

845

J. S. GRUBBS, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

C. M. LEE, ET AL, RESPONDENTS.

IN EQUITY. No. _____

It having been made to appear in the above cause, by the affidavit of Hubert H. Hall, Solicitor of record and agent of J. S. GRUBBS, Complainant in the above cause, that D. J. LEE and C. M. LEE, if they be living, or if they be dead, their heirs, devisees and grantees, are non-residents of the State of Alabama, their last known address being Rustis, Florida; that the said Complainant owns in fee simple, the following described lands, in Baldwin County, Alabama, to-wit:

The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 28, Township 5 South, Range 4 East,

having acquired the same from G. W. Robertson, Judge of Probate, of Baldwin County, Alabama; that title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, the County in which said lands lie, in the names of J. S. GRUBBS, D. J. LEE, C. M. LEE, DR. H. W. JORDAN; that no person is known to have paid taxes upon said lands, or to have been in possession of said land, or any part thereof, within ten years next prior to the filing of this Bill of Complaint, except J. S. GRUBBS and those through whom he claims.

IT IS THEREFORE ORDERED and notice is hereby given that said Respondents, D. J. LEE and C. M. LEE and DR. H. W. JORDAN, if they be living, or if they be dead, their heirs, devisees, or 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 of parcel thereof, appear in this Court and plead, answer or demur to the Bill of Complaint in this cause filed, on or before the 22 day of August, 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 Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, R. S. DUCK, as Register, have hereunto set my hand and seal on this the 27 day of July, 1942.

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

REEBE & HALL,
Solicitors for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, in Equity, hereby certify that the above is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published at Bay Minette, Alabama, in the cause of J. S. GRUBBS, Complainant, Vs. C. M. LEE, Et Al, Respondents, and filed in the office of the Probate Judge of Baldwin County, Alabama, the County in which said lands lie in accordance with the provisions of the laws of the State of Alabama.

In witness whereof I have hereunto set my hand and seal of office on this the 23 day of July, 1942.

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

THIS DOCUMENT NOTICE
CORRECT COPY

E. J. ...

[Handwritten signatures and stamps]

[Handwritten signatures and stamps]

I, H. S. DUNCAN, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the above is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published at Bay Minette, Alabama, in the case of J. S. GRUBBS, Complainant, vs. C. M. LEE, et al. Respondents, and filed in the office of the Register of the Circuit Court of Baldwin County, Alabama, in which said case the provisions of the laws of the State of Alabama.

J. S. GRUBBS, COMPLAINANT, 47

VS. C. M. LEE, ET AL, RESPONDENTS.

D. J. Lee
Dr. H. W. Jordan

9-23-42

no notice to law and said you has returned even I for
 .S201
 Register of the Circuit Court of Baldwin County Alabama

COPY OF LIS PENDENS NOTICE.

STATE OF ALABAMA, BALDWIN COUNTY

JAN 12 1943

Filed *Les Pendens* Book 1 Page 29

Recorded in the following Privilege Books

Book 1 Page 29

Dead End

Mortgage

Judge of Probate

By

RS Duck
Bm

J. S. GUNBERG, COMPLAINANT,

VS.

THE SOUTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 26, TOWNSHIP 5 SOUTH, RANGE
4 EAST, IN BALDWIN COUNTY, ALABAMA, and
C. H. LEE and D. J. LEE, and the unknown
heirs, devisees, and grantees of C. H.
LEE and D. J. LEE, and any other person,
firm, or corporation claiming any right,
title to, interest in, or encumbrance on
said SOUTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 26, TOWNSHIP 5 SOUTH, RANGE
4 EAST, IN BALDWIN COUNTY, ALABAMA.
RESPONDENTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso, and proof as noted by the Register, and it appearing to the Court that the Complainant is the owner of, and in the possession of the said property, and that the title of the Complainant has been duly proven by legal and competent evidence, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Respondents, C. H. LEE and D. J. LEE, and the unknown heirs, devisees and grantees of C. H. LEE and D. J. LEE, have no estate, right, claim, interest, or encumbrance upon the following described lands or any part thereof, to-wit:

The southwest quarter of the southwest quarter of the southeast quarter of Section 26, Township 5 South, Range 4 East, of Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the full fee simple title to said lands, to-wit:

The southwest quarter of the southwest quarter of the southeast quarter of Section 26, Township 5 South, Range 4 East, in Baldwin County, Alabama,

is vested, absolutely, in the Complainant, J. S. GUNBERG.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, in the direct index in the name of C. H. LEE and D. J. LEE, and the unknown heirs, devisees and grantees of C. H. LEE and D. J. LEE, and in the indirect index in the name of J. S. GUNBERG.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register shall within thirty days of the rendition of this decree, file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama, for record, and that the cost

thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs of this cause for which execution may issue.

Done at Monroeville, Alabama, on this the 31st day of December, 1942.

H. W. HARE
Judge 21st Judicial Circuit of Alabama.

STATE OF ALABAMA
BALDWIN COUNTY

I, R. S. DECK, Clerk of Circuit Court of Baldwin County, Alabama, and Register in Chancery, hereby certify that the foregoing is a full, true, correct, and complete copy of the final decree rendered in the Circuit Court of Baldwin County, Alabama, in equity, on the 31 day of December, 1942, in the cause therein pending, entitled, J. S. GRUBBS, Complainant, Vs. THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 5 SOUTH, OF RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA, ET AL, Respondents, as the same appears of record in my office.

IN WITNESS WHEREOF I have hereunto set my hand and seal of office on this the 4th day of ~~December~~ January, 1943,

R. S. Deck
Clerk of Circuit Court of Baldwin County, Alabama, and Register in Chancery.

Handwritten notes and stamps: "18-31-42", "JANUARY 1943", "COMPLAINANT", "J. S. GRUBBS", "VS.", "THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 5 SOUTH, OF RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA, ET AL, Respondents", "DECK", "CLERK OF CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND REGISTER IN CHANCERY".

STATE OF ALABAMA, BALDWIN COUNTY

410P

Deed book 78 page 423-4

W. Roberts
Judge of Probate

RS Jack

40
u

CERTIFIED COPY OF FINAL DECREE

AND TOWN OF

12-31-42

5

COMPLAINANT,

RESPONDENTS

47

TO THE HONORABLE COURT OF PROBATE OF BALDWIN COUNTY, ALABAMA

That the within and foregoing copy of the original of the said decree is a true and correct copy of the original of the said decree as the same appears from the records of the Court of Probate of Baldwin County, Alabama.

Witness my hand and the seal of said Court at Baldwin County, Alabama, this 12th day of December, 1942.

W. Roberts, Judge of Probate

43

RECORDED IN BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

DEED BOOK 78 PAGE 423-4

THE STATE OF ALABAMA }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

J. S. GRUBBS

COMPLAINANT

VS.

C. M. LEE, ET AL

RESPONDENT

I, Frances Brantley

as Register and Commissioner

have called and caused to come before me

J. S. Grubbs and Bernie Waters

witnesses named in the Requirement for Oral Examination, on the 5th day of December

19 42, at the office of Beebe & Hall

in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said

J. S. Grubbs doth depose and say as follows:

My name is J. S. Grubbs. I am over twenty-one years of age and a resident of Robertsdale, in Baldwin County, Alabama. I am the owner in fee simple and in the acutal possession of the following described lands in Baldwin County, Alabama, to-wit: The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 26, Township 5 South, Range 4 East, and being the land described in the foregoing Bill of Complaint.

There is no suit pending to test my title to, interest in, or rights to the possession of said lands.

I obtained title to the said lands by purchase as follows: From G. W. Robertson, Judge of Probate of Baldwin County, Alabama, by deed dated October 5, 1937, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 63 NS, page 169. The original deed is hereto attached and marked Exhibit A.

The title to said lands owned by me stands upon the records of the Probate Court of Baldwin County, Alabama, in the names of J. S. Grubbs, D. J. Lee, C. M. Lee and Dr. H. W. Jordan.

No one has at any time within ten years next preceding the filing of the Bill of Complaint in this cause, paid any taxes upon or had any possession of said land or any part thereof, except the deponent.

