

A. L. LANICEK AND LOIS
LANICEK,

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. _____

I having been made to appear, in the above styled cause by proper, affidavit, that Alabama Tobacco Company is a non-resident corporation, with no representative resident of the county upon whom service can be perfected; that John P. Golden and A. A. Goes, are non-residents of the State of Alabama, and over twenty-one years of age, or if dead, their heirs devisees, grantees, personal representatives and assigns are unknown, and cannot be ascertained after a diligent search and inquiry, and who are, from all information available, non-residents of the State of Alabama and over twenty-one years of age; that A. L. Lanicek and Lois Lanicek are both over twenty-one years of age, residents of Baldwin County, Alabama, and the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 1 East;

That they acquired title to said land by purchase from L. M. Cooper and Rosie Cooper husband and wife, by warranty deed dated March 23, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 164, pages 214-15; that no person is known to have paid any taxes on said land or to have been in possession thereof, within ten years next preceding the filing of the bill of complaint excepting A. L. Lanicek and Lois Lanicek, L. M. Cooper, A. H. Vaughn, W. M. Parker and N. A. Parker, and J. S. Grubbs.

It is therefore ordered and notice is hereby given that the said Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes, the unknown heirs, devisees, grantees, successors, personal representatives and assigns of Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes and any other persons, firm or corporation claiming any title to, interest in, lien or encumbrance upon said land, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama,

in Equity, and plead, answer or demur to the bill of complaint on or before July 9th, 1951, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

IT IS FURTHER ORDERED, that this order and notice be published in the Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 5th day of June, 1951.

Alice J. Duck
Register

H. M. Hall
Solicitor for the Complainants

STATE OF ALABAMA
BALDWIN COUNTY,

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times a newspaper published in Bay Minette, Baldwin County, Alabama, in the cause of A. L. Janicek and Lois Janicek Complainants vs John P. Golden, et al, Respondents, and file for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said lands lie, in accordance with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 5th day of June, 1951.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY
Filed 6-20-51.....2:30 P.M.
Recorded Lesi Paul book 2, page 351-2
MR. Stuntz
Judge of Probate

No 246 4

U.S. DIST. CT. S.D.N.Y.

A. L. DUNLOP AND
LOIS DUNLOP

3

COMPLAINT

JOHN P. GORDON, ET AL

41

UNSUBSCRIBED

A.A. Poes

41

R.D. 2-351-2

LIS LINDEN MICHOL

R1.35

Mr. Dicks

FILED

JUN 5 1951

ALICE J. DUCK, Register

A. E. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN ET AL

RESPONDENTS

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

NO. _____

REQUEST FOR APPOINTMENT OF COMMISSIONER

TO: Mrs. Alice J. Duck, Register of the Circuit Court of Baldwin County,
Alabama:

The Complainant wishes to take orally, on behalf of the Complainant,
the testimony of the following witnesses:

A. E. Lanicek

Robertsdale, Alabama

L. M. Cooper

Robertsdale, Alabama

It is hereby requested that they be given proper and legal notice and
that Evelyn Watts be appointed as special commissioner, to take testimony
of said witnesses, and that due and legal notice be given as required by
law.

Dated this the 14 day of August, 1951.

J. L. Lacey
Solicitor for the Complainants

A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL

RESPONDENTS

REQUEST FOR APPOINTMENT
OF COMMISSIONER

Filed Aug 14, 1951

Alfred. Hensch
Register

A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL

RESPONDENTS

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

NO. _____

TO: Alabama Tobacco Company, John P. Golden and A.A. Goes.

Notice is hereby given that the Complainants will on the 31st day of August, 1951, before Evelyn Watts, as special commissioner take the testimony of the following witnesses:

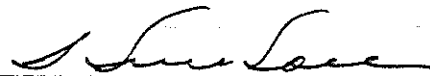
A. L. Lanicek

Robertsdale, Alabama

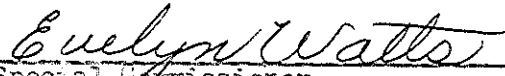
L. M. Cooper

Robertsdale, Alabama

Dated this the 14 day of August, 1951.



