

1049

LIS PENDENS NOTICE.

NOTICE IS HEREBY GIVEN: That on this day AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners doing business under the firm name of TAYLOR LOWENSTEIN & COMPANY, have filed in the Circuit Court of Baldwin County, Alabama--In Equity, their Bill of Complaint against the following lands, to-wit:

Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) and Southwest Quarter of Northeast Quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

and against the following named Defendants, viz:

Abe Paul Sr., residence unknown,
Unknown heirs of Abe Paul Sr., residence unknown;

Alex Bloch Dry Goods Company, a Corporation,
Mobile, Alabama;

Hampton D. Ewing, 405 Lexington Avenue, New York
City, New York;

Martin Bushman & Redding, a Partnership, resi-
dence unknown,
Unknown heirs of Martin, Bushman & Redding,
Residence unknown;

M. Barnard Kelly, residence unknown,
Unknown heirs of M. Barnard Kelly, residence un-
known;

Alfred R. Latham Jr., residence unknown,
Unknown heirs of Alfred R. Latham Jr., residence
unknown;

Henry Chadwick, residence unknown,
Unknown heirs of Henry Chadwick, residence un-
known;

E. S. Taylor, residence unknown,
Unknown heirs of E. S. Taylor, residence unknown;

Y. B. Shuler, residence unknown,
Unknown heirs of Y. B. Shuler, residence unknown;

Hilda Carlin, residence unknown,
Unknown heirs of Hilda Carlin, residence unknown;

Anna Carlin, residence unknown,
Unknown heirs of Anna Carlin, residence unknown;

(page two)

Keifer Brothers Company, a Corporation, New Orleans, Louisiana.

The prayer of said Bill is to have declared in the said Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, the title to the aforesaid lands, and the claims, interest, title, lien or encumbrance of all persons, whomsoever, to be declared a cloud upon the said Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, title to said lands and by the appropriate Decree to be removed therefrom.

Dated this 18th day of March, 1932.

Hybart, Henry & Chason
Solicitors for Complainants.

Filed Probate Cl. March 18, 1932
Recorded: Lis Pendens Book 1 page 121-2

AARON A. LOWENSTEIN, THOMAS J. TAY-
LOW, SIDNEY LOWENSTEIN, partners
doing business under the firm name
of TAYLOR LOWENSTEIN & COMPANY,

Complainants,

-vs-

NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 8, NW $\frac{1}{4}$ OF NE $\frac{1}{4}$
OF SECTION 9, SECTION 23, NW $\frac{1}{4}$ OF NE $\frac{1}{4}$
AND SW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 24, TOWN-
SHIP 1 NORTH OF RANGE 4 EAST; SE $\frac{1}{4}$
OF NE $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 4 SOUTH
OF RANGE 5 EAST; LOTS 4, 45, 50 OF HA-
WARD'S ADDITION TO THE TOWN OF PER-
DIDO, ALABAMA, SITUATED IN BALDWIN
COUNTY, ALABAMA; ABE PAUL SR., UNKNOWN
HEIRS OF ABE PAUL SR.; ALEX BLOCH DRY
GOODS COMPANY, a Corporation, HAMP-
TON D. EWING; MARTIN BUSHMAN & RED-
DING, a partnership, UNKNOWN HEIRS
OF MARTIN BUSHMAN & REDDING; M. BAR-
NARD KELLY; UNKNOWN HEIRS OF M. BAR-
NARD KELLY; ALFRED R. LATHAM JR., UN-
KNOWN HEIRS OF ALFRED R. LATHAM JR.;
HENRY CHADWICK; E. S. TAYLOR, UNKNOWN
HEIRS OF E. S. TAYLOR; UNKNOWN HEIRS
OF HENRY CHADWICK; Y. B. SHULER, UN-
KNOWN HEIRS OF Y. B. SHULER; HILDA
CARLIN; ANNA CARLIN; KEIFER BROTHERS
COMPANY, a Corporation,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

NOTICE IS HEREBY GIVEN to Abe Paul Sr., Unknown heirs of
Abe Paul Sr.; Alex Bloch Dry Goods Company, a Corporation, Hampton
D. Ewing; Martin, Bushman & Redding, a partnership, Unknown heirs
of Martin Bushman & Redding; M. Barnard Kelly; Unknown heirs of M.
Barnard Kelly; Alfred R. Latham Jr., Unknown heirs of Alfred R.
Latham Jr.; Henry Chadwick, Unknown heirs of Henry Chadwick; E. S.
Taylor, Unknown heirs of E. S. Taylor; Y. B. Shuler, Unknown heirs
of Y. B. Shuler; Hilda Carlin; Anna Carlin; Keifer Brothers Com-
pany, a Corporation, and to any and all persons, firms and cor-
porations who claim any title to, interest in, lien or encumbrance
upon the lands hereinafter described; that on the 18th day of
March, 1932, Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowen-
stein, partners doing business under the firm name of Taylor Low-
enstein & Company, filed in the Equity Side of the Circuit Court
of Baldwin County, Alabama, their Bill of Complaint against the
following lands in Baldwin County, Alabama, viz:-

Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) and Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

that said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainants to said lands, and for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same.

That the Complainants allege in their Bill of Complaint that the legal title to said lands stands on the records of Baldwin County, Alabama, in the name of Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company; that they claim title to said lands by and through the following Deeds and Instruments:- Mortgage Foreclosure Deed from Perdido Grocery Company, by H. C. Taylor, as Trustee, to Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, of date 13th day of July, 1931, and of record in Deed Book 51- N. S., page 550-1; Warranty Deed from Perdido Grocery Company, a Corporation, to Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor, Lowenstein & Company, and of date 5th day of February, 1932 and of record in Deed Book 51- N. S., page 545-6; and Complainants further allege in their Bill of Complaint that they are in the quiet and peaceable possession of said lands, claiming to own the same absolutely and in fee simple; that they and those under whom they claim have paid taxes on said lands and held the same under color of title for more than ten years next preceding the filing of this Bill of Complaint, and that during said time no one else has paid any taxes on said land or any part thereof.

(page three)

Witness my hand this 18th day of March, 1932.

D. W. Pickens

As Register of the Circuit Court-
Equity Side, State of Alabama,
Baldwin County.

HYBART HEARD & CHASON
Solicitors for Complainants.

The State of Alabama, }
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

WE COMMAND YOU, That you summon Hampton D. Ewing,

of _____ County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Taylor Lowenstein and Co,

against said _____
Hampton D. Ewing et al,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 18th day of March, 1932

T. W. Richerson Register.

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

The State of Alabama, }
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

WE COMMAND YOU, That you summon HAMPTON D. EWING, New York City,
New York,

of Kings County, to be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by
Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners
doing business under the firm name of Taylor, Lowenstein & Company,

against said Hampton D. Ewing, Et al.,

and further to do and perform what said Judge shall order and direct in that behalf. And this the
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 25th day of
March 193 2

Register.

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

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Abe Paul, Sr.,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Taylor Lowenstein and Company

against said Abe Paul, Sr.,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 18th day of March, 1938

T. W. Richerson Register

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

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon Abe Paul, Sr.,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Taylor Lowenstein and Company

against said

Abe Paul, Sr.,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 18th, day of

March, 193 2

T. W. Richerson

Register

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

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon

Alex Bloch, Drygoods Company

a corporation

of ~~Baldwin~~ Mobile County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Taylor Lowenstein & Co, &

against said

Alex Bloch Drygoods Company, a corporation

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 18th day of March, 1932

T. W. Richerson Register

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

AARON A. LOWENSTEIN, THOMAS J. TAY-
LOW, SIDNEY LOWENSTEIN, partners
doing business under the firm name
of TAYLOR LOWENSTEIN & COMPANY,

Complainants,

-vs-

NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SECTION 8, NW $\frac{1}{4}$ OF NE $\frac{1}{4}$
OF SECTION 9, SECTION 23, NW $\frac{1}{4}$ of NE $\frac{1}{4}$
AND SW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 24, TOWN-
SHIP 1 NORTH OF RANGE 4 EAST: SE $\frac{1}{4}$
OF NE $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 4 SOUTH
OF RANGE 5 EAST; LOTS 4, 45, 50 OF HA-
VARD'S ADDITION TO THE TOWN OF PER-
DIDO, ALABAMA, SITUATED IN BALDWIN
COUNTY, ALABAMA; ABE PAUL SR., UNKNOWN
HEIRS OF ABE PAUL SR; ALEX BLOCH DRY
GOODS COMPANY, a Corporation, HAMP-
TON D. EWING; MARTIN, BUSHMAN & RED-
DING, a partnership, UNKNOWN HEIRS
OF MARTIN BUSHMAN & REDDING; M. BAR-
NARD KELLY; UNKNOWN HEIRS OF M. BAR-
NARD KELLY; ALFRED R. LATHAM JR., UN-
KNOWN HEIRS OF ALFRED R. LATHAM JR.;
HENRY CHADWICK, UNKNOWN HEIRS OF HEN-
RY CHADWICK; E. S. TAYLOR, UNKNOWN
HEIRS OF E. S. TAYLOR; Y. B. SHULER,
UNKNOWN HEIRS OF Y. B. SHULER; HILDA
CARLIN; ANNA CARLIN; KEIFER BROTHERS
COMPANY, a Corporation,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

APPLICATION FOR ORAL EXAMINATION.

Comes Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, Complainants, by Hybart, Heard & Chason, as their Solicitors of Record, and make this, their application to the Register of this Court for an oral examination of the following witnesses for Complainants, said witnesses being citizens of and residing in the State of Alabama:

NAME OF WITNESS

RESIDENCE

Emanuel Davidson

Bay Minette, Alabama;

H. C. Taylor

Bay Minette, Alabama;

such examination to be taken before T. W. Richerson, Register of this Court.

Hybart, Heard & Chason
Solicitors for Complainants.

The foregoing Application coming on to be heard, it is

(page two)

granted and ordered that the oral examination of said witnesses be held at the office of the Register at the Courthouse, Bay Minette, Alabama, on the 27th day of June, 1932, at 2 o'clock in the afternoon; that notice thereof be given for ten days by an entry on the Order Book of the Register.

Dated this June 17th, 1932.


Register.

AARON A. LOWENSTEIN, THOMAS J. TAY-
LOR, SIDNEY LOWENSTEIN, partners
doing business under the firm name
of TAYLOR LOWENSTEIN & COMPANY,

Complainants,

-VS-

THE LANDS HEREIN DESCRIBED, ET
AL,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY


STATE OF ALABAMA

BALDWIN COUNTY.

REQUEST FOR A DECREE.

In this cause all parties defendant being in default, the evidence having been taken and the cause being ready for submission for final decree, and no defense having been interposed, the Complainants, by Hybart, Heard & Chason, as their Solicitors of Record, file this, their written request that the cause be submitted for final decree.

Dated this 29th day of June, 1932.


Solicitors for Complainants.