The only person known by the Complainant to claim said lands or any part thereof or any interest therein are J. S. Grubbs, D. J. Lee, C. M. Lee and Dr. H. W. Jordan. The claim of Dr. H. W. Jordan is based on a mortgage from J. S. Grubbs and Gertrude Grubbs, his wife, dated July 21, 1935, and of record in the office of the Probate Judge of Baldwin County, in Mortgage Book 63, pages 418-9, which said mortgage has been paid in full. I have made and caused to be made a diligent search and inquiry from residents in the vicinity of said lands, and also in Robertsdale, in Baldwin County, Alabama, and from the records at Bay Minette, the County seat of Baldwin County, the county in which said lands lie, to ascertain the present addresses of D. J. Lee and C. M. Lee, but their addresses are unknown, and it is not known whether or not they, or either of them are dead, and if dead, the names and addresses of their, and each of their heirs are unknown. The last

ORAL EXAMINATION

I, Frances Brantley, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; 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.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 5th day of December, 1942.

Frances Brantley (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

J. S. GEUBBS, Complainant

Vs.

C. M. LEE, ET AL Respondent

ORAL DEPOSITION

Filed Dec 5, 1942

Robert Register

RECORDED IN _____ Record

Vol. _____ Page _____

Register _____

known address of D. J. Lee and C. M. Lee was Eustis, Florida. They are both over twenty-one years of age.

I have been living on and occupying the said land as a home and homestead for more than ten years before the filing of the Bill of Complaint in this cause. During said time no person has disputed any title or rights of possession to said land. My possession has been open to the world and I have also made it known that I claimed to own the said lands as against everybody. I was personally acquainted with D. J. Lee and C. M. Lee, who at one time lived at Seminole, in Baldwin County, Alabama, and later moved to the State of Florida. I know that they are not residents of the State of Alabama.

J. S. Grubbs

BERNIE WATERS, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Bernie Waters. I live at Robertsdale, in Baldwin County, Alabama. I am personally acquainted with J. S. Grubbs, the Complainant in the above cause. I know that J. S. Grubbs has been living on and occupying as a home the land described in the Bill of Complaint in this cause, and being the Southwest quarter of the Southwest quarter of the Southeast quarter of Section 26, Township 5 South, Range 4 East.

I was personally acquainted with C. M. Lee and have heard some of D. J. Lee. I know that both are over twenty-one years of age and non-residents of the State of Alabama. I know that for the past ten years or more neither C. M. Lee, D. J. Lee, nor any other person has attempted to dispossess J. S. Grubbs, nor as either of them made any claim to the title or rights of possession to said land. The possession of the said J. S. Grubbs has been open, and it is generally known that he claims the title to the said land and has been in the actual possession thereof.

Bernie Waters.

J. S. GRUBBS,
Complainant,
VS.
C. M. LEE, et al,
Respondents.

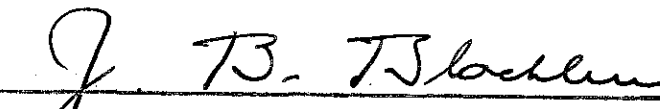
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER _____.

AMENDED ANSWER

Now comes Dr. H. W. Jordan, one of the Respondents named in the above entitled cause, and amends the Answer heretofore filed by him so that it shall read as follows:

1. The amount due the said Respondent on the mortgage heretofore given to him by the Complainant having been paid in full since the filing of Respondent's former Answer herein, the Respondent now disclaims any and all interest or title in and to the said property and consents and agrees that a Decree be rendered quieting title to it but with the understanding that no Court costs incurred in the said proceeding be taxed against him.

Having fully answered the Bill of Complaint, Respondent prays that he be discharged with his reasonable costs in this behalf expended.


Solicitor for the said Respondent.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon C. M. LEE, D. J. LEE and DR. H. W. JORDAN 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 J. S. GRUBBS against C. M. LEE, D. J. LEE and DR. H. W. JORDAN, 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 said Circuit Court, this the 24th day of July, 1942.


Register.

J. S. GRUBBS, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

C. M. LEE, ET AL, RESPONDENTS.

IN EQUITY.