Solicitor for the Complainant



Special Commissioner

A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL,

RESPONDENTS

APPOINTMENT OF COMMISSIONER

Filed Aug 14, 1951

*Alice Lanicka
Registrar*

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine A. L. Lanicek and L. M. Cooper

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein A. L. Lanicek and Lois Lanicek

ComplainantS
and John P. Golden, et al

RespondentS
on oath, to be by you administered, upon A. L. Lanicek and L. M. Cooper
to take and certify the depositionS of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 14 day of August, 1951

Archie Lanicek

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

A. L. Ianicek and Lois Ianicek

Complainant

VS.

John P. Golden

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

A. L. Ianicek

L. M. Cooper

Filed Aug 14, 1951

Register

A. L. LANICEK AND LOIS
LANICEK,

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

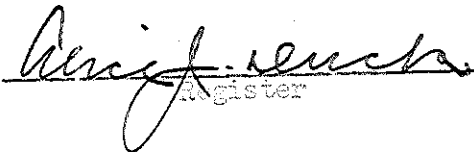
NO. _____

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the court that the order of publication heretofore made in this cause was published for four consecutive weeks commencing on the 7th day of June, 1951, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court house door in Baldwin County, Alabama, on the 7th day of June, 1951, and it now further appearing to the court that the said Alabama Tobacco Company, a corporation, John P. Golden and A. A. Goes, respondents have to date hereof failed to plead, answer or demur to this bill of complaint in this cause.

It is therefore, on motion of the Complainant, ordered and decreed by the court, that the said bill of complaint be and it hereby is, in all things, taken as confessed against the Respondents named in this cause.

WITNESS my hand and seal of office this the 13th day of August, 1951.


Register

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

A. L. Lanicek and Lois Lanicek

Complainant

VS.

John P. Golden

Respondent

I, Evelyn Wattsas ~~Register and~~ Commissionerhave called and caused to come before me A. L. Lanicek and L. M. Cooperwitness es named in the Requirement for Oral Examination, on the 31 day of August1945, at the office of Hubert M. Hallin Bay Minette, Alabama, and having first sworn said Witness es to speak thetruth, the whole truth, and nothing but the truth, the said A. L. Lanicekand L. M. Cooper

doth depose and say as follows:

My name is A. L. Lanicek. I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Complainant, Lois Lanicek, is also over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Alabama Tobacco Company, John P. Golden, and A. A. Goes if living, are non-residents of the State of Alabama. I have lived near the property involved in this suit for the past fourteen years and know that the parties named respondents have not during that time, at any time, been resident of Baldwin County, Alabama. I have inquired from various parties relative to the whereabouts of the named respondents and have not been able to get any information as to their exact whereabouts, however, if living, they are non-residents of the State of Alabama and their heirs, if any, are non-residents of the State of Alabama, and from all information obtainable over twenty-one years of age.

The Complainant, Lois Lanicek and I are the owners of the land involved in this suit, situated in Baldwin County, Alabama, and being the Southwest quarter of the Northwest quarter of the Southeast quarter of Section 35, Township 5 South, Range 4 East. There is no suit pending to test our title to, interest in or rights to possession to said lands. We acquired title to the said lands by warranty deed from L. M. Cooper and Rosie Cooper, husband and wife dated March 23, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 164 N3 pages 214-15. That I am attaching hereto the original deed. The title to the said lands stands upon the Probate records of Baldwin County, Alabama, in the name of Lois Lanicek, my wife and me. No one has at any time within ten years next preceding the filing of this suit paid any taxes upon said lands or had any possession thereof, other than those through whom I claim by mesne conveyances. The only persons shown by the records of Baldwin County, Alabama, to claim said lands or any interest therein are the Complainants, Alabama Tobacco Company, John P. Golden and A. A. Goes. My wife and I purchased the lands from L. M. Cooper and wife as above stated, and L. M. Cooper purchased the same from H. F. Vaughn on October 11, 1943, and H. F. Vaughn and wife purchased from W. M. Parker and wife, on July 11, 1942, and W. M. Parker and wife purchased from Woodrow Merchant and wife on June 30, 1939 and Woodrow Merchant purchased from W. S. Thomley and wife on May 9, 1937. These conveyances covered the South half of Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East. The North half of Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East, was purchased by J. S. Grubbs from A. B. McCorvey, on November 11, 1938, and J. S. Grubbs and wife conveyed the same to L. M. Cooper on March 4, 1950. We hold through a conveyance from L. M. Cooper. L. M. Cooper when acquiring title to the said land went into the actual possession and built improvements thereon and remained in such possession until he conveyed the same to my wife and I, and we have, since that time, been in possession thereof. I have known the property for the past fourteen years and know that no one has exercised or attempted to exercise any rights of possession or title to the said land other than my wife and I and those through whom I hold as herein set out. My wife and I went into the actual possession of the property at the time the suit herein was filed