The above motion and request is hereby granted, and it is ordered that the Complainants make out their Note of Testimony and that upon the same being filed all papers in this cause be delivered to the Judge.

Dated this 29th day of June, 1932.


Register.

The State of Alabama, }
Baldwin County.

No. 1049..... CIRCUIT COURT, IN EQUITY

AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners
~~doing business as Taylor, Lowenstein & Company~~ Complainant.....

vs.

Certain Lands,
HAMPTON D. EWING & ALEX BLOCH DRYGOODS, a corp., *et al* Defendant.....

In this cause it appears to the REGISTER.....

that a Summons requiring the Defendant ~~s~~ HAMPTON D. EWING & ALEX BLOCH DRY GOODS
COMPANY, a corporation.....

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the
service of said Summons upon Hampton D. Ewing & Alex Bloch Drygoods Co., a corp
was served upon ~~them~~ by the Sheriff of Baldwin & Mobile County, Alabama, on the
26th day of March 19 32

And the said Defendant ~~s~~ having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of Hyhart, Heard & Chason.....

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 Hampton D. Ewing & Alex Bloch Drygoods Co., a corp

Defendant~~s~~ aforesaid.

This 20th day of June 19 32

D. Richardson
Register.

AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners doing business under the firm name of TAYLOR LOWENSTEIN & COMPANY,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED, ET AL,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

NOTE OF TESTIMONY.

The Complainants being called upon offer the following testimony and pray that the same be noted on the Note of Testimony in this cause:-

1st. Original Bill of Complaint as filed in this cause March 18th, 1932.

2nd. Original Notice of Pendency of Bill of Complaint in this cause.

3rd. Proof of Publication of the Notice of the Pendency of Bill of Complaint in the Baldwin Times.

4th. Lis Pendens Notice as filed in the Office of Judge of Probate on March 18th, 1932, and recorded in Lis Pendens Book No. 1, page 121 of the Probate Records of Baldwin County, Alabama.

5th. Application of Complainant for oral examination of Emanuel Davidson, a witness for Complainant, and H. C. Taylor, a witness for Complainant, and order granting said application as made by the Register on June 17th, 1932.

6th. Testimony of Emanuel Davidson, a witness for Complainant, taken orally before the Register on June 27th, 1932; Testimony of H. C. Taylor, a witness for Complainant, taken orally before the Register on June 27th, 1932.

7th. Request for Decree in Vacation as made by Solicitors for Complainant on June 29th, 1932, and Order of Register granting the same as made on June 29th, 1932.

I hereby certify that the foregoing Note of Testimony is correct.

Dated this June 29th, 1932.


Register.

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

R. B. Vail
Editor and Proprietor

NOTICE

In the Circuit Court - Equity Side, State of Alabama, Baldwin County.

Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, Complainants, vs.

NW 1/4 of NW 1/4 of Section 4, NW 1/4 of NE 1/4 of Section 9, Section 23, NW 1/4 of NE 1/4 and SW 1/4 of NE 1/4 of Section 24, Township 4 North of Range 4 East, SE 1/4 of NE 1/4 of Section 22, Township 4 South of Range 5 East, Lots 4, 45, 50 of Hayard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama; Abe Paul, Sr., unknown heirs of Abe Paul, Sr., Alex Bloch Dry Goods Company, a Corporation, Hampton, D. Ewing, Martin Bushman & Redding, a partnership, Unknown heirs of Martin Bushman & Redding, M. Barnard Kelly, Unknown heirs of M. Barnard Kelly, Alfred R. Latham, Jr., unknown heirs of Alfred R. Latham, Jr., Henry Chadwick, E. S. Taylor, unknown heirs of E. S. Taylor, unknown heirs of Henry Chadwick, Y. B. Shuler, unknown heirs of Y. B. Shuler, Hilda Carlin, Anna Carlin, Keifer Brothers Company, a corporation, Respondents.

NOTICE IS HEREBY GIVEN to Abe Paul, Sr., unknown heirs of Abe Paul, Sr., Alex Bloch Dry Goods Company, a corporation, Hampton, D. Ewing, Martin, Bushman & Redding, a partnership, unknown heirs of Martin Bushman & Redding, M. Barnard Kelly, unknown heirs of M. Barnard Kelly, Alfred R. Latham, Jr., unknown heirs of Alfred R. Latham, Jr., Henry Chadwick, Unknown heirs of Henry Chadwick, E. S. Taylor, Unknown heirs of E. S. Taylor, Y. B. Shuler, unknown heirs of Y. B. Shuler, Hilda Carlin, Anna Carlin, Keifer Brothers Company, a corporation, and to any and all persons, firms and corporations who claim any title to, interest in, use or encumbrance upon the lands hereinafter described, that on the 18th day of March, 1932, Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, their Bill of Complaint against the following lands in Baldwin County, Alabama, viz:

Northwest Quarter of Northwest Quarter (NW 1/4 of NW 1/4) of Section Eight (8), Northwest quarter of Northeast Quarter (NW 1/4 of NE 1/4) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter (NW 1/4 of NE 1/4) and Southwest Quarter of Northeast Quarter (SW 1/4 of NE 1/4) of Section Twenty-four (24), Township 4 North of Range 4 East, Baldwin County, Alabama.

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

R. B. Vail

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

Taylor Lowenstein & Co. vs

Certain Lands

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

<i>March 24</i>	<i>1932</i>	Vol. <i>43</i>	No. <i>8</i>
<i>March 31</i>	<i>1932</i>	Vol. <i>43</i>	No. <i>9</i>
<i>April 7</i>	<i>1932</i>	Vol. <i>43</i>	No. <i>10</i>
<i>April 14</i>	<i>1932</i>	Vol. <i>43</i>	No. <i>11</i>

the undersigned this 29 day of

Basan

R. B. Vail

Publisher

County, Ala.

\$ 38 61

... a Corporation, to Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor, Lowenstein & Company, and of date 5th day of February 1932.

DECREE PRO CONFESSO OF PUBLICATION

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
No. 1049... Vacation Term, 19232

AARON A. LOWENSTEIN, THOMAS J. TAYLOR; SIDNEY LOWENSTEIN, partners doing business as Taylor, Lowenstein & Company, Complainant...
vs. CERTAIN LANDS, Hampton D. Ewing, Et Al., Defendant...

In this cause it appears to the Register that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 24th day of March, 19232, 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 County, on the 24th day of March 19232, and

And it now further appearing to the Register T.W. RICHMOND, that the said

Abe Paul, Sr., Unknown Heirs of Abe Paul, Sr; Martin, Bushman & Redding, a partnership; Unknown heirs of Martin Bushman & Redding; M. Barnard Kelly; Unknown heirs of M. Barnard Kelly; Alfred R. Latham, Jr.; Unknown Heirs of Alfred R. Latham, Jr.; Henry Chadwick, Unknown heirs of Henry Chadwick; E. S. Taylor; Unknown Heirs of E. S. Taylor; Y. B. Shuler; unknown heirs of Y. B. Shuler; Hilda Carlin; Anna Carlin; Keifer Brothers Co., a corporation.

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

that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Abe Paul, Sr., Unknown heirs of Abe Paul, Sr., Unknown heirs of Martin, Bushman & Redding, a partnership; Unknown heirs of Martin, Bushman & Redding; M. Barnard Kelly; Unknown Heirs of M. Barnard Kelly; Alfred R. Latham; Unknown heirs of Alfred R. Latham, Jr; Henry Chadwick; Unknown heirs of Henry Chadwick; E. S. Taylor; Unknown heirs of E. S. Taylor; Y. B. Shuler; Unknown heirs of Y. B. Shuler; Hilda Carlin; Anna Carlin; Keifer Brothers Co., a corporation. This 20th day of June 19232.

T.W. Richardson Register.

The State of Alabama

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

AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY
LOWENSTEIN, partners doing business under
~~the firm name of TAYLOR LOWENSTEIN & COM-~~ COMPLAINANT
~~PANY,~~

VS.

CERTAIN LANDS, ABE PAUL SR., ET AL, RESPONDENT

I, T. W. Richerson,

as Register and Commissioner

have called and caused to come before me H. C. Taylor and Emanuel Davidson

witnesses named in the Requirement for Oral Examination, on the _____ day of June
19 32, at the office of the Register of the Circuit Court of Baldwin County,
in Bay Minette, Alabama, and having first sworn said witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said H. C. Taylor and
Emanuel Davidson doth depose and say as follows:

H. C. TAYLOR, A WITNESS FOR COMPLAINANT, BEING DULY SWORN TESTIFIED AS FOLLOWS:-

My name is H. C. Taylor. I am 42 years of age and a resident of Bay Minette, Baldwin County, Alabama, where I have resided all my life. I am personally and fully acquainted with the following described lands in Baldwin County, Alabama:-

Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) and Southwest Quarter of Northeast Quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

knowing all of the lines and corners of said property, and have known the same during all the time I have been a resident of Baldwin County, Alabama. During the past six years I have been employed by the firm of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and during this period of time have been in active charge of said lands, having had from time to time to ride over, inspect, deal with and otherwise care for said lands. Such duties have required that I be continually on or in the neighborhood of said lands and of every part and parcel thereof. I am also familiar with the various turpentine and timber operations carried on on said lands, and have been in active charge of such operations, and have had occasion at all times to know the conditions with respect to the possession thereof and the acts of ownership in connection therewith. On March 18th, 1932, Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, the Complainant in this cause, was in the actual peaceable possession of all of the lands above described, claiming title to said lands and to every part and parcel thereof absolutely and in fee simple, and I know of my own personal knowledge that said lands have not been claimed by any other person other than Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and their pre-

(page two)

decessors in title, nor is there anyone at the present time asserting any claim or right to said lands that I have ever heard of, and insofar as I know there is now no suit pending in any Court to test the title of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein as to their interest in or right to the possession of said land.

I have read over the paragraph of the Original Bill of Complaint in this cause filed which has been handed to me, and know that the title of Taylor Lowenstein & Company to all of said property is derived from the persons and sources as stated in Exhibits "A" and "B" to the Original Bill of Complaint.

Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and those through whom they claim title to said lands as stated in said paragraph have held color of title claimed and paid taxes on all of said lands during the whole period of ten or more consecutive years prior to the filing of the Bill of Complaint, and this without interruption; that no other person has paid any taxes thereon or had any possession of said lands or any part thereof, or is known to me to have claimed said lands or any part thereof during said period.

The title to all of the said lands above described stands upon the Records in the Probate Court of Baldwin County, Alabama, where the lands are situated, in the name of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein. I have personal knowledge of this by reason of having from time to time made the assessment for Taylor Lowenstein & Company.