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

Comes your Complainant, J. S. GRUBBS, and presents this his Bill of Complaint against the following described land in Baldwin County, Alabama, to-wit:

The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 26, Township 5 South, Range 4 East,

and against C. M. LEE and D. J. LEE, both over twenty-one years of age and non-residents of the State of Alabama; their last known address being Eustis, Florida; and DR. H. W. JORDAN, over twenty-one years of age, and a resident of Robertsdale, in Baldwin County, Alabama, 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 land, or any part or parcel thereof, and respectfully 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 resident of Robertsdale, in 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:

The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 26, Township 5 South, Range 4 East.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

J. S. GRUBBS, _____ Complainant

Vs.

C. M. LEE, ET AL _____ Defendants

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the _____ day of _____, 19 42, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 23 day of July 1942 and _____

And it now further appearing to the Register R. S. Duck that the said

C. M. LEE, ET AL

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register _____ R. S. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said _____ C. M. LEE, ET AL

This 16th day of November 19 42.

R. S. Duck

Register.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Frances Brantley

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine J. S. Grubbs, and Bernie Waters

as witnesses in behalf of J. S. Grubbs in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

J. S. GRUBBS Complainant

and

C. M. LEE, ET AL Defendant,

on oath to be by you administered, upon
to take and certify the deposition^s of the witness es and return the same to our Court, with all Convenient speed, under your hand.

Witness 4th day of December 19 42.

Raduch

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

J. S. GRUBBS,
 Complainant,
 VS.
 C. M. LEE, et al,
 Respondents.

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

ANSWER OF DR. H. W. JORDAN

Now comes Dr. H. W. Jordan, one of the Respondents named in the above entitled cause and for answer to the Bill of Complaint filed therein says:

1. This Respondent admits the allegations of paragraphs 1, 2, 3, 4, and 5 of the Bill of Complaint.

2. For further answer to the Bill of Complaint this Respondent alleges that on to-wit, July 29, 1935, J. S. Grubbs and Gertrude Grubbs, his wife, made, executed and delivered a mortgage to him bearing the said date, which was filed for record on July 29, 1935 and which is recorded in Book Number 65 of Mortgages at pages 48-19, Baldwin County Records; to secure an indebtedness of Fifty Dollars and interest thereon, which said obligation became due July 1, 1936, which said mortgage, together with the interest thereon is still due and unpaid except for the following credits on interest: October 13, 1936, \$1.00; October 26, 1936, \$2.00 and September 17, 1937, \$4.00.

3. Respondent further alleges that the said mortgage has been placed with J. B. Blackburn, Attorney at Law, Bay Minette, Alabama, for collection, and that there is now due the said principal, interest and attorney's fees. The said mortgage is in all respects a valid first mortgage on the property described in the Bill of Complaint.

4. This Respondent denies each and all of the allegations of the Bill of Complaint which have not been specifically answered herein.

J. S. GRUBBS, COMPLAINANT,
VS.
C. M. LEE, ET AL, RESPONDENTS.

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

Notice is hereby given that the Complainant will, on the 5th day of December, 1942, before Frances Brantley, as special commissioner, take the testimony, orally, of the following witnesses on behalf of the Complainant; J. S. Grubbs, and Bernie Waters, both of Robertsdale, in Baldwin County, Alabama.

Dated this the 23rd day of November, 1942.

BEEBE & HALL

By:

Hubert
Solicitors for Complainant.

J. S. GRUBBS, COMPLAINANT,

VS.

THE SOUTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 26, TOWNSHIP 5 SOUTH, OF RANGE
4 EAST, IN BALDWIN COUNTY, ALABAMA, and
C. M. LEE and D. J. LEE, and the unknown
heirs, devisees, and grantees of C. M.
LEE and D. J. LEE, and any other person,
firm, or corporation claiming any right,
title to, interest in, or encumbrance on
said SOUTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 26, TOWNSHIP 5 SOUTH, OF RANGE
4 EAST, IN BALDWIN COUNTY, ALABAMA,
RESPONDENTS.