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

A. L. Lanicek et al

vs. Complainant

John P. Golden et al

Respondent.

Oral Deposition

Filed Sept 1st, 1945

Alice J. Renck, Register.

Recorded in

Record

Vol. _____ Page _____

, Register.

ORAL EXAMINATION.

I, Evelyn Watts, as ~~Register~~ and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

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

Given under my hand and seal, this 31 day of August, 1951

Evelyn Watts (L. S.)

and are still in the actual possession thereof, and for the past fourteen years no one has exercised or attempted to exercise any title to or rights of possession to said lands other than the Complainants herein and those through whom they claim.

A. L. Lanicek

L. M. Cooper, a witness for the Complainant being first duly sworn, deposes and says:

My name is L. M. Cooper. I live at Robertsdale, in Baldwin County, Alabama. I, at one time, owned the Southwest quarter of the Northwest quarter of the Southeast quarter of Section 35, Township 5 South, Range 4 East. J. S. Grubbs from whom I purchased bought the property from A. B. McCorvey that is, the North half thereof, on November 11, 1938. He went into the possession of the property at that time and remained in possession until March 4, 1940, when he sold it to me. I purchased the South half of Southwest quarter of Northwest quarter of Southeast quarter from H. F. Vaughn and wife on October 11, 1943. H. F. Vaughn purchased from W. M. Parker and N. A. Parker and that they purchased from Woodrow Merchant and wife. The Complainants herein and those through whom they claim as herein have been in the actual, open, visible, peaceable and adverse possession of the said lands continuously ever claiming to own the same for more than twelve years; that during said time no one has exercised or attempted to exercise any rights of possession to said property other than the complainants and those through whom they hold as herein. I know of my own personal knowledge that the Alabama Tobacco Company, John P. Golden, and A. A. Goes nor any persons holding under them have exercised or attempted to exercise any title to or rights of possession to said lands for more than twenty years. I have lived near the land for the past thirty years and more and the facts herein stated are of my own personal knowledge.

L. M. Cooper

the BALDWIN TIMES

ALABAMA'S BEST COUNTY'S-
BAY MINETTE, ALABAMA

LEGAL NOTICE

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA,
IN EQUITY
NO. 2666
A. L. LANICEK AND LOIS LANICEK,
COMPLAINANTS

VS
JOHN P. GOLDEN, ET AL,
RESPONDENTS

I having been made to appear, in the above styled cause by proper affidavit, that Alabama Tobacco Company is a non-resident corporation, with no representative resident of the county upon whom service can be perfected; that John P. Golden and A. A. Goes, are non-residents of the State of Alabama, and over twenty-one years of age, or if dead, their heirs devisees, grantees, personal representatives and assigns are unknown, and cannot be ascertained after a diligent search and inquiry, and who are, from all information available, non-residents of the State of Alabama and over twenty-one years of age; that A. L. Lanicek and Lois Lanicek are both over twenty-one years of age, residents of Baldwin County, Alabama, and the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East; That they acquired title to said land by purchase from L. M. Cooper and Rose Cooper husband and wife, by warranty deed dated March 23, 1951, and of record in the office of the Probate Judge

of Baldwin County, Alabama, in Deed Book 164 pages 214-15; that no person is known to have paid any taxes on said land or to have been in possession thereof, within ten years next preceding the filing of the bill of complaint excepting A. L. Lanicek and Lois Lanicek, L. M. Cooper, A. H. Vaughn, W. M. Parker and N. A. Parker, and J. S. Grubbs.