I know that Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, has made and caused to be made searches and investigations both in person and through its agents, caretakers, attorneys and abstractors to ascertain all the facts with regard to all matters having to do with this title and as covered in the Bill of Complaint

(page two)

(page three)

in this cause; that it has had made record searches covering the Records of Baldwin County, Alabama, as are on file in the Offices of the Tax Assessor, Tax Collector, Clerk of the Circuit Court and Judge of Probate, and has had Abstracts of Title prepared covering all of said property by N. C. Stone, an Attorney at Law and Abstractor of Baldwin County, Alabama, that it has also had a Supplemental Abstract of said lands prepared by the said N. C. Stone covering all of said lands, and in turn has had an Opinion on Title rendered by the said N. C. Stone, after which the said N. C. Stone was employed to perfect the title; that said N. C. Stone was engaged for a period of more than two years in perfecting such title; that after his death the work still being uncompleted, the firm of Hybart, Heard & Chason was engaged to carry on and continue this work and that they have been engaged upon such work for a period of approximately a year; that all of said searches have covered a period of several years, and all parties have been most diligent in an effort to ascertain all facts relating to said lands and the parties having to do therewith.

All the individuals named as Defendants I did not personally know, and I do not now know whether they were living or dead on March 18th, 1932, nor their place of residence if living, nor, if dead, the names of their heirs at law, devisees, personal representatives or next of kin. I do know, however, as stated above, that none of these parties nor any persons, firms or corporations claiming under or through them have, during the past twenty years, at any time, been in the possession of or exercised any acts of ownership over said lands or any part thereof.

I have no interest in said lands and am in no wise concerned or affected with the outcome of this suit.

H. C. Taylor

EMANUEL DAVIDSON, A WITNESS FOR COMPLAINANT, BEING DULY SWORN TESTIFIED AS FOLLOWS:-

My name is Emanuel Davidson. I am 34 years of age and a resident of Bay Minette, Baldwin County, Alabama, where I have resided all my life. I am personally and intimately acquainted with the following described lands in Baldwin County, Alabama:-

Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) and Southwest Quarter of Northeast Quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

knowing all of the lines and corners of said property and having known the same during the time that I have been a resident of Baldwin County, Alabama. For some thirteen years I have been in the employ of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, who are now the owners of this land, and both before and since their acquisition of this title I have had occasion to and have viewed and inspected this land from time to time, and particularly since the acquisition of the title by Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor, and Sidney Lowenstein, and during all of my life have been more or less acquainted with this tract, and am in a position to speak with respect to possession and acts of ownership in connection therewith. On March 18th, 1932, Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, was in the actual, peaceable possession of all of the lands above described, claiming title to said lands and to every part thereof absolutely and in fee simple, and I know of my own personal knowledge that said lands have not been claimed by any other person other than Taylor Lowenstein & Company, a

(page two)

Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and their predecessors in title, nor is there anyone at the present time asserting any claim or right to said lands that I have ever heard of, and insofar as I know there is now no suit pending in any Court to test the title of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein as to their interest in or right to the possession of said land.

I have read over the paragraph of the Original Bill of Complaint in this cause filed which has been handed to me, and know that the title of Taylor Lowenstein & Company to all of said property is derived from the persons and sources as stated in Exhibits "A" and "B" to the Original Bill of Complaint.

Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and those through whom they claim title to said lands as stated in said paragraph have held color of title claimed and paid taxes on all of said lands during the whole period of ten or more consecutive years prior to the filing of the Bill of Complaint, and this without interruption; that no other person has paid any taxes thereon or had any possession of said lands or any part thereof, or is known to me to have claimed said lands or any part thereof during said period.

The title to all of the said lands above described stands upon the Records in the Probate Court of Baldwin County, Alabama, where the lands are situated, in the name of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein. I have personal knowledge of this by reason of having from time to time made the assessment for Taylor Lowenstein & Company.

I know that Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, has made and caused to be made searches and investigations both in person and through its agents, caretakers, attorneys and abstractors to ascertain all the facts with regard to all matters

(page two)

(page three)

having to do with this title and as covered in the Bill of Complaint in this cause; that it has had made record searches covering the Records of Baldwin County, Alabama, as are on file in the Offices of the Tax Assessor, Tax Collector, Clerk of the Circuit Court, and Judge of Probate, and has had Abstracts of Title prepared covering all of said property by N. C. Stone, an Attorney at Law and Abstractor of Baldwin County, Alabama, that it has also had a Supplemental Abstract of said lands prepared by the said N. C. Stone covering all of said lands, and in turn has had an Opinion on Title rendered by the said N. C. Stone, after which the said N. C. Stone was employed to perfect the title; that said N. C. Stone was engaged for a period of more than two years in perfecting such title; that after his death the work still being uncompleted, the firm of Hybart, Heard & Chason was engaged to carry on and continue this work and that they have been engaged upon such work for a period of approximately a year; that all of said searches have covered a period of several years, and all parties have been most diligent in an effort to ascertain all facts relating to said lands and the parties having to do therewith.

All the individuals named as Defendants I did not personally know, and I do not now know whether they were living or dead on March 18th, 1932, nor their place of residence if living, nor, if dead, the names of their heirs at law, devisees, personal representatives or next of kin. I do know, however, as stated above, that none of these parties nor any persons, firms or corporations claiming under or through them have, during the past twenty years, at any time, been in the possession of or exercised any acts of ownership over said lands or any part thereof.

I have no interest in said lands and am in no wise concerned or affected with the outcome of this suit.

Emanuel D. Quigley

AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners doing business under the firm name of TAYLOR LOWENSTEIN & COMPANY,

Complainants,

-vs-

NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 8, NW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 9, SECTION 23, NW $\frac{1}{4}$ OF NE $\frac{1}{4}$ AND SW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 24, TOWNSHIP 1 NORTH OF RANGE 4 EAST; SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 4 SOUTH OF RANGE 5 EAST; LOTS 4, 45, 50 of HAVARD'S ADDITION TO THE TOWN OF PERDIDO, ALABAMA, SITUATED IN BALDWIN COUNTY, ALABAMA; ABE PAUL SR., UNKNOWN HEIRS OF ABE PAUL SR; ALEX BLOCH DRY GOODS COMPANY, a Corporation, HAMP- TON D. EWING; MARTIN, BUSHMAN & REDDING, a partnership, UNKNOWN HEIRS OF MARTIN BUSHMAN & REDDING; M. BARNARD KELLY; UNKNOWN HEIRS OF M. BARNARD KELLY; ALFRED R. LATHAM JR., UNKNOWN HEIRS OF ALFRED R. LATHAM JR.; HENRY CHADWICK, UNKNOWN HEIRS OF HENRY CHADWICK; E. S. TAYLOR, UNKNOWN HEIRS OF E. S. TAYLOR; Y. B. SHULER, UNKNOWN HEIRS OF Y. B. SHULER; HILDA CARLIN; ANNA CARLIN; KEIFER BROTHERS COMPANY, a Corporation,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT OF ALABAMA:

Come your Complainants, Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, partners doing business under the firm name of Taylor, Lowenstein & Company, residents of the City of Mobile, State of Alabama, and who are all over the age of twenty-one years, and bring this, their Bill of Complaint against those certain tracts of land in the County of Baldwin, State of Alabama, described as follows:

Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) and Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama.

And Complainants further bring this Bill of Complaint

(page two)

against any and all persons claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof, and Complainants respectfully show unto your Honor as follows:

1st. That they are in the actual, peaceable possession of said tracts of land heretofore mentioned, claiming to own the same in their own right in fee simple.

2nd. That no suit is pending to test Complainants' title to, interest in, or their right to possession of said lands.

3rd. Complainants further show that they claim the entire fee simple title in and to said lands, having acquired the same as per attached copies of Deeds, which are made Exhibits "A" and "B" to this Bill of Complaint and are made a part of the same.

4th. Complainants further show that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, as shown by Exhibit "C" to this Bill of Complaint, which said Exhibit is made a part of the same. Complainants do not know the residences and addresses of any of the persons named in Exhibit "C" to this Bill of Complaint except Alex Bloch Dry Goods Company of Mobile, Alabama, and Hampton D. Ewing, 405 Lexington Avenue, New York City, New York; that the said Alex Bloch Dry Goods Company is a Corporation and the said Hampton D. Ewing is over the age of twenty-one years, nor do Complainants know if they or any of them be dead, and if so Complainants do not know the names and addresses of the heirs, devisees or grantees, and Complainant further shows unto your Honor that they have used such diligence in trying to ascertain these facts as is shown by Paragraph Seven of this Bill of Complaint.

5th. The Complainants further show unto your Honor that the individuals, firms and corporations as set forth in Exhibit "D" to this Bill of Complaint have assessed and paid the taxes on the aforesaid lands for and during the last ten years next preceding said Exhibit "D" being made a part of this Bill of Complaint.

(page two)

(page two)

against any and all persons claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof, and Complainants respectfully show unto your Honor as follows:

1st. That they are in the actual, peaceable possession of said tracts of land heretofore mentioned, claiming to own the same in their own right in fee simple.

2nd. That no suit is pending to test Complainants' title to, interest in, or their right to possession of said lands.

3rd. Complainants further show that they claim the entire fee simple title in and to said lands, having acquired the same as per attached copies of Deeds, which are made Exhibits "A" and "B" to this Bill of Complaint and are made a part of the same.

4th. Complainants further show that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, as shown by Exhibit "C" to this Bill of Complaint, which said Exhibit is made a part of the same. Complainants do not know the residences and addresses of any of the persons named in Exhibit "C" to this Bill of Complaint except Alex Bloch Dry Goods Company of Mobile, Alabama, and Hampton D. Ewing, 405 Lexington Avenue, New York City, New York; that the said Alex Bloch Dry Goods Company is a Corporation and the said Hampton D. Ewing is over the age of twenty-one years, nor do Complainants know if they or any of them be dead, and if so Complainants do not know the names and addresses of the heirs, devisees or grantees, and Complainant further shows unto your Honor that they have used such diligence in trying to ascertain these facts as is shown by Paragraph Seven of this Bill of Complaint.

5th. The Complainants further show unto your Honor that the individuals, firms and corporations as set forth in Exhibit "D" to this Bill of Complaint have assessed and paid the taxes on the aforesaid lands for and during the last ten years next preceding said Exhibit "D" being made a part of this Bill of Complaint.

(page two)

(page three)

6th. Complainants further show unto your Honor that they know of no one other than themselves who have been in the actual possession of said lands, and that no one is known to your Complainants to claim this land or any part thereof, or any interest therein, except the Complainants and those whose names are shown in Exhibit "E" to this Bill of Complaint, which Exhibit is hereto attached and made a part of the same, and Complainant calls upon the several persons, firms and corporations mentioned in Exhibit "E" to set forth and specify his, her or its title, claim, interest or encumbrance on said lands, and how and by what instrument or otherwise the same is derived and created.