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

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso, and proof as noted by the Register, and it appearing to the Court that the Complainant is the owner of, and in the possession of the said property, and that the title of the Complainant has been duly proven by legal and competent evidence, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Respondents, C. M. LEE and D. J. LEE, and the unknown heirs, devisees and grantees of C. M. LEE and D. J. LEE, have no estate, right, claim, interest, or encumbrance upon the following described lands or any part thereof, to-wit:

The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 26, Township 5 South, Range 4 East, of Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the full fee simple title to said lands, to-wit:

The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 26, Township 5 South, Range 4 East, in Baldwin County, Alabama,

is vested, absolutely, in the Complainant, J. S. GRUBBS.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, in the direct index in the names of C. M. LEE and D. J. LEE, and the unknown heirs, devisees and grantees of C. M. LEE and D. J. LEE, and in the indirect index in the name of J. S. GRUBBS.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register shall within thirty days of the rendition of this decree, file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama, for record, and that the cost

thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs of this cause for which execution may issue.

Done at Monroeville, Alabama, on this the 31st day of December, 1942.



Judge 21st Judicial Circuit of Alabama.

Miss M. 23 1912
C. C. C. C.
C. C. C. C.

Filed November 23, 1942.
W. H. ...

C. M. LEE, ET AL., RESPONDENTS.

VS.

J. S. GIBBS, COMPLAINANT.

Executed by serving a copy of the within Summons & Complaint
on Dr.H.W.Jordan.This the 1st day of August 1942

W.R.Stuart, Sheriff

BY B.F. Hucner
Deputy Sheriff

J. S. GRUBBS, COMPLAINANT,

VS.

C. M. LEE, ET AL, RESPONDENTS.

SUMMONS AND COMPLAINT

Filed 7-24-42

R.S. Leuchter
Register

RECORDED

845

[Faint handwritten notes]

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

J. S. GRUBBS,

Vs.

C. M. LEE, ET AL

Decree Pro Confesso of Publication

Issued Mar 12 1943

Roduck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

J. S. GRUBBS

Complainant

VS.

C. M. LEE, ET AL

Defendant s

Commission To Take Deposition

COMMISSIONER:

Witnesses:

842 RECORDED

ANSWER OF DR. H. W. JORDAN

J. S. GRUBBS,

Complainant,

VS.

C. M. LEE, et al,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER _____.

Filed Aug 20, 1942
R. S. Duck.

J. S. GRUBBS, COMPLAINANT,

VS.

C. M. LEE, ET AL, RESPONDENTS.

Filed November 23, 1942.

*Rodney
Chut-*

RECORDED

J. S. GRUBBS, COMPLAINANT,

VS.

C. M. LEE, ET AL, RESPONDENTS.

FINAL DECREE

Filed Jan 4 1949
D. Duck
Reg

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

_____ **J. S. GRUBBS,** _____ Complainant _____

Vs.

_____ **C. M. LEE, ET AL** _____ Defendants _____

Motion is hereby made for a Decree Pro Confesso against _____

_____ **C. M. LEE, ET AL** _____ Defendants _____

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 12th day of November, 19 42

746 Code

Beebe v Hall
by [Signature]

Solicitor.

No. _____

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

J. S. GRUBBS,

Complainant _____

Vs.

G. M. LEE, ET AL

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed Mar 12 1942

Pauluch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

J S Grubbs.

VS.

C M Leel et al.

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. and Testimony of J S Grubbs and Bernie Waters.

and in behalf of Defendant upon _____

R. Leel

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

J. S. GRUBBS, _____, Complainant

Vs.

C. M. LEE, ET AL _____, Defendant^s

To R. S. DUCK _____, Register

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by _____

BEERBE & HALL _____ Solicitors of record, now files with the Register of this

Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Beerbe & Hall

by H. H. ... Solicitor for Complainant.