It is therefore ordered and notice is hereby given that the said Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes, the unknown heirs, devisees, grantees successors, personal representatives and assigns of Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes and any other persons, firm or corporation claiming any title to, interest in, lien or encumbrance upon said land, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before July 9th, 1951, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

IT IS FURTHER ORDERED, that this order and notice be published in the Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 5th day of June, 1951.

ALICE J. DUCK,
Register

H. M. HALL
Solicitor for the Complainants 20-41c.

AFFIDAVIT OF PUBLICATION

Jimmy Faulkner, being duly sworn, deposes and says I am the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published in Baldwin County, Alabama; that the notice hereto attached of

Lanicek & Lois Lanicek

John P. Golden

COST STATEMENT

RDS @ 4 1/2 cents — — — \$ 22 27

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

Jimmy Faulkner
Publisher.

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

Date of 1st publication June 7, 1951 Vol. 62 No. 20

Date of 2nd publication June 14, 1951 Vol. 62 No. 21

Date of 3rd publication June 21, 1951 Vol. 62 No. 22

Date of 4th publication June 28, 1951 Vol. 62 No. 23

Subscribed and sworn before the undersigned this 28 day of June, 1951

Rose Mary Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



PROBATE JUDGE

No. _____

Bay Minette, Ala., 6-20, 1957

Received of Mr. Dick

[illegible]

FOR RECORD

TOTAL \$ _____

35782 MARSHALL & BRUCE-NASHVILLE

Judge of Probate.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ALABAMA TOBACCO COMPANY, a corporation, JOHN P. GOLDEN AND A. A. GOES, the unknown heirs, devisees, grantees, successors and assigns of them, and each of them to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the circuit Court of Baldwin County, Alabama, in Equity, by A. L. LANICEK and LOIS LANICEK, as Complainants, against Alabama Tobacco Company, a corporation, John P. Golden and A. A. Goes as Respondents.

WITNESS my hand this the _____ day of June, 1951.

Register

A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN ET AL

RESPONDENTS

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

TO HONORABLE TELFAIR J. MASHBURN, JR. JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, IN EQUITY.

Your Complainants, A. L. Lanicek and Lois Lanicek, humbly complaining against the respondents hereinafter set out present this their bill of complaint against the said Respondents and the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter
of Section 35, Township 5 South, Range 4 East.

and also against the unknown heirs, devisees, grantees, personal representatives, successors, and assigns of the said named respondents, and any other person, firm or corporation claiming any title, to, right, interest in, lien or encumbrance upon the said land or any part or parcel thereof, and respectfully represent and show unto your Honor and this Honorable Court as follows:

1.

That your Complainants, A. L. Lanicek and Lois Lanicek, are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

2.

That the Respondent, Alabama Tobacco Company is a non-resident corporation, and has no representative resident in this county upon whom service can be perfected; that John P. Golden and A. A. Goes, if living, or if dead, their heirs, assigns, devisees, grantees and personal representatives are non-residents of the State of Alabama and over twenty-one years of age; that a diligent search and inquiry has been made, and caused to be made to ascertain the present addresses of the Respondents, and whether or not either of them is dead, and if so the names, ages and residences of their heirs and next of kin, and from all information obtainable the said parties are all non-residents of the State of Alabama, over twenty-one years of age and their post offices cannot be ascertained; that an examination has been made of the land and tax records at Bay Minette, Alabama, the county seal of Baldwin County; inquiries has been made of persons in and around Robertsdale, Elsanor and Seminole in Baldwin County, Alabama, the vicinity in which the lands are located and no information can be obtained as to the addresses of the individual respondents and whether or nor any of them are dead, and if dead the names, ages and residents of their heirs and next of kin; that the Alabama Tobacco Company at one time operated in Baldwin County, Alabama, but for many years has done no business in this county and has no representative in this county upon whom service can be perfected.