7th. Complainants aver that they have made a diligent search and inquiry to ascertain the residences and addresses of all persons, firms and corporations hereinabove named, and whether or not any of them be dead and if dead to ascertain the names and addresses of the heirs, devisees, successors, assigns and grantees of such deceased persons; that in this investigation and inquiry Complainants have had a complete Abstract of Title of said real estate made from the records of Baldwin County, Alabama; that they have had diligent inquiries made in the neighborhood of said lands as to the ownership of same, the possession of same and the whereabouts of any and all persons who are interested in said lands, or may be interested in the same, who may claim any interest therein.

PRAYER FOR PROCESS.

To the end, therefore, that equity may be had in the premises, Complainants pray that your Honor will cause the usual writ of process to issue to the above named Respondents in the usual form, according to the practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time as required by law and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama, authorizing the quieting of title by a proceeding in rem.

(page three)

(page four)

PRAYER FOR RELIEF.

And Complainants further pray that upon a hearing of this cause your Honor will be pleased to establish Complainants' right or title to, and will decree the Complainants are the owners in fee simple of said lands above described, and that no other person, firm or corporation has any title to, or interest in, or lien or encumbrance upon said lands, or any part thereof, and that in said decree your Honor will direct in whose name it shall be indexed upon the Direct Index and in whose name it shall be indexed upon the Indirect Index of the Records thereof in the Probate Court of Baldwin County, Alabama, and that your Honor will order a certified copy of said Decree to be recorded in the Probate Court of Baldwin County, Alabama.

And Complainants further pray for all such other, further and different relief as in equity may seem just and meet, and Complainants will ever pray, etc.

Hybert Heard & Chason
Solicitors for Complainants.

FOOT-NOTE:

All persons claiming any title to, interest in, lien or encumbrance upon the property described in the foregoing Bill of Complaint, or any part thereof, are required to answer Paragraphs "1st" to "7th" of the foregoing Bill of Complaint, inclusive, but answer under oath is hereby expressly waived.

Hybert Heard & Chason
Solicitors for Complainants.

STATE OF ALABAMA,

BALDWIN COUNTY.

Personally appeared before me, John Chason, a Notary Public in and for said State and County, R. C. Heard, who, upon oath deposes and says that he is the Agent of the Complainants in the above cause, and duly authorized by them to make this oath, and that the facts stated in the foregoing Bill of Complaint upon knowledge are true; that he is informed as to the facts stated upon information and belief as therein stated, and verily believes

(page four)

(page five)

the same to be true.

Referred

Sworn to and subscribed before
me, a Notary Public whose seal
is hereto affixed, this 18th
day of March, 1932.

John Shaw
Notary Public, Baldwin County,
State of Alabama.

"Exhibit A"

STATE OF ALABAMA

BALDWIN COUNTY.

THIS INDENTURE made and entered into on this the 13th day of July, 1931, by and between HIRAM C. TAYLOR, as Trustee, by, John Chason, as Auctioneer conducting the sale, of the first part, and THOMAS J. TAYLOR, AARON A. LOWENSTEIN and SIDNEY LOWENSTEIN, partners composing the firm of TAYLOR, LOWENSTEIN & COMPANY, a co-partnership, of the second part, WITNESSETH:-,

THAT WHEREAS, on heretofore, to-wit, March 29th, 1928, the Perdido Grocery Company, a Corporation, made, executed and delivered to Hiram C. Taylor, as Trustee, that certain Deed of Trust conveying and covering, along with other, the property hereinafter described and conveyed by this instrument, which said Deed of Trust was and is duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Record Book No. 26 of Mortgages, pages 503-7;

AND WHEREAS, said Deed of Trust was made, executed and delivered in order to secure the indebtedness due to Taylor, Lowenstein & Company, a partnership composed of Thomas J. Taylor, Aaron A. Lowenstein and Sidney Lowenstein, all, of Mobile, Alabama, as evidenced by the notes, therein described, and such other and further advances of money, goods, wares, merchandise, machinery, equipments, tools and supplies as might from time to time, until said Deed of Trust was fully paid and satisfied, be purchased for, or furnished, delivered or supplied, to the said Perdido Grocery Company, a Corporation, by the said Taylor, Lowenstein & Company;

AND WHEREAS, it was and is provided for by and in said Deed of Trust that if default be made in the payment, of the notes described therein and secured thereby or any of them, or of said indebtedness, or any part thereof, or any subsequent indebtedness due by the said Perdido Grocery Company, a Corporation, and secured by said Deed of Trust, said Trustee or Taylor, Lowenstein & Company might take possession of said property described therein, or any part thereof, without notice of any kind and, after having given notice by advertisement once a week for four successive weeks

(page two).

of the time, place and terms of sale, in any newspaper published in the County of Baldwin, State of Alabama, sell any or all of, said property for cash, or for part cash and balance on credit, at public auction, either at the place where the same is situated or in front of the Court House of said County where the advertisement is published and the said Hiram C. Taylor, as Trustee, was and is authorized in and by said Deed of Trust to conduct any sale or sales made under the powers therein contained and to make deed to the purchasers and the said Taylor, Lowenstein & Company and the said Trustee, or any of them, were and are authorized to bid at sale, and become the purchaser of said property, or any part thereof, should they or either of them see fit to do so;

AND WHEREAS, default was made in the payment of the said notes described in and secured by said Deed of Trust, and said default continuing, the said Hiram C. Taylor, as Trustee, the party of the first part, hereinabove named, did take possession of the property hereinafter described and conveyed and, after having given notice by advertisement once a week for four successive weeks of the time, place and terms of sale, in, the Baldwin Times; a newspaper published in the County of Baldwin, State of Alabama, said advertisement appearing in the issues of June 11th, June 18th, June 25th and July 2nd, 1931, proceeded to and did sell the hereinafter described property, for cash, at public auction, in front of the Courthouse of Baldwin County, Alabama, being the County where the advertisement was published and the said Hiram C. Taylor, as Trustee, did conduct said sale under the powers contained in said Deed of Trust;

AND WHEREAS, at said sale the above named parties of the second part became the purchasers of the property hereinafter described, being a part of the property described in and covered by said Deed of Trust, at and for the sum of 3000⁰⁰ Dollars (\$ 3000⁰⁰) cash, that being the highest, best and last bid therefor;

AND WHEREAS, all of the above being done in strict conformity and in compliance with the powers and conditions contained

(page two)

(page three)

in said Deed of Trust and the said parties of the second part having this day paid to the party of the first part in cash the said sum of 3000⁰⁰ Dollars (\$3000⁰⁰), being the full amount of their bid;

NOW THEREFORE, the said party of the first part for and in consideration of the premises and of the said sum of 3000⁰⁰ Dollars (\$3000⁰⁰), to him cash in hand paid by the parties of second part, receipt whereof is hereby acknowledged, has and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY, unto the said parties of the second part, the following described real estate, to-wit:-

That certain piece or parcel of land in the Town of Perdido Station described as follows:- Commencing 50 feet from the center of the Louisville & Nashville Railroad and center of public road at public crossing in Perdido Station; thence running West 70 yards; thence South 70 yards; thence East 70 yards; thence North 70 yards along the right-of-way of the Louisville & Nashville Railroad to starting point, with all improvements thereon, containing one (1) acre more or less, and being a part of the Northwest Quarter of Section 36, in Township 1 North of Range 4 East;

That certain piece or parcel of land situated in the Town of Perdido Station described as follows: Commencing 50 feet from the center of the Louisville & Nashville Railroad track at Perdido Station on the East side of said Louisville & Nashville Railroad track and on the North side of public road, running from Perdido Station to Bay Minette, Alabama, and thence running East 160 yards along said public road; thence North 62 yards; thence West 160 yards to the right-of-way of the Louisville & Nashville Railroad; thence South 62 yards to the beginning of starting point, containing two (2) acres more or less and being a part of the Northwest Quarter of Section 36, in Township 1 North of Range 4 East, together with the warehouse, garage, filling station and dwelling house and other buildings located thereon;

All of Section 23, Township 1 North of Range 4 East, containing 640 acres, more or less;

The Southwest Quarter of the Northeast Quarter of Section 24 in Township 1 North of Range 4 East;

The Northwest Quarter of the Northwest Quarter of Section 8, and the Southeast Quarter of the Southwest Quarter of Section 7, Township 1 North of Range 4 East, containing 80 acres, more or less;

The Northwest Quarter of the Northeast Quarter of Section 9, Township 1 North of Range 4 East, containing 40 acres, more or less;

That certain piece or parcel of land described as follows: Beginning at the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 26, in Township 1 North of Range 4 East, and running thence South 110 yards to a stake; thence West 890 yards to a stake; thence North 110 yards to a stake; thence East 890 yards to place of begin-

(page three)

(page four)

ning' containing 20 acres' more or less;

All of Lots 4' 45 and 50 in Block 1 of H. Harvard Ad-
dition to the Town of Perdido' as per map recorded in
the office of the Probate Judge of Baldwin County' Ala-
bama' in Miscellaneous Record 1' page 283...(with other
lands and property);

The Southeast Quarter of Northeast Quarter of Section
22' Township 4 South of Range 5 East;

All of the above described lands lying and being in the
County of Baldwin' State of Alabama.

Together with' all and singular' the tenements' here-
ditaments' rights' members' privileges and appurtenances
thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD; unto the said parties of the second
part' their heirs and assigns' as fully and completely as the party
of the first part could or ought to convey the same under and by
virtue of the terms of said Deed of Trust and of the Statutes in
such cases made and provided,

IN WITNESS WHEREOF' the said Hiram C. Taylor' as Trustee'
By John Chason' as Auctioneer conducting the sale' aforesaid' here-
to sets his hand and affixes his seal on this the day and year
first above written.

HIRAM C. TAYLOR'
AS Trustee'

By John Chason SEAL
As Auctioneer conducting
the sale.

STATE OF ALABAMA'

BALDWIN COUNTY.

I' R. C. Heard a Notary Public in and
for said State and County' hereby certify that John Chason' whose
name as Auctioneer conducting the sale' is signed to the foregoing
conveyance and who is known to me' acknowledged before me on this
day that' being informed of the contents of the conveyance he' in
his capacity as Auctioneer conducting the sale' executed the same
voluntarily on the day the same bears date.

Given under my hand and seal this the 13th day of July'
1931.

(affix seal)

SEAL.

R. C. Heard
Notary Public' Baldwin County'
State of Alabama.

Filed March 8th 1932
Deed Book 51 715 pp 50-2

EXHIBIT "B".

"STATE OF ALABAMA.

BALDWIN COUNTY.