RS Dicks

BAY MINETTE, ALA., JAN 4 - 1913 194

IN ACCOUNT WITH
G. W. ROBERTSON
JUDGE OF PROBATE, BALDWIN COUNTY

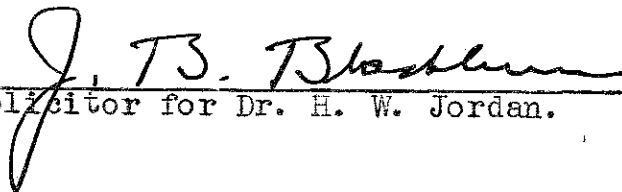
Please Return Bill With Remittance

Recording	from	to	Privilege Tax	Rec. Fee	Total
<i>Recd</i>	<i>J. J. Grubbs -</i>	<i>C. M. Lee</i>			<i>80</i>
<i>Paid</i> <i>JAN 1913</i> <i>GWR</i>					

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

Received from J. S. Grubbs, the Mortgagee named in that certain mortgage to Dr. H. W. Jordan dated July 29, 1935 and recorded in Book Number 63 of Mortgages at pages 418-19, Baldwin County Records, the sum of Seventy-three and 64/100 Dollars (\$73.64), being full amount due on the said mortgage, including interest and attorney's fee.

This 23rd day of December, 1942.


Solicitor for Dr. H. W. Jordan.

The BALDWIN TIMES

ALABAMA'S BEST COUNTY'S-

BEST NEWSPAPER

BAY MINETTE, ALABAMA

NOTICE TO NON-RESIDENTS

J. S. GRUBBS, Complainant, vs. C. M. LEE, ET AL, Respondents. In The Circuit Court of Baldwin County, Alabama, In Equity.

It having been made to appear in the above cause, by the affidavit of Hubert M. Hall, Solicitor of record and agent of J. S. Grubbs, Complainant in the above cause, that D. J. Lee and C. M. Lee, if they be living, or if they be dead, if their heirs, devisees and grantees, are non-residents of the State of Alabama, their last known address being Bustle, Florida; that the said Complainant owns in fee simple, the following described lands, in Baldwin County, Alabama, to wit:

The Southwest quarter of the Southeast quarter of the Southeast quarter of Section 25, Township 5 South, Range 4 East.

having acquired the same from G. W. Robertson, Judge of Probate of Baldwin County, Alabama; that title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, in the names of J. S. GRUBBS, D. J. LEE, C. M. LEE, DR. H. W. JORDAN, that no person is known to have paid taxes upon said lands, or to have been in possession of said land, or any part thereof, within ten years next prior to the filing of this Bill of Complaint, except J. S. GRUBBS and those through whom he claims.

IT IS THEREFORE ORDERED and notice is hereby given that said Respondents, D. J. LEE and C. M. LEE and DR. H. W. JORDAN, if they be living, or if they be dead, their heirs, devisees, or 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 of parcel thereof, appear in this Court and plead, answer or demur to the Bill of Complaint in this cause filed, on or before the 22 day of August, 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 Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, R. S. DUCK, as Register, have hereunto set my hand and seal on this the 23 day of July, 1942.

R. S. DUCK
Register of the Circuit Court of Baldwin County, Alabama.
BEEBE & HALL,
Solicitors for Complainant. 25-4t

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

J. S. Grubbs, Complainant

-vs-

C. M. Lee, Respondent

COST STATEMENT

431 WORDS @ 4 1/2 cents \$ 19.40

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 July 23, 1942 Vol. 53 No. 25

Date of 2nd publication " 30, 1942 Vol. 53 No. 26

Date of 3rd publication Aug. 6, 1942 Vol. 53 No. 27

Date of 4th publication " 13, 1942 Vol. 53 No. 28

Subscribed and sworn before the undersigned this 31 day of Aug. 1942

Hubert Robertson
Notary Public, Baldwin County.

J. H. Faulkner
Publisher.

The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

J. S. GRUBBS, COMPLAINANT,

Vs.

G. M. LEE, ET AL, RESPONDENTS.

**REQUEST FOR DECREE IN
VACATION**

Filed Dec 5, 1942

Pro Se
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

No. 845, _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

J S Grubbs.

VS.

C M Lee. et al.

NOTE OF TESTIMONY

Filed in Open Court this 28th
day of Dec. 194 2

R. D. Dyer

Register.

845

Filed Aug 31 192

Feb 23, 1942
C. D. Dyer
Dyer