

71
41-1

STATUTORY WARRANTY DEED

J. A. PILGRIM
and
Mary E. PILGRIM,
his wife,

to

CHARLES C. CARPENTER

and

CHAS. J. EBERT.

8-17-40

State of Alabama, }
Madison County, } Probate Court.
Filed in office this 22 day of Aug
1940, at 1:00 PM and duly recorded
in Vol 2 Book No 7275 at page 372-3
and I certify that \$ 50.00 bond
on and \$ 50.00 Mfg tax, has
been paid as required by law.
G. W. Robertson
Judge of Probate

HYBART, CHASON AND CHASON,
Attorneys at Law,
Foley, Alabama.

Chas J. Ebert
Foley Ala

10 50
R 35-
1.25

THE STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on 8th day of June, A. D. 1931, the Probate Court of Baldwin County rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from Chas. Christnacht, Trustee, the owner of said lands, and for the payment of the fees, costs, and expenses of and under said decree, and the sale had in execution thereof.

AND WHEREAS, thereafter, to-wit, on the 8th day of July, 1931, under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County for said taxes, fees, costs, and expenses, and no person having bid a sufficient sum for said lands to pay the same, said lands were bid in for the State for the sum of said taxes, fees, costs, and expenses.

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama, with the approval of the Governor, has fixed the price of said land, and ascertained that the sum of Fourteen and No/100 (\$14.00) Dollars is sufficient to cover and satisfy all claims of the State and County against said lands for or on account of taxes, interest, fees, and costs, and officers' fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by Chas. J. Ebert & Lamar Irwin to purchase said lands, and said sum of Fourteen and No/100 (\$14.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Chas. J. Ebert & Lamar Irwin, without warranty or covenant of any kind on the part of the State, express or implied, all right and title of the State of Alabama in and to said lands, described as follows:

W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 19, T 7 S, R 5 E.

lying and being situate in said County and State, to have and to hold the same, the said right and title of the State in the lands aforesaid, unto Chas. J. Ebert & Lamar Irwin and their heirs and assigns forever.

In testimony whereof I have hereunto set my hand and seal this the 16th day of June, 1938
 Approved Beth W. Graves Governor
 STATE LAND COMMISSIONER OF ALABAMA,
 By J. Henry Slany State Land Commissioner.

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

I, Mrs. Clay Willingham, a Notary Public in and for said County, in said State, hereby certify that Henry S. Long, whose name is signed to the foregoing conveyance as State Land Commissioner, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he, in his capacity as such State Land Commissioner, executed the same voluntarily on the day the same bears date.

Given under my hand this the 16th day of June, 1938
Mrs. Clay Willingham, Notary Public.

THE STATE OF ALABAMA,

County.

Chas. Christnacht
by ~~Conner~~

TO

45
1-75

Chas. J. Ebert
Lamar Duvin
6-16-38

DEED

THE STATE OF ALABAMA

OFFICE OF JUDGE OF PROBATE

I hereby certify that the within Deed was filed in
this office for record on the _____ day of
_____, 19____, at
_____ o'clock _____ M., and duly recorded in
Book _____ of Deeds page _____
and examined _____

Judge of Probate.

BROWN PRINTING CO., MONTGOMERY, ALA. 1937

Chas J Ebert
Boley

R85
350
135

KNOW ALL MEN BY THESE PRESENTS, That BALDWIN LAND HOLDING COMPANY, INC., a corporation, and S. P. GAILLARD, JR., hereinafter for convenience called parties of the first part, in consideration of the sum of Thirty (\$30.00) Dollars cash in hand paid by CHARLES J. EBERT, hereinafter for convenience called party of the second part, the receipt of which is hereby acknowledged, do remise, release, quitclaim and convey unto the said party of the second part, his heirs and assigns, all their right, title, interest and claim in or to the following described real property situate, lying and being