THIS INDENTURE, made and entered into on this the 5th day of February, 1932, by and between the PERDIDO GROCERY COMPANY, a Corporation, of the first part, and AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners doing business under the firm name of TAYLOR LOWENSTEIN & COMPANY, of the second part, WITNESSETH:— That for and in consideration of the sum of \$1000.00 Dollars (\$1000.00) to party of the first part this day cash in hand paid by party of the second part, receipt whereof is hereby acknowledged, party of the first part has and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the party of the second part all that certain real property lying and being situate in the County of Baldwin and State of Alabama, to-wit:

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Seven (7), Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Eight (8); Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Nine (9); Southwest Quarter of Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Eighteen (18); all of Section Twenty-three (23); Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-four (24); Beginning at the Northeast corner of the Northeast Quarter of the Northeast Quarter (NE Cor. of NE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-six (26), Township One (1) North of Range Four (4) East; thence South 110 yards to a stake; thence West 880 yards to a stake; thence North 110 yards to a stake; thence East 880 yards to place of beginning; Lots 17 and 27 of the Greenwood Survey of Section Thirty-six (36), Township One (1) North of Range Four (4) East, as per plat thereof recorded in Map Book 1, page 4 of the Baldwin County Records; Lots 4, 45 and 50 of the Havard Addition to Perdido as per plat thereof recorded in Miscellaneous Record No. 1, page 288.

All of the above in Township One (1) North of Range (4) East.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said party of the second part, its successors and assigns, FOREVER. And the party of the first part, for itself, its successors and assigns, hereby covenant and warrants with and unto the party of the second part, its successors and assigns, that it is seized of an indefeasible estate in fee simple in and to said property; that the same are free from all liens and encumbrances; that it has a good right to sell and convey the same as herein conveyed; that it will guarantee the peaceable possession thereof, and that it will, and its successors shall, forever warrant and defend the title to the same unto the said party of the second part, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Perdido Grocery Company, a corporation, causes these presents to be executed by J. S. Havard, as its President, attested by W. H. Havard, as its Secretary, both being hereunto duly authorized, and its corporate seal to be here affixed, on this the day and year first above written.

AARON A. LOWENSTEIN, THOMAS J.
TAYLOR, SIDNEY LOWENSTEIN, part-
ners doing business under the
firm name of TAYLOR LOWENSTEIN
& COMPANY,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED, ET
AL,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

FINAL DECREE.

This cause coming on to be heard is submitted for Final Decree on Original Bill of Complaint as filed in this cause March 18th, 1932; Original Notice of Pendency of Bill of Complaint in this cause; Proof of Publication of the Notice of the Pendency of Bill of Complaint in the Baldwin Times; Lis Pendens Notice as filed in the Office of Judge of Probate on March 18th, 1932, and recorded in Lis Pendens Book No. 1, page 121 of the Probate Records of Baldwin County, Alabama; Application of Complainant for oral examination of Emanuel Davidson, a witness for Complainant, and H. C. Taylor, a witness for Complainant, and order granting said application as made by the Register on June 17th, 1932; Testimony of Emanuel Davidson, a witness for Complainant, taken orally before the Register on June 27th, 1932; Testimony of H. C. Taylor, a witness for Complainant, taken orally before the Register on June 27th, 1932; Request for Decree in Vacation as made by Solicitors for Complainant on June 29th, 1932, and Order of Register granting the same as made on June 29th, 1932, and thereupon the Court ascertains and decrees that this cause is at issue.

Upon consideration of said cause it is made to appear, and the Court hereby ascertains, that each of the Complainants was, at the time of the filing of the Bill of Complaint, over the age of twenty-one years and were, at the time of the filing of the Bill of Complaint, and are at this time in the actual, peaceable possession, claiming to own in their own right the following described lands in Baldwin County, Alabama, viz:-

(page two)

Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) and Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

claiming title thereto absolutely and in fee simple, their title being derived from the persons and sources as set out in Exhibits "A" and "B" to the Original Bill of Complaint; that at the time of the filing of said Bill of Complaint and at this time, no suit was or is pending to test Complainant's title to, interest in, or right to the possession of said lands, and Complainants and those through whom they claim title, as stated in said Bill of Complaint, have held color of title to, claimed, and have been in the actual, adverse possession of all of said lands above described during the whole period of ten or more consecutive years next preceding the filing of the Bill of Complaint, and without interruption; that no person, firm or corporation other than the Complainants and those through whom they claim, has paid any taxes thereon or been in possession of said lands or any part thereof at any time during said period; that Complainants have exercised, and up to and at the time of the filing of the Original Bill of Complaint in this cause had exercised diligence to ascertain the facts with regard to the matters and things referred to in and covered by said Original Bill of Complaint, and which were not known to Complainants.

It is further made to appear to the satisfaction of, and it is hereby ascertained by the Court that the title to the property described in the Bill of Complaint has been by the Complainants duly proven to be in them, and that the Complainants are entitled to the relief prayed for in said Bill.

IT IS NOW, THEREFORE, HEREBY CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the Complainants have judgment as prayed for in their Bill of Complaint;

That the Complainants, Thomas J. Taylor, Aaron A. Lowen-

(page two)

(page three)

stein and Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, are the true and lawful owners in fee simple of the following described property in Baldwin County, Alabama, being the property included in and covered by the Bill of Complaint in this cause, viz:-

Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) and Southwest Quarter of Northeast Quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

That the absolute fee simple title to said lands, and to every part thereof is in the Complainants, Thomas J. Taylor, Aaron A. Lowenstein and Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company, free and clear of the claim or claims of any and all persons, firms or corporations claiming any title to, interest in, or lien or encumbrance on said lands, or any part thereof, all as set out in the Original Bill of Complaint; that the Complainants have and hereby are given judgment against said lands, and against any and all persons, firms or corporations claiming any title to, interest in or lien or encumbrance on said lands or any part thereof, and that the claims and liens of any persons, firms or corporations claiming any title to, interest in or lien or encumbrance on said lands or any part thereof are hereby adjudged and decreed to be invalid, groundless, and of no effect, Complainants' title thereto being hereby created against all such persons, firms or corporations;

That a certified copy of this Decree be by the Register, within thirty days from the rendition hereof, filed in the Office of the Judge of Probate of Baldwin County, Alabama, and the expenses thereof be taxed as a part of the costs of this cause;

That the Judge of Probate of Baldwin County, Alabama, shall record such certified copy of this Decree in the same Book

(page three)

(page four)

and manner in which Deeds are recorded, and shall index the same in the name of Abe Paul Sr.; Unknown heirs of Abe Paul Sr.; Alex Bloch Dry Goods Company, a Corporation; Hampton D. Ewing; Martin, Bushman & Redding, a Partnership; Unknown heirs of Martin, Bushman & Redding; M. Barnard Kelly; Unknown heirs of M. Barnard Kelly; Alfred R. Latham Jr.; Unknown heirs of Alfred R. Latham Jr.; Henry Chadwick; Unknown heirs of Henry Chadwick; E. S. Taylor; Unknown heirs of E. S. Taylor; Y. B. Shuler; Unknown heirs of Y. B. Shuler; Hilda Carlin; Anna Carlin and Keifer Brothers Company, a Corporation, in the Direct Index, and shall index the same in the name of Thomas J. Taylor, Aaron A. Lowenstein and Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company in the Indirect Index of the Records thereof; that the title hereby decreed to be in the Complainant shall enure to the benefit of all persons who derive title to said lands or any interest thereon from or through the Complainants, Thomas J. Taylor, Aaron A. Lowenstein and Sidney Lowenstein, partners doing business under the firm name of Taylor Lowenstein & Company;

That the Complainants be taxed with the costs of this cause, for which let execution issue.

Done this 16th day of July, 1932.

F. W. Hare

Judge of the Twenty-first Judicial Circuit of the State of Alabama.

*Certified Copy Filed for record in Probate Ct.
July 22, 1932
Recorded: L. S. PARDENS BK. 1 pages 123-4.*

EXHIBIT "B".

"STATE OF ALABAMA.

BALDWIN COUNTY.

THIS INDENTURE, made and entered into on this the 5th day of February, 1932, by and between the PERDIDO GROCERY COMPANY, a Corporation, of the first part, and AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners doing business under the firm name of TAYLOR LOWENSTEIN & COMPANY, of the second part, WITNESSETH:- That for and in consideration of the sum of \$1000.00 Dollars (\$1000.00) to party of the first part this day cash in hand paid by party of the second part, receipt whereof is hereby acknowledged, party of the first part has and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the party of the second part all that certain real property lying and being situate in the County of Baldwin and State of Alabama, to-wit:

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Seven (7), Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Eight (8); Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Nine (9); Southwest Quarter of Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Eighteen (18); all of Section Twenty-three (23); Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-four (24); Beginning at the Northeast corner of the Northeast Quarter of the Northeast Quarter (NE Cor. of NE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-six (26), Township One (1) North of Range Four (4) East; thence South 110 yards to a stake; thence West 880 yards to a stake, thence North 110 yards to a stake, thence East 880 yards to place of beginning; Lots 17 and 27 of the Greenwood Survey of Section Thirty-six (36), Township One (1) North of Range Four (4) East, as per plat thereof recorded in Map Book 1, page 4 of the Baldwin County Records; Lots 4, 45 and 50 of the Havard Addition to Perdido as per plat thereof recorded in Miscellaneous Record No. 1, page 288.

All of the above in Township One (1) North of Range (4) East.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said party of the second part, its successors and assigns, FOREVER. And the party of the first part, for itself, its successors and assigns, hereby covenants and warrants with and unto the party of the second part, its successors and assigns, that it is seized of an indefeasible estate in fee simple in and to said property; that the same are free from all liens and encumbrances; that it has a good right to sell and convey the same as herein conveyed; that it will guarantee the peaceable possession thereof, and that it will, and its successors shall, forever warrant and defend the title to the same unto the said party of the second part, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Perdido Grocery Company, a corporation, causes these presents to be executed by J. S. Havard, as its President, attested by W. H. Havard, as its Secretary, both being hereunto duly authorized, and its corporate seal to be hereto affixed, on this the day and year first above written.

(page two)

PERDIDO GROCERY COMPANY,
A Corporation

By J. S. Havard SEAL)
As its President.

ATTEST:
W. H. Havard Seal
As its Secretary.

(CORP. SEAL)

STATE OF ALABAMA,

BALDWIN COUNTY.

I, Edgar R. Camp, a Notary Public in and for said County in said State, hereby certify that J. S. Havard and W. H. Havard, whose names as President and Secretary, respectively, of the Perdido Grocery Company, a corporation, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they as such officers and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and Notarial Seal hereto affixed by me, on this the 5th day of February, 1932.

Edgar R. Camp
Notary Public, Baldwin County,
State of Alabama. "

(SEAL)

Filed for record March 5th, 1932,
Recorded Deed Book No. 51 N. S.,
pages 545-6.

EXHIBIT "C".

As to the Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Eight (8), Township One (1) North of Range Four (4) East, Abe Paul Sr., and Keifer Brothers Company;

As to the Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Nine (9), Township One (1) North of Range Four (4) East, Alex Bloch Dry Goods Company, and Keifer Brothers Company;

As to Section Twenty-three (23), Township One (1) North of Range Four (4) East, Hampton D. Ewing, and Keifer Brothers Company;

As to the Southeast Quarter of Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East, Hilda Carlin, Anna Carlin, and Keifer Brothers Company;

As to Lots 4, 45, 50, M. Barnard Kelly, Alfred R. Latham Jr., Henry Chadwick, and Keifer Brothers Company.