3.

That your Complainants are the owners in fee simple and in the actual possession of the lands herein described situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter
of Section 35, Township 5 South, Range 4 East.

4.

That no suit is pending to test the Complainant's title to, interest in, or rights of possession to said land; that the Complainants therefore call upon the Respondents, and each of them, separately and severally to set forth and specify what right, title, interest in, lien or encumbrances the said Respondents and each of them have in and to said lands, and by what instrument or instruments the same are derived and/or created.

5.

That your Complainants acquired title to said lands by warranty deed from L. M. Cooper and Rosie Cooper, husband and wife, dated March 23, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 164 NS pages 214-15.

6.

That the title to said lands claimed by your Complainants stand upon the records of the Probate Court of Baldwin County, Alabama, in the names of A. L. Lanicek and Lois Lanicek.

7.

That no one has at any time within ten years next preceding the filing of this bill of complaint paid any taxes upon said lands, or had any possession thereof other than your Complainants, A. L. Lanicek, Lois Lanicek and L. M. Cooper, H. F. Vaughn, W. M. Parker, N. A. Parker and J. S. Grubbs.

8.

That the only person shown by the records of Baldwin County, Alabama, to claim said lands or any part thereof or any interest therein are your Complainants, A. L. Lanicek, Lois Lanicek, Alabama Tobacco Company, John P. Golden, and A. A. Goes.

WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes, the unknown heirs, devisees, grantees, personal representatives, successors and assigns of Alabama Tobacco Company, a corporation, John P. Golden and A. A. Goes, and any and all persons, firms or corporations claiming any right, title, interest in, lien or encumbrances upon the said lands hereindescribed in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East;

and any part or parcel thereof parties respondents to this bill of complaint and requires them and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainants further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances, to the lands herein described and to each and every part and parcel thereof is vested in your Complainants, A. L. Lanicek and Lois Lanicek, and that neither the Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes the unknown heirs, devisees, grantees, personal representatives, successors and assigns of Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes, nor any other persons, firms or corporations has any right, title, interest in, or encumbrances upon the said lands or any part or parcel thereof and that any and all doubts and disputes concerning the said lands may be cleared up.

Your Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive.

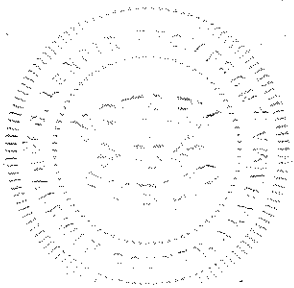
H. M. Hall
Solicitor for the Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared H. M. Hall, who is known to me and who having been by me first duly sworn, deposes and says that he is Solicitor of record for the Complainants in the within cause; that he is authorized to make this affidavit; that from all information obtainable after a diligent search and inquiry the facts contained in the foregoing bill of complaint are true and correct.

Sworn to and subscribed before me on this 5th day of June, 1951.

John P. Thompson
Notary Public, Baldwin County, Ala.



STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

nk
You are hereby commanded to summon ALABAMA TOBACCO COMPANY, a corporation, JOHN P. GOLDEN AND A. A. GOES, the unknown heirs, devisees, grantees, successors and assigns of them, and each of them to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the circuit Court of Baldwin County, Alabama, in Equity, by A. L. LANICEK and LOIS LANICEK, as Complainants, against Alabama Tobacco Company, a corporation, John P. Golden and A. A. Goes as Respondents.

WITNESS my hand this the _____ day of June, 1951.

Register

A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN ET AL

RESPONDENTS

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

TO HONORABLE FLETAIR J. MASHBURN, JR. JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, IN EQUITY.

Your Complainants, A. L. Lanicek and Lois Lanicek, humbly complaining against the respondents hereinafter set out present this their bill of complaint against the said Respondents and the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter
of Section 35, Township 5 South, Range 4 East.

and also against the unknown heirs, devisees, grantees, personal representatives, successors, and assigns of the said named respondents, and any other person, firm or corporation claiming any title, to, right, interest in, lien or encumbrance upon the said land or any part or parcel thereof, and respectfully represent and show unto your Honor and this Honorable Court as follows:

1.

