant has filed a Bill to Quiet Title on land which may be the same land as is described in this suit,



and this suit is a bar to this proceedings.

Respectfully submitted,

WILTERS & BRANTLEY

BY: Tolbert M. Brantley  
Tolbert M. Brantley

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Tolbert M. Brantley, who is known to me and who being by me first duly sworn, deposes and says; That he has read the foregoing Motion to Dismiss and that the matters set out therein are true and correct to the best of his knowledge and belief.

Tolbert M. Brantley  
Tolbert M. Brantley

Sworn to and subscribed before me on this the 7th day of November, 1968.

FILED

NOV 7 1968

ALICE J. DUCK

CLERK REGISTER

Pamela B. Perkins  
Notary Public, Baldwin Co., Ala.

DECREE

Having read and understood the foregoing Verified Motion to Dismiss, the Court is of the opinion that the Movant is entitled to the relief he seeks therein.

It is therefore ORDERED, ADJUDGED and DECREED that this case be and the same is hereby dismissed for failure to revive the same within the time provided by law.

Telfair Mashburn  
Telfair Mashburn  
Circuit Judge

FILED

NOV 7 1968

ALICE J. DUCK

CLERK REGISTER

STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,  
IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, that you summon MARION S. ADAMS, E. N. RODGERS, LEE R. COURTRIGHT, JUDY ANN DAVIS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, NOAH HARRINGTON, S. M. PICKLER, ALLEN GRIST, JAMES R. GRIST, SARAH A. GRIST, BENJAMIN GRIST, JAMES D. TATUM, JOEL H. TATUM, SARAH I. TATUM, MILES HARRY, SARAH A. FORBES, TAYLOR-LOWENSTEIN & COMPANY, if they be living, and if dead, the unknown heirs and devisees of them, and each of them, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 RALPH G. NELSON against said above named, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondents 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, Register of the said Circuit Court, this 12<sup>th</sup> day of January, 1942.

  
Register.

RALPH G. NELSON, Complainant,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION S. ADAMS, ET AL, Respondents.

IN EQUITY. 795

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

Comes your Complainant, RALPH G. NELSON, and presents this his Bill of  
Complaint against the following described lands in Baldwin County, Alabama, to-wit:

From the Southwest corner of Gov. Subdivision No. 3, in Fl. Sec. 24, Fl. T. 7.S.R.2.E., run North 476 feet, to the North line of the Kornbeck tract for a point of beginning; thence run N 11 00' E 700 feet, more or less, up the North line of said Kornbeck tract to an iron stake on the Margin of Fish River; thence up the Margin of Fish River and Turkey Branch till Turkey Branch intersects the West line of aforesaid Gov. Subdiv. No. 3, thence South 700 feet, more or less, to the point of beginning. Lot contains Seven Acres and is in Government Subdivision No. 3, or the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Fl. Sec. 1 24, Fl. T. 7.S.R.2.E. Also conveying all Riparian rights pertaining to same,

and against Marion S. Adams, over twenty-one years of age and a resident of Mobile, Mobile County, Alabama; E. N. Rodgers, over twenty-one years of age and a resident of Bay Minette, Baldwin County, Alabama; Taylor-Lowenstein & Company, a partnership, residents of Mobile, Mobile County, Alabama; Lee R. Courtright, over twenty-one years of age, a non-resident of the State of Alabama, his address being unknown; Judy Ann Davis; Allen Grist; James R. Grist; James D. Tatum; Joel H. Tatum; Sarah I. Tatum; Miles Harry; Sarah A. Grist; Benjamin Grist; Sarah A. Forbes; David Gordon; John Morton; Alexander Morton; Noah Harrington; S. M. Pickler, and against each of them, separately and severally, and if either or any of them be dead, then against their, and each of their heirs, devisees and grantees, separately and severally, and against any and all other persons, firms, or corporations claiming any title to, interest in, lien or encumbrance upon the said lands or any part or parcel thereof, and respect-

fully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama; that he is the owner in fee simple and in the actual possession of said lands, in Baldwin County, Alabama, described as follows, to-wit:

From the Southwest corner of Gov. Subdivision No. 3, in Fl. Sec. 24, Fl. T. 7.S.R.2.E., run North 476 feet, to the North line of the Kornbeck tract for a point of beginning; thence run N 11 00' E 700 feet, more or less, up the North line of said Kornbeck tract to an iron stake on the Margin of Fish River; thence up the Margin of Fish River and Turkey Branch till Turkey Branch intersects the West line of aforesaid Gov. Subdiv. No. 3, thence South 700 feet, more or less, to the point of beginning. Lot contains Seven Acres and is in Government Subdivision No. 3, or the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Fl. Sec., 24, Fl. T. 7.S.R.2.E. Also conveying all Riparian rights pertaining to same;

2.

That no suit is pending to test the Complainant's title to, interest in, or his right to the possession of said lands;

3.

That the Complainant obtained title to said land by purchase from Chas. A. Nelson and Jennie B. Nelson, husband and wife, by deed dated October 16, 1941;

4.

That the title to said lands claimed by the Complainant stands upon the records in the Probate Court of Baldwin County, Alabama, in the names of Ralph G. Nelson, Marion S. Adams, E. N. Rodgers, Taylor-Lowenstein & Company, Lee R. Courtright, Judy Ann Davis, Allen Grist, (James R. Grist), (James D. Tatum) Joel H. Tatum, (Sarah I. Tatum, (Miles Harry, ) Sarah A. Grist, (Benjamin Grist), (Sarah A. Forbes), (David Gordon, ) (John Morton), (Alexander Morton), (Noah Harrington,) and S. M. Pickler;

5.

That the Complainant, and those through whom he claims by mesne conveyances have been in the actual possession of said lands for more than ten years next preceding the filing of this Bill of Complaint; and that the only persons who have at any time within ten years next preceding the filing of this Bill of Complaint paid any any taxes upon said lands were Marion S. Adams and E. N. Rodgers;

6.

That the only persons known by your Complainant to claim said lands or any part thereof, or any interest therein are: Ralph G. Nelson of Magnolia Springs, in Baldwin County, Alabama ; Marion S. Adams and Taylor-Lowenstein & Company of Mobile, Mobile County, Alabama; E. N. Rodgers of Bay Minette, Baldwin County, Alabama; and Lee R. Courtright; Judy Ann Davis; Allen Grist; James R. Grist; James D. Tatum; Joel H. Tatum; Sarah I. Tatum; Miles Harry; Sarah A. Grist; Benjamin Grist; Sarah A. Forbes; David Gordon; John Morton; Alexander Morton; Noah Harrington; S. M. Pickler;

that a diligent search and inquiry has been made from residents in the vicinity of said lands, from residents of Magnolia Springs and Fairhope, in Baldwin County, Alabama, and from the records at Bay Minette, the county seat of Baldwin County, Alabama, to ascertain the present addresses of said parties whose addresses are unknown, and whether or not they, or any of them, are dead, and if dead, the names, ages and addresses of their, and each of their, heirs, and they are unknown; that from such information obtainable, all are over twenty-one years of age and non-residents of the State of Alabama.

WHEREFORE, your Complainant prays that this Honorable Court will by appropriate process make the said Marion S. Adams, E. N. Rodgers, Taylor-Lowenstein & Company, Lee R. Courtright, Judy Ann Davis, Allen Grist, James R. Grist, James D. Tatum, Joel H. Tatum, Sarah I. Tatum, Miles Harry, Sarah A. Grist, Benjamin Grist, Sarah A. Forbes, David Gordon, John Morton, Alexander Morton, Noah Harrington, and S. M. Pickler, and each of them, and the unknown heirs, devisees, and grantees of them, if either or any of them should be dead, and any other person, firm or corporation claiming any right, title to, interest in, lien or encumbrance upon said lands, to-wit:

From the Southwest corner of Gov. subdivision No. 3, in Fl. Sec. 24, Fl. T. 7.S.R.2.E., run North 476 feet, to the North line of the Kornbeck tract for a point of beginning; thence run N 11 00' E 700 feet, more or less, up the North line of said Kornbeck tract to an iron stake on the Margin of Fish River; thence up the Margin of Fish River and Turkey Branch till Turkey Branch intersects the West line of aforesaid Gov. Subdiv. No. 3, thence South 700 feet, more or less, to the point of beginning. Lot contains Seven Acres and is in Government Subdivision No. 3, or the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Fl. Sec. 24, Fl. T. 7.S.R.2.E. Also conveying all Riparian rights pertaining to same,

or any part thereof, to be made parties respondent to this Bill of Complaint, and by appropriate process require them and each of them to, separately and severally, plead, answer or demur to the same, within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances, to the said lands and to each part and parcel thereof is vested in your Complainant, RALPH G. NELSON, as against Marion S. Adams, E. N. Rodgers, Taylor-Lowenstein & Company, Lee R. Courtright, Judy Ann Davis, Allen Grist, James R. Grist, James D. Tatum, Joel H. Tatum, Sarah I. Tatum, Sarah A. Grist, Benjamin Grist, Sarah A. Forbes, David Gordon, John Morton, Alexander Morton, Noah Harrington, Miles Harry, and S. M. Pickler, if they be living, and if dead, their and each of their unknown heirs, devisees and grantees, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said lands, or any part thereof, and that any and all doubts and disputes concerning the same be cleared up. And your Complainant prays for such other, further, different or general relief as in equity and good conscience shall seem mete and proper.

BEEBE & HALL,

By: Hubert M. Hall  
Solicitors for Complainant.

STATE OF ALABAMA,

BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared HUBERT M. HALL, who is known to me and who having been by me first duly sworn, deposes and says: That he is a member of the firm of Beebe & Hall, Solicitors of record, and agents of the Complainant, Ralph G. Nelson, and that the facts stated in the foregoing Bill of Complainant, from all information obtainable, are true, and from such information obtained, he verily believes and so states that the same are true.

Hubert M. Hall

Sworn to and subscribed before me on this the 12 day of January, 1942.

G. M. [Signature]  
Notary Public, Baldwin County,  
Alabama.

*R5 Puck*

Bay Minette, Ala., JAN 18 1942 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>F.P.</i>	<i>Ralph E Nelson - Marion S Adams &amp;c</i>				<i>130</i>

*Paid*  
*JAN 22 1942*  
*(Signature)*

RALPH G. NELSON, COMPLAINANT,

VS.

MARION S. ADAMS, ET AL, RESPONDENTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY. No. 796.

TO FRANCES BRANTLEY, COMMISSIONER:

You are required to give 50 day's notice of the time and place of taking the depositions of the within witnesses to Mr. E. N. Rodgers, Bay Minette, Alabama; Mr. Marion S. Adams, 301 West Street, Mobile, Alabama; Messrs. McCorvy, McLeod, Turner & Rogers, Solicitors for E. N. Rodgers and Marion S. Adams, Mobile, Alabama; and Honorable C. A. L. Johnstone, Jr., Solicitor for E. N. Rodgers and Marion S. Adams, Mobile, Alabama.

  
Register.

RALPH G. NELSON, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION S. ADAMS, ET AL, RESPONDENTS.

IN EQUITY. No. 795.

TO HONORABLE E. N. RODGERS, BAY MINETTE, ALABAMA:

TO HONORABLE MARION S. ADAMS, 301 WEST STREET, MOBILE, ALABAMA:

TO MESSRS. McCORVY, McLEOD, TURNER & ROGERS, SOLICITORS FOR MARION S. ADAMS AND E. N. RODGERS, MOBILE, ALABAMA:

TO HONORABLE C. A. L. JOHNSTONE, JR., SOLICITOR FOR E. N. RODGERS AND MARION S. ADAMS, MOBILE, ALABAMA:

Notice is hereby given you, and each of you, that I, as commissioner, duly appointed by the Register of the Circuit Court of Baldwin County, Alabama, will, on the 9th day of September, 1942, at 10:00 o'clock, A. M., in Bay Minette, Alabama, take the testimony, orally, of the witnesses hereinafter named on behalf of the Complainant:

Ralph G. Nelson  
Harry H. Parker  
Charley Nelson  
Jessie Nelson  
J. M. Bishop  
Arthur Bishop  
Budreau Bishop  
Sam Williams  
Randolph Nelson  
Raleigh McKenzie  
Fred McKenzie  
Dewey Slocumb  
Norman Nelson

Magnolia Springs, Alabama  
Fairhope, Alabama  
1350 Kellogg Street, Mobile, Alabama  
c/o Charley Nelson, 1350 Kellogg Street, Mobile, Ala.  
Barnwell, Alabama  
Barnwell, Alabama  
Barnwell, Alabama  
Barnwell, Alabama  
Barnwell, Alabama  
Barnwell, Alabama  
Barnwell, Alabama  
Fairhope, Alabama  
Barnwell, Alabama  
Baton Rouge, Louisiana

*Francis Brantley*  
\_\_\_\_\_  
Commissioner.



RALPH G. NELSON, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION S. ADAMS, ET AL, RESPONDENTS.

IN EQUITY. No. 795.

The Complainant in the above styled cause having this day filed his application in writing to have the testimony taken orally of:

Ralph G. Nelson	Magnolia Springs, Alabama
Harry H. Parker	Fairhope, Alabama
Charley Nelson	1350 Kellogg Street, Mobile, Alabama
Jessie Nelson	c/o Charley Nelson, 1350 Kellogg Street, Mobile, Ala.
J. M. Bishop	Barnwell, Alabama
Arthur Nelson	Barnwell, Alabama
Budreau Bishop	Barnwell, Alabama
Sam Williams	Barnwell, Alabama
Randolph Nelson	Barnwell, Alabama
Ralieg McKenzie	Barnwell, Alabama
Fred McKenzie	Fairhope, Alabama
Dewey Slocumb	Barnwell, Alabama
Norman Nelson	Baton Rouge, Louisiana

and said Complainant in said application nominating Frances Brantley to take such testimony, as provided by law, it is ordered by the Register that said witnesses be examined orally before said Commissioner, in Bay Minette, Baldwin County, Alabama, after 5 days notice of the time and place of taking the same has been given the Respondents by entry on the docket book of the Register.

Witness my hand this 27 day of August, 1942.

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

RECORDED

795 Pink  
45/10

RALPH G. NELSON, Complainant,

VS.

MARION S. ADAMS, ET AL.,  
Respondents.

*Miss Adams*

SUMMONS AND COMPLAINT.

*Sirney Lowenstein*

*Adams*

BEEBE & HALL, LAWYERS,  
Bay Minette, Alabama.

*Bill*  
*1/11/42*

Received 12 Day of Jan 1942 Received 12 Day of Jan 1942  
and on 15 Day of Jan 1942 and on 9 Day of Feb 1942  
I served a Copy of the within C & S I served a Copy of the within C & S  
on Marion S. Adams on Taylor-Lowenstein and Co.

by service on \_\_\_\_\_ by service on Sirney Lowenstein,  
one of the parties

W. H. HOLCOMBE, Sheriff  
By J. J. Flournoy D.S.

W. H. HOLCOMBE, S.  
By J. J. Flournoy

*Lowenstein Sirney*

RECORDED

RALPH G. NELSON, COMPLAINANT,

VS.

MARION S. ADAMS, ET AL, RESPONDENTS.

NOTICE OF TIME OF TAKING TESTIMONY  
BY COMMISSIONER

*Handwritten signature*

BEEBE & HALL

795-

RECORDED

RALPH G. NELSON, COMPLAINANT,

VS.

MARION S. ADAMS, ET AL, RESPONDENTS.

NOTICE TO COMMISSIONER

*9/10/02*

BEER & HALL

795

RECORDED

RALPH G. NELSON, COMPLAINANT,

VS.

MARION S. ADAMS, ET AL, RESPONDENTS.

ORDER OF REGISTER UPON APPLICATION  
FOR ORAL EXAMINATION

*Handwritten signature*