EXHIBIT "D".

1931: Tax Book 1, page 129, Beat 5, Perdido and Lottie, Assessment No. 479. Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, Tp. 1 N. R. 4 E., NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 9, Tp. 1 N. R. 4 E., All Section 23, Tp. 1 N. R. 4 E., SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Tp. 1 N. R. 4 E., SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 4, 45, 50, Block 2, Havard's Addition to Perdido (with other land) Not marked paid.

1930: Tax Book 1, page 117, Beat 5, Perdido and Lottie, Assessment No. 238. Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, Tp. 1 N. R. 4 E., NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 9, Tp. 1 N. R. 4 E., All Section 23, Tp. 1 N. R. 4 E., SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Tp. 1 N. R. 4 E., SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 4, 45, 50, Block 2, Havard's Addition to Perdido (with other land) Marked.....PAID.

1929: Tax Book 1, page 136, Beat 5, Perdido and Lottie. Assessment No. 477. Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Tp. 1 N. R. 4 E.; SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E.; Lots 5, 45, 50, Block 2, Havard's Addition (with other land) Marked.....PAID.

1928: Tax Book 1, page 120, Beat 5, Perdido and Lottie. Assessment No. 238. Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Tp. 1 N. R. 4 E.; SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 5, 45, 50, Block 2, Havard's Addition (with other land) Marked.....PAID.

1927: Tax Book 1, page 141, Beat 5, Perdido and Lottie. Assessment No. 470. Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Tp. 1 N. R. 4 E., SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 5, 45, 50, Block 2, Havard's Addition (with other land) Marked.....PAID.

1926: Tax Book 1, page 142, Beat 5, Perdido and Lottie. Assessment No. 518. Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Tp. 1 N. R. 4 E., SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 5, 45, 50, Block 2, Havard's Addition (with other land) Marked.....PAID.

1925: Tax Book 1, page 142, Beat 5, Perdido and Lottie. Assessment No. 492. Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Tp. 1 N. R. 4 E., SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 5, 45, 50, Block 2, Havard's Addition (with other land) Marked.....PAID.

1924: Tax Book 1, page 141, Beat 5, Perdido and Lottie. Assessment No. 513, Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, All Township 1 N. R. 4 E.; SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 4, 45, 50, Block 2, Havard's Addition to Perdido (with other land) Marked.....PAID.

1923: Tax Book 1, page 129, Beat 5, Perdido and Lottie. Assessment No. 206, Assessed to Perdido Grocery Company. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, All Township 1 N. R. 4 E., SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Tp. 4 S. R. 5 E., Lots 4, 45, 50, Block 2, Havard's Addition to Perdido (with other land) Marked.....PAID.

1922: Tax Book 1, page 138, Beat 5, Perdido and Lottie. Assess-

(page two)

ed to Perdido Grocery Company. NE $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SE $\frac{1}{4}$ of NE $\frac{1}{2}$, Section 24, All in Township 1 N. R. 4 E.; SE $\frac{1}{4}$ of NE $\frac{1}{2}$, Section 22, Tp. 4 S. R. 5 E., Lots 4, 45, 50, Block 2, Havard's Addition to Perdido (with other land) Marked.....PAID.

1922: Tax Book 1, page 139, Beat 5, Perdido and Lottie. Assessment No. 261. Assessed to C. H. Redmond. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, Tp. 1 N. R. 4 E. (with other land). Marked.....PAID.

1922: Tax Book 1, page 67, Beat 4, Bay Minette. Assessment No. 100. Assessed to W. M. Cannon. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, Tp. 1 N. R. 4 E. (with other land). Marked.....PAID.

1921: Tax Book 1, page 141, Beat 5, Perdido and Lottie. Assessment No. 237. Assessed to Perdido Grocery Company. NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 9, All Section 23, SE $\frac{1}{4}$ of NE $\frac{1}{2}$, Section 24, All in Township 1 N. R. 4 E., SE $\frac{1}{4}$ of NE $\frac{1}{2}$, Section 22, Tp. 4 S. R. 5 E., Lots 4, 45, 50, Block 2, Havard's Addition to Perdido (with other land) Marked.....PAID.

1921: Tax Book 1, page 71, Beat 4, Bay Minette. Assessment No. 100. Assessed to W. M. Cannon. NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 8, Township 1 N. R. 4 E. (with other land) Marked.....PAID.

EXHIBIT "E".

THOSE KNOWN TO CLAIM* TOGETHER WITH CLAIMANT* THE LANDS
OR PARTS THEREOF* OR INTEREST THEREIN:-

Abe Paul Sr.' residence unknown;
Unknown heirs of Abe Paul Sr.' residence unknown;

Alex Bloch Dry Goods Company' a Corporation'
Mobile' Alabama;

Hampton D. Ewing' 405 Lexington Avenue' New York
City' New York;

Martin Bushman & Redding' a Partnership' resi-
dence unknown'
Unknown heirs of Martin' Bushman & Redding'
Residence unknown;

M. Barnard Kelly' residence unknown'
Unknown heirs of M. Barnard Kelly' residence un-
known;

Alfred R. Latham Jr.' residence unknown'
Unknown heirs of Alfred R. Latham Jr.' residence
unknown;

Henry Chadwick' residence unknown'
Unknown heirs of Henry Chadwick' residence un-
known;

E. S. Taylor' residence unknown'
Unknown heirs of E. S. Taylor' residence unknown;

Y. B. Shuler' residence unknown'
Unknown heirs of Y. B. Shuler' residence unknown;

Hilda Carlin' residence unknown'
Unknown heirs of Hilda Carlin' residence unknown;

Anna Carlin' residence unknown'
Unknown heirs of Anna Carlin' residence unknown;

Keifer Brothers Company' a Corporation' New Or-
leans' Louisiana.

H. C. TAYLOR, A WITNESS FOR COMPLAINANT, BEING DULY SWORN TESTIFIED AS FOLLOWS:-

My name is H. C. Taylor. I am 42 years of age and a resident of Bay Minette, Baldwin County, Alabama, where I have resided all my life. I am personally and fully acquainted with the following described lands in Baldwin County, Alabama:-

Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) and Southwest Quarter of Northeast Quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

knowing all of the lines and corners of said property, and have known the same during all the time I have been a resident of Baldwin County, Alabama. During the past six years I have been employed by the firm of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and during this period of time have been in active charge of said lands, having had from time to time to ride over, inspect, deal with and otherwise care for said lands. Such duties have required that I be continually on or in the neighborhood of said lands and of every part and parcel thereof. I am also familiar with the various turpentine and timber operations carried on on said lands, and have been in active charge of such operations, and have had occasion at all times to know the conditions with respect to the possession thereof and the acts of ownership in connection therewith. On March 18th, 1932, Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, the Complainant in this cause, was in the actual peaceable possession of all of the lands above described, claiming title to said lands and to every part and parcel thereof absolutely and in fee simple, and I know of my own personal knowledge that said lands have not been claimed by any other person other than Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and their pre-

(page two)

decessors in title, nor is there anyone at the present time asserting any claim or right to said lands that I have ever heard of, and insofar as I know there is now no suit pending in any Court to test the title of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein as to their interest in or right to the possession of said land.

I have read over the paragraph of the Original Bill of Complaint in this cause filed which has been handed to me, and know that the title of Taylor Lowenstein & Company to all of said property is derived from the persons and sources as stated in Exhibits "A" and "B" to the Original Bill of Complaint.

Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and those through whom they claim title to said lands as stated in said paragraph have held color of title claimed and paid taxes on all of said lands during the whole period of ten or more consecutive years prior to the filing of the Bill of Complaint, and this without interruption; that no other person has paid any taxes thereon or had any possession of said lands or any part thereof, or is known to me to have claimed said lands or any part thereof during said period.

The title to all of the said lands above described stands upon the Records in the Probate Court of Baldwin County, Alabama, where the lands are situated, in the name of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein. I have personal knowledge of this by reason of having from time to time made the assessment for Taylor Lowenstein & Company.

I know that Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, has made and caused to be made searches and investigations both in person and through its agents, caretakers, attorneys and abstractors to ascertain all the facts with regard to all matters having to do with this title and as covered in the Bill of Complaint

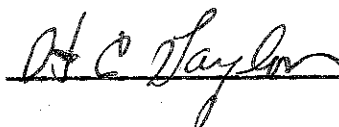
(page two)

(page three)

in this cause; that it has had made record searches covering the Records of Baldwin County, Alabama, as are on file in the Offices of the Tax Assessor, Tax Collector, Clerk of the Circuit Court and Judge of Probate, and has had Abstracts of Title prepared covering all of said property by N. C. Stone, an Attorney at Law and Abstractor of Baldwin County, Alabama, that it has also had a Supplemental Abstract of said lands prepared by the said N. C. Stone covering all of said lands, and in turn has had an Opinion on Title rendered by the said N. C. Stone, after which the said N. C. Stone was employed to perfect the title; that said N. C. Stone was engaged for a period of more than two years in perfecting such title; that after his death the work still being uncompleted, the firm of Hybart, Heard & Chason was engaged to carry on and continue this work and that they have been engaged upon such work for a period of approximately a year; that all of said searches have covered a period of several years, and all parties have been most diligent in an effort to ascertain all facts relating to said lands and the parties having to do therewith.

All the individuals named as Defendants I did not personally know, and I do not now know whether they were living or dead on March 18th, 1932, nor their place of residence if living, nor, if dead, the names of their heirs at law, devisees, personal representatives or next of kin. I do know, however, as stated above, that none of these parties nor any persons, firms or corporations claiming under or through them have, during the past twenty years, at any time, been in the possession of or exercised any acts of ownership over said lands or any part thereof.

I have no interest in said lands and am in no wise concerned or affected with the outcome of this suit.



EMANUEL DAVIDSON, A WITNESS FOR COMPLAINANT, BEING DULY SWORN TESTIFIED AS FOLLOWS:-

My name is Emanuel Davidson. I am 34 years of age and a resident of Bay Minette, Baldwin County, Alabama, where I have resided all my life. I am personally and intimately acquainted with the following described lands in Baldwin County, Alabama:-

Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Eight (8), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Nine (9), Section Twenty-three (23), Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) and Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North of Range Four (4) East; Southeast Quarter of Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-two (22), Township Four (4) South of Range Five (5) East; Lots Four (4), Forty-five (45), Fifty (50) of Havard's Addition to the Town of Perdido, Alabama, situated in Baldwin County, Alabama;

knowing all of the lines and corners of said property and having known the same during the time that I have been a resident of Baldwin County, Alabama. For some thirteen years I have been in the employ of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor, Sidney Lowenstein, who are now the owners of this land, and both before and since their acquisition of this title I have had occasion to and have viewed and inspected this land from time to time, and particularly since the acquisition of the title by Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor, and Sidney Lowenstein, and during all of my life have been more or less acquainted with this tract, and am in a position to speak with respect to possession and acts of ownership in connection therewith. On March 18th, 1932, Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, was in the actual, peaceable possession of all of the lands above described, claiming title to said lands and to every part thereof absolutely and in fee simple, and I know of my own personal knowledge that said lands have not been claimed by any other person other than Taylor Lowenstein & Company, a

(page two)

Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and their predecessors in title, nor is there anyone at the present time asserting any claim or right to said lands that I have ever heard of, and insofar as I know there is now no suit pending in any Court to test the title of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein as to their interest in or right to the possession of said land.