That your Complainants, A. L. Lanicek and Lois Lanicek, are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

2.

That the Respondent, Alabama Tobacco Company is a non-resident corporation, and has no representative resident in this county upon whom service can be perfected; that John P. Golden and A. A. Goes, if living, or if dead, their heirs, assigns, devisees, grantees and personal representatives are non-residents of the State of Alabama and over twenty-one years of age; that a diligent search and inquiry has been made, and caused to be made to ascertain the present addresses of the Respondents, and whether or not either of them is dead, and if so the names, ages and residences of their heirs and next of kin, and from all information obtainable the said parties are all non-residents of the State of Alabama, over twenty-one years of age and their post offices cannot be ascertained; that an examination has been made of the land and tax records at Bay Minette, Alabama, the county seal of Baldwin County; inquiries has been made of persons in and around Robertsdale, Elsanor and Seminole in Baldwin County, Alabama, the vicinity in which the lands are located, and no information can be obtained as to the addresses of the individual respondents and whether or not any of them are dead, and if dead the names, ages and residents of their heirs and next of kin; that the Alabama Tobacco Company at one time operated in Baldwin County, Alabama, but for many years has done no business in this county and has no representative in this county upon whom service can be perfected.

3.

That your Complainants are the owners in fee simple and in the actual possession of the lands herein described situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter
of Section 35, Township 5 South, Range 4 East.

4.

That no suit is pending to test the Complainant's title to, interest in, or rights of possession to said land; that the Complainants therefore call upon the Respondents, and each of them, separately and severally to set forth and specify what right, title, interest in, lien or encumbrances the said Respondents and each of them have in and to said lands, and by what instrument or instruments the same are derived and/or created.

5.

That your Complainants acquired title to said lands by warranty deed from L. M. Cooper and Rosie Cooper, husband and wife, dated March 23, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 164 WS pages 214-15.

6.

That the title to said lands claimed by your Complainants stand upon the records of the Probate Court of Baldwin County, Alabama, in the names of A. L. Lanicek and Lois Lanicek.

7.

That no one has at any time within ten years next preceding the filing of this bill of complaint paid any taxes upon said lands, or had any possession thereof other than your Complainants, A. L. Lanicek, Lois Lanicek and L. M. Cooper, H. F. Vaughn, W. M. Parker, W. A. Parker and J. S. Grubbs.

8.

That the only person shown by the records of Baldwin County, Alabama, to claim said lands or any part thereof or any interest therein are your Complainants, A. L. Lanicek, Lois Lanicek, Alabama Tobacco Company, John P. Golden, and A. A. Goes.

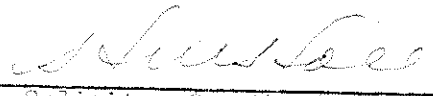
WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes, the unknown heirs, devisees, grantees, personal representatives, successors and assigns of Alabama Tobacco Company, a corporation, John P. Golden and A. A. Goes, and any and all persons, firms or corporations claiming any right, title, interest in, lien or encumbrances upon the said lands hereindescribed in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter
of Section 35, Township 5 South, Range 4 East;

and any part or parcel thereof parties respondents to this bill of complaint and requires them and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainants further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances, to the lands herein described and to each and every part and parcel thereof is vested in your Complainants, A. L. Lanicek and Lois Lanicek, and that neither the Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes the unknown heirs, devisees, grantees, personal representatives, successors and assigns of Alabama Tobacco Company, a corporation, John P. Golden, A. A. Goes, nor any other persons, firms or corporations has any right, title, interest in, or encumbrances upon the said lands or any part or parcel thereof and that any and all doubts and disputes concerning the said lands may be cleared up.

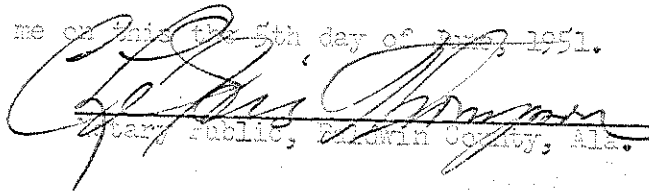
Your Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive.