I have read over the paragraph of the Original Bill of Complaint in this cause filed which has been handed to me, and know that the title of Taylor Lowenstein & Company to all of said property is derived from the persons and sources as stated in Exhibits "A" and "B" to the Original Bill of Complaint.

Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, and those through whom they claim title to said lands as stated in said paragraph have held color of title claimed and paid taxes on all of said lands during the whole period of ten or more consecutive years prior to the filing of the Bill of Complaint, and this without interruption; that no other person has paid any taxes thereon or had any possession of said lands or any part thereof, or is known to me to have claimed said lands or any part thereof during said period.

The title to all of the said lands above described stands upon the Records in the Probate Court of Baldwin County, Alabama, where the lands are situated, in the name of Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein. I have personal knowledge of this by reason of having from time to time made the assessment for Taylor Lowenstein & Company.

I know that Taylor Lowenstein & Company, a Partnership composed of Aaron A. Lowenstein, Thomas J. Taylor and Sidney Lowenstein, has made and caused to be made searches and investigations both in person and through its agents, caretakers, attorneys and abstractors to ascertain all the facts with regard to all matters

(page two)

(page three)

having to do with this title and as covered in the Bill of Complaint in this cause; that it has had made record searches covering the Records of Baldwin County, Alabama, as are on file in the Offices of the Tax Assessor, Tax Collector, Clerk of the Circuit Court, and Judge of Probate, and has had Abstracts of Title prepared covering all of said property by N. C. Stone, an Attorney at Law and Abstractor of Baldwin County, Alabama, that it has also had a Supplemental Abstract of said lands prepared by the said N. C. Stone covering all of said lands, and in turn has had an Opinion on Title rendered by the said N. C. Stone, after which the said N. C. Stone was employed to perfect the title; that said N. C. Stone was engaged for a period of more than two years in perfecting such title; that after his death the work still being uncompleted, the firm of Hybart, Heard & Chason was engaged to carry on and continue this work and that they have been engaged upon such work for a period of approximately a year; that all of said searches have covered a period of several years, and all parties have been most diligent in an effort to ascertain all facts relating to said lands and the parties having to do therewith.

All the individuals named as Defendants I did not personally know, and I do not now know whether they were living or dead on March 18th, 1932, nor their place of residence if living, nor, if dead, the names of their heirs at law, devisees, personal representatives or next of kin. I do know, however, as stated above, that none of these parties nor any persons, firms or corporations claiming under or through them have, during the past twenty years, at any time, been in the possession of or exercised any acts of ownership over said lands or any part thereof.

I have no interest in said lands and am in no wise concerned or affected with the outcome of this suit.

Emanuel A. Davidson

(page two)

against any and all persons claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof, and Complainants respectfully show unto your Honor as follows:

1st. That they are in the actual, peaceable possession of said tracts of land heretofore mentioned, claiming to own the same in their own right in fee simple.

2nd. That no suit is pending to test Complainants' title to, interest in, or their right to possession of said lands.

3rd. Complainants further show that they claim the entire fee simple title in and to said lands, having acquired the same as per attached copies of Deeds, which are made Exhibits "A" and "B" to this Bill of Complaint and are made a part of the same.

4th. Complainants further show that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, as shown by Exhibit "C" to this Bill of Complaint, which said Exhibit is made a part of the same. Complainants do not know the residences and addresses of any of the persons named in Exhibit "C" to this Bill of Complaint except Alex Bloch Dry Goods Company of Mobile, Alabama, and Hampton D. Ewing, 405 Lexington Avenue, New York City, New York; that the said Alex Bloch Dry Goods Company is a Corporation and the said Hampton D. Ewing is over the age of twenty-one years, nor do Complainants know if they or any of them be dead, and if so Complainants do not know the names and addresses of the heirs, devisees or grantees, and Complainant further shows unto your Honor that they have used such diligence in trying to ascertain these facts as is shown by Paragraph Seven of this Bill of Complaint.

5th. The Complainants further show unto your Honor that the individuals, firms and corporations as set forth in Exhibit "D" to this Bill of Complaint have assessed and paid the taxes on the aforesaid lands for and during the last ten years next preceding said Exhibit "D" being made a part of this Bill of Complaint.

(page two)

(page three)

6th. Complainants further show unto your Honor that they know of no one other than themselves who have been in the actual possession of said lands, and that no one is known to your Complainants to claim this land or any part thereof, or any interest therein, except the Complainants and those whose names are shown in Exhibit "E" to this Bill of Complaint, which Exhibit is hereto attached and made a part of the same, and Complainant calls upon the several persons, firms and corporations mentioned in Exhibit "E" to set forth and specify his, her or its title, claim, interest or encumbrance on said lands, and how and by what instrument or otherwise the same is derived and created.

7th. Complainants aver that they have made a diligent search and inquiry to ascertain the residences and addresses of all persons, firms and corporations hereinabove named, and whether or not any of them be dead and if dead to ascertain the names and addresses of the heirs, devisees, successors, assigns and grantees of such deceased persons; that in this investigation and inquiry Complainants have had a complete Abstract of Title of said real estate made from the records of Baldwin County, Alabama; that they have had diligent inquiries made in the neighborhood of said lands as to the ownership of same, the possession of same and the whereabouts of any and all persons who are interested in said lands, or may be interested in the same, who may claim any interest therein.

PRAYER FOR PROCESS.

To the end, therefore, that equity may be had in the premises, Complainants pray that your Honor will cause the usual writ of process to issue to the above named Respondents in the usual form, according to the practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time as required by law and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama, authorizing the quieting of title by a proceeding in rem.

(page three)

(page four)

PRAYER FOR RELIEF.

And Complainants further pray that upon a hearing of this cause your Honor will be pleased to establish Complainants' right or title to, and will decree the Complainants are the owners in fee simple of said lands above described, and that no other person, firm or corporation has any title to, or interest in, or lien or encumbrance upon said lands, or any part thereof, and that in said decree your Honor will direct in whose name it shall be indexed upon the Direct Index and in whose name it shall be indexed upon the Indirect Index of the Records thereof in the Probate Court of Baldwin County, Alabama, and that your Honor will order a certified copy of said Decree to be recorded in the Probate Court of Baldwin County, Alabama.

And Complainants further pray for all such other, further and different relief as in equity may seem just and meet, and Complainants will ever pray, etc.

Hybert Heard & Chason
Solicitors for Complainants.

FOOT-NOTE:

All persons claiming any title to, interest in, lien or encumbrance upon the property described in the foregoing Bill of Complaint, or any part thereof, are required to answer Paragraphs "1st" to "7th" of the foregoing Bill of Complaint, inclusive, but answer under oath is hereby expressly waived.

Hybert Heard & Chason
Solicitors for Complainants.

STATE OF ALABAMA,

BALDWIN COUNTY.

Personally appeared before me, John Chason, a Notary Public in and for said State and County, R. C. Heard, who, upon oath deposes and says that he is the Agent of the Complainants in the above cause, and duly authorized by them to make this oath, and that the facts stated in the foregoing Bill of Complaint upon knowledge are true; that he is informed as to the facts stated upon information and belief as therein stated, and verily believes

(page four)

(page five)

the same to be true.

R. E. Stearns

Sworn to and subscribed before
me, a Notary Public whose seal
is hereto affixed, this 18th
day of March, 1932.

John R. ...
Notary Public, Baldwin County,
State of Alabama.

"Exhibit A"

STATE OF ALABAMA

BALDWIN COUNTY.

THIS INDENTURE made and entered into on this the 13th day of July, 1931, by and between HIRAM C. TAYLOR, as Trustee, by, John Chason, as Auctioneer conducting the sale, of the first part, and THOMAS J. TAYLOR, AARON A. LOWENSTEIN and SIDNEY LOWENSTEIN, partners composing the firm of TAYLOR, LOWENSTEIN & COMPANY, a co-partnership, of the second part, WITNESSETH:-

THAT WHEREAS, on heretofore, to-wit, March 29th, 1922, the Perdido Grocery Company, a Corporation, made, executed and delivered to Hiram C. Taylor, as Trustee, that certain Deed of Trust conveying and covering, along with other, the property hereinafter described and conveyed by this instrument, which said Deed of Trust was and is duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Record Book No. 26 of Mortgages, pages 503-7;

AND WHEREAS, said Deed of Trust was made, executed and delivered in order to secure the indebtedness due to Taylor, Lowenstein & Company, a partnership composed of Thomas J. Taylor, Aaron A. Lowenstein and Sidney Lowenstein, all, of Mobile, Alabama, as evidenced by the notes, therein described, and such other and further advances of money, goods, wares, merchandise, machinery, equipments, tools and supplies as might from time to time, until said Deed of Trust was fully paid and satisfied, be purchased for, or furnished, delivered or supplied, to the said Perdido Grocery Company, a Corporation, by the said Taylor, Lowenstein & Company;

AND WHEREAS, it was and is provided for by and in said Deed of Trust that if default be made in the payment, of the notes described therein and secured thereby or any of them, or of said indebtedness, or any part thereof, or any subsequent indebtedness due by the said Perdido Grocery Company, a Corporation, and secured by said Deed of Trust, said Trustee or Taylor, Lowenstein & Company might take possession of said property described therein, or any part thereof, without notice of any kind and, after having given notice by advertisement once a week for four successive weeks

(page two).

of the time, place and terms of sale, in any newspaper published in the County of Baldwin, State of Alabama, sell any or all of, said property for cash, or for part cash and balance on credit, at public auction, either at the place where the same is situated or in front of the Court House of said County where the advertisement is published and the said Hiram C. Taylor, as Trustee, was and is authorized in and by said Deed of Trust to conduct any sale or sales made under the powers therein contained and to make deed to the purchasers and the said Taylor, Lowenstein & Company and the said Trustee, or any of them, were and are authorized to bid at sale, and become the purchaser of said property, or any part thereof, should they or either of them see fit to do so;