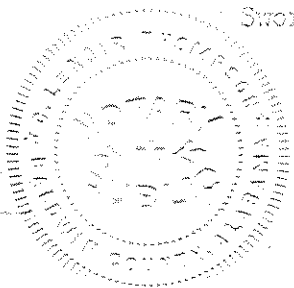

Solicitor for the Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared H. M. Hall, who is known to me and who having been by me first duly sworn, deposes and says that he is Solicitor of record for the Complainants in the within cause; that he is authorized to make this affidavit; that from all information obtainable after a diligent search and inquiry the facts contained in the foregoing bill of complaint are true and correct.

Sworn to and subscribed before me on this the 5th day of June, 1951.


Notary Public, Baldwin County, Ala.



NO 2666

RECORDED

A. D. LANICK AND LOIS
LANICK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL

RESPONDENTS

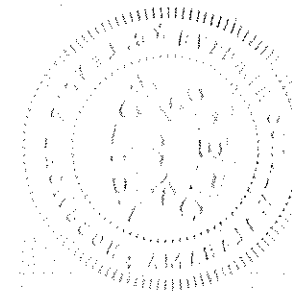
BILL OF COMPLAINT

Quiet Title

FILED

JUN 6 1951

ALICE J. DUCK, Register



A. L. LANICEK AND LOIS
LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. _____

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

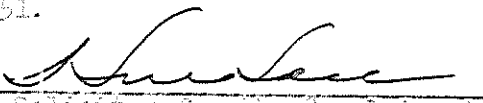
Come the Complainants in the above styled cause and shows unto the Court that an order of publication was made on the 5th day of June, 1951, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, and was directed to Alabama Tobacco Company, a corporation, John P. Golden and A. A. Goes, the unknown heirs, devisees, grantees, successors and assigns of Alabama Tobacco Company, a corporation, John P. Golden and A. A. Goes and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrances upon the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter
of Section 35, Township 5 South, Range 1 East.

As respondents, which required the said Respondent to answer or demur to the bill of complaint within thirty days after the 9th day of July, 1951, which said Respondents have to this day failed to do.

WHEREFORE, the complainants move the court to grant a decree pro confesso against the said Respondents.

Dated this the 11th day of August, 1951.


Solicitor for the Complainant

A. I. LANICEK AND LOIS
LANICEK,

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. _____

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

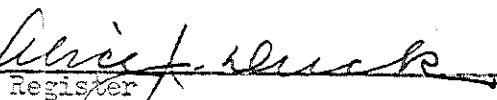
1. Original summons and complaint.
2. Lis Pendens filed for record in the Probate Office.
3. Proof of publication of notice in the Baldwin Times.
4. Decree pro confesso by publication.
5. Request for appoint of commissioner.
6. Commission to take depositions.
7. Notice of time of taking testimony.
8. Oral depositions of A. I. Lanicek and L. M. Cooper with exhibits

attached.

Dated this the 1st day of September, 1951.



Solicitor for the Complainant



Register

A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. _____

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainants are the owners in fee simple of, are now and were at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that the Respondents, Alabama Tobacco Company, John P. Golden and A. A. Goes, if living, are non-residents of the State of Alabama, and over twenty one years of age; and that if dead their heirs, devisees, Grantees, personal representatives, successors and assigns are non-residents of the State of Alabama and over twenty-one years of age, and that there is no representative residing in this county upon whom service can be perfected; that service was perfected upon the Respondents herein by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 7th day of June, 1951; that notice of the pendency of said suit was given by the filing of a lis pendens notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them, having failed to appear and plead, answer or demur to the bill of complaint, as required by law, a decree pro confesso was entered against them and each of them on Monday August 13, 1951; that service was also perfected by publication in the Baldwin Times a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 7th day of June, 1951, against the unknown heirs, devisees, grantees, personal representatives and assigns of Alabama Tobacco Company, John P. Golden and A. A. Goes, and any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof; that the title