AND WHEREAS, default was made in the payment of the said notes described in and secured by said Deed of Trust, and said default continuing, the said Hiram C. Taylor, as Trustee, the party of the first part, hereinabove named, did take possession of the property hereinafter described and conveyed and, after having given notice by advertisement once a week for four successive weeks of the time, place and terms of sale, in the Baldwin Times; a newspaper published in the County of Baldwin, State of Alabama, said advertisement appearing in the issues of June 11th, June 18th, June 25th and July 2nd, 1931, proceeded to and did sell the hereinafter described property, for cash, at public auction, in front of the Courthouse of Baldwin County, Alabama, being the County where the advertisement was published and the said Hiram C. Taylor, as Trustee, did conduct said sale under the powers contained in said Deed of Trust;

AND WHEREAS, at said sale the above named parties of the second part became the purchasers of the property hereinafter described, being a part of the property described in and covered by said Deed of Trust, at and for the sum of 3000⁰⁰ Dollars (\$ 3000⁰⁰) cash, that being the highest, best and last bid therefor;

AND WHEREAS, all of the above being done in strict conformity and in compliance with the powers and conditions contained

(page two)

(page three)

in said Deed of Trust and the said parties of the second part having this day paid to the party of the first part in cash the said sum of 3000⁰⁰ = Dollars (\$3000⁰⁰), being the full amount of their bid;

NOW THEREFORE the said party of the first part for and in consideration of the premises and of the said sum of 3000⁰⁰ = Dollars (\$3000⁰⁰ =), to him cash in hand paid by the parties of second part, receipt whereof is hereby acknowledged, has and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said parties of the second part the following described real estate, to-wit:-

That certain piece or parcel of land in the Town of Perdido Station described as follows:- Commencing 50 feet from the center of the Louisville & Nashville Railroad and center of public road at public crossing in Perdido Station; thence running West 70 yards; thence South 70 yards; thence East 70 yards; thence North 70 yards along the right-of-way of the Louisville & Nashville Railroad to starting point, with all improvements thereon, containing one (1) acre more or less, and being a part of the Northwest Quarter of Section 36, in Township 1 North of Range 4 East;

That certain piece or parcel of land situated in the Town of Perdido Station described as follows: Commencing 50 feet from the center of the Louisville & Nashville Railroad track at Perdido Station on the East side of said Louisville & Nashville Railroad track and on the North side of public road, running from Perdido Station to Bay Minette, Alabama, and thence running East 160 yards along said public road; thence North 62 yards; thence West 160 yards to the right-of-way of the Louisville & Nashville Railroad; thence South 62 yards to the beginning of starting point, containing two (2) acres more or less and being a part of the Northwest Quarter of Section 36, in Township 1 North of Range 4 East, together with the warehouse, garage, filling station and dwelling house and other buildings located thereon;

All of Section 25, Township 1 North of Range 4 East, containing 640 acres, more or less;

The Southwest Quarter of the Northeast Quarter of Section 24 in Township 1 North of Range 4 East;

The Northwest Quarter of the Northwest quarter of Section 8, and the Southeast Quarter of the Southwest Quarter of Section 7, Township 1 North of Range 4 East, containing 80 acres, more or less;

The Northwest Quarter of the Northeast Quarter of Section 9, Township 1 North of Range 4 East, containing 40 acres, more or less;

That certain piece or parcel of land described as follows: Beginning at the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 26, in Township 1 North of Range 4 East, and running thence South 110 yards to a stake; thence West 380 yards to a stake; thence North 110 yards to a stake; thence East 380 yards to place of begin-

(page three)

(page four)

ning' containing 20 acres' more or less;

All of Lots 4' 45 and 50 in Block 1 of H. Harvard Addition to the Town of Perdido' as per map recorded in the office of the Probate Judge of Baldwin County' Alabama' in Miscellaneous Record 1' page 233... (with other lands and property);

The Southeast Quarter of Northeast Quarter of Section 22' Township 4 South of Range 5 East;

All of the above described lands lying and being in the County of Baldwin' State of Alabama.

Together with' all and singular' the tenements' hereditaments' rights' members' privileges and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD; unto the said parties of the second part' their heirs and assigns' as fully and completely as the party of the first part could or ought to convey the same under and by virtue of the terms of said Deed of Trust and of the Statutes in such cases made and provided,

IN WITNESS WHEREOF' the said Hiram C. Taylor' as Trustee' By John Chason' as Auctioneer conducting the sale' aforesaid' here-to sets his hand and affixes his seal on this the day and year first above written.

HIRAM C. TAYLOR'
AS Trustee'

By John Chason SEAL
AS Auctioneer conducting
the sale.

STATE OF ALABAMA'

BALDWIN COUNTY.

I' R. C. Heard a Notary Public in and for said State and County' hereby certify that John Chason' whose name as Auctioneer conducting the sale' is signed to the foregoing conveyance and who is known to me' acknowledged before me on this day that' being informed of the contents of the conveyance he' in his capacity as Auctioneer conducting the sale' executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 13th day of July' 1931.

(affix seal)

SEAL.

R. C. Heard
Notary Public' Baldwin County'
State of Alabama.

Filed March 8th 1932
Deed Book 51 75 pp 500-2

AARON A. LOWENSTEIN' THOMAS J. TAY-
LOR' SIDNEY LOWENSTEIN' partners
doing business under the firm name
of TAYLOR LOWENSTEIN & COMPANY'

Complainants'

-VS-

NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 8; NW $\frac{1}{4}$ OF NE $\frac{1}{4}$
OF SECTION 9; SECTION 23; NW $\frac{1}{4}$ OF NE $\frac{1}{4}$
AND SW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 24; TOWN-
SHIP 1 NORTH OF RANGE 4 EAST; SE $\frac{1}{4}$
of NE $\frac{1}{4}$ OF SECTION 22; TOWNSHIP 4 SOUTH
OF RANGE 5 EAST; LOTS 4, 45, 50 of HA-
VARD'S ADDITION TO THE TOWN OF PER-
DIDO, ALABAMA; SITUATED IN BALDWIN
COUNTY, ALABAMA; ABE PAUL SR., UNKNOWN
HEIRS OF ABE PAUL SR; ALEX BLOCH DRY
GOODS COMPANY, a Corporation; HAMP-
TON D. EWING; MARTIN BUSHMAN & RED-
DING, a partnership; UNKNOWN HEIRS
OF MARTIN BUSHMAN & REDDING; M. BAR-
NARD KELLY; UNKNOWN HEIRS OF M. BAR-
NARD KELLY; ALFRED R. LATHAM JR., UN-
KNOWN HEIRS OF ALFRED R. LATHAM JR.;
HENRY CHADWICK; UNKNOWN HEIRS OF HEN-
RY CHADWICK; E. S. TAYLOR; UNKNOWN
HEIRS OF E. S. TAYLOR; Y. B. SHULER;
UNKNOWN HEIRS OF Y. B. SHULER; HILDA
CARLIN; ANNA CARLIN; KEIFER BROTHERS
COMPANY, a Corporation'

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL
CIRCUIT OF ALABAMA:

Come your Complainants' Aaron A. Lowenstein, Thomas J.
Taylor, Sidney Lowenstein, partners doing business under the firm
name of Taylor, Lowenstein & Company, residents of the City of Mo-
bile, State of Alabama, and who are all over the age of twenty-
one years, and bring this, their Bill of Complaint against those
certain tracts of land in the County of Baldwin, State of Alabama,
described as follows:

Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of
NW $\frac{1}{4}$) of Section Eight (8), Northwest Quarter
of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section
Nine (9), Section Twenty-three (23), Northwest
Quarter of Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) and
Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of
NE $\frac{1}{4}$) of Section Twenty-four (24), Township One
(1) North of Range Four (4) East; Southeast
Quarter of Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of
Section Twenty-two (22), Township Four (4) South
of Range Five (5) East; Lots Four (4), Forty-
five (45), Fifty (50) of Havard's Addition to
the Town of Perdido, Alabama, situated in Bald-
win County, Alabama.

And Complainants further bring this Bill of Complaint

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 1049 Vacation Term, 1932

AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners doing
business as Taylor, Lowenstein & Company, Complainants

vs.

CERTAIN LANDS, HAMPTON D. EWING, ET AL.,

Defendants

Abe Paul, Sr., Unknown Heirs of
Abe Paul, Sr., Martin, Bushman &
Reading, a partnership, Unknown
Heirs of Martin, Bushman & Reading, M. Barnard Kelly, Unknown Heirs of
M. Barnard Kelly, Alfred R. Latham, Jr.; Unknown Heirs of Alfred R. Latham, Jr.,
Henry Chadwick; Unknown Heirs of Henry Chadwick; E. S. Taylor; Unknown
Heirs of E. S. Taylor; Y. B. Shuler; Unknown heirs of Y. B. Shuler; Defendant
Hilda Carlin; Anna Carlin; Keifer Brothers, a corporation,

Motion is hereby made for a Decree Pro Confesso against
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 17th day of June 1932

746 Code.

Hyper, Head & Shaver
Solicitor.

BAY MINETTE, ALA.

July 22 193*2*

Wm J W Richardson

IN ACCOUNT WITH

G. W. HUMPHRIES

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

<i>to</i>	<i>Deed</i> Rec. Mast. from <i>A. A. Lonsden et al vs - Albee</i>	}	Privilege Tax	Rec. Fee	Total
	<i>Pauls, Sr et al</i>				

1.45

*Paid 7/22/32
G. W. Humphries
by J. Henderson*

The State of Alabama,
Baldwin County.

No. 1049 CIRCUIT COURT IN EQUITY.

AARON A. LOWENSTEIN, THOMAS J. TAYLOR, SIDNEY LOWENSTEIN, partners doing
business as Taylor, Lowenstein & Company Complainant

Certain Lands
vs.
Abe Paul, Sr.; Unknown heirs of Abe Paul, Sr.; Alex Bloch Drygoods Co.,
a corp.; Hampton D. Ewing; Martin, Bushman & Redding, a partnership;
Unknown heirs of Martin, Bushman & Redding; M. Barnard Kelly; Unknown
heirs of M. Barnard Kelly; Alfred R. Latham, Jr; Unknown Defendant
heirs of Alfred R. Latham, Jr; Henry Chadwick; Unknown heirs of Henry
Chadwick; E.S. Taylor; Unknown Heirs of E.S. Taylor; Y.B. Shuler; Unknown
Heirs of Y.B. Shuler; Hilda Carlin; Anna Carlin; Keifer Brothers Co., corp.

Motion is hereby made for a Decree Pro Confesso against

HAMPTON D. EWING & ALEX BLOCH DRYGOODS CO., a corp. Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of
summons upon said Defendant S.; and that said summons was duly served according to law, and
that said Defendant have failed to demur, plead to or answer the Bill of Complaint in this cause
to this date.

This 17th day of June 1932

Hyfart, Head & Person Solicitor.

Arnon A Lowenstein
Thomas J Taylor Sidney
Lowenstein partners doing
business under the firm
name of Taylor-Lowenstein
& Company. 95

Postair Lauder. Air Post
Six. et al