of the Complainants has been duly and legally established by legal and competent evidences, the court is of the opinion that the Complainants are entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the court, that the Respondents, Alabama Tobacco Company, John P. Golden, A. A. Goes, the unknown heirs, devisees, grantees, personal representatives and assigns of Alabama Tobacco Company, John P. Golden and A. A. Goes and also any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East,

is vested absolutely in the Complainants, A. L. Lanicek and Lois Lanicek.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of Alabama Tobacco Company, John P. Golden and A. A. Goes, and in the indirect index in the names of A. L. Lanicek and Lois Lanicek.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court that the Register shall within thirty days from the rendition of this decree file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama, and that the costs thereof be taxed in the costs of this cause.

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

Dated at Bay Minette, Baldwin County, Alabama, this the 11th day of September, 1951.

J. J. Mashburn, Jr.

STATE OF ALABAMA
BALDWIN COUNTY

I, ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing and attached is a full, true correct, and complete copy of the final decree in the matter of A. E. Lanicek and Lois Lanicek, Complainants vs John P. Golden, et al, Respondents, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the _____ day of September, 1951.

Register

7666 M
A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL

RESPONDENTS

FINAL DECREE

FILED

SEP 11 1951

ALICE L. DUCK, Register

A. L. LANICEK AND
LOIS LANICEK

COMPLAINANTS

VS

JOHN P. GOLDEN, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. _____

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainants are the owners in fee simple of, are now and were at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that the Respondents, Alabama Tobacco Company, John P. Golden and A. A. Goes, if living, are non-residents of the State of Alabama, and over twenty one years of age; and that if dead their heirs, devisees, Grantees, personal representatives, successors and assigns are non-residents of the State of Alabama and over twenty-one years of age, and that there is no representative residing in this county upon whom service can be perfected; that service was perfected upon the Respondents herein by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 7th day of June, 1951; that notice of the pendency of said suit was given by the filing of a lis pendens notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them, having failed to appear and plead, answer or demur to the bill of complaint, as required by law, a decree pro confesso was entered against them and each of them on Monday August 13, 1951; that service was also perfected by publication in the Baldwin Times a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 7th day of June, 1951, against the unknown heirs, devisees, grantees, personal representatives and assigns of Alabama Tobacco Company, John P. Golden and A. A. Goes, and any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof; that the title

of the Complainants has been duly and legally established by legal and competent evidences, the court is of the opinion that the Complainants are entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the court, that the Respondents, Alabama Tobacco Company, John P. Golden, A. A. Goes, the unknown heirs, devisees, grantees, personal representatives and assigns of Alabama Tobacco Company, John P. Golden and A. A. Goes and also any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit:

Southwest quarter of Northwest quarter of Southeast quarter of Section 35, Township 5 South, Range 4 East,

is vested absolutely in the Complainants, A. L. Lanicek and Lois Lanicek.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of Alabama Tobacco Company, John P. Golden and A. A. Goes, and in the indirect index in the names of A. L. Lanicek and Lois Lanicek.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court that the Register shall within thirty days from the rendition of this decree file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama, and that the costs thereof be taxed in the costs of this cause.

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

Dated at Bay Minette, Baldwin County, Alabama, this the 11th day of September, 1951.

(s) TELEATR J. MASHBURN, JR.

JUDGE

STATE OF ALABAMA
BALDWIN COUNTY

I, ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing and attached is a full, true correct, and complete copy of the final decree in the matter of A. L. Lanicek and Lois Lanicek, Complainants vs John P. Golden, et al, Respondents, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the _____ day of September, 1951.

JOHN P. GOLDEN
et al
Respondents

Complainants

AS

JOHN P. GOLDEN, et al

Respondents

ALICE J. DUCK

Register

(Seal)

I, ALICE J. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, do hereby certify that the foregoing is a correct copy of
the original decree rendered by the Judge of the Circuit Court in the
above stated cause, which said decree is on file and enrolled in my
office.

WITNESS MY HAND AND SEAL THIS THE 11 day of Sept., 1951.

Alice J. Duck
REGISTER OF CIRCUIT COURT, IN EQUITY

B
1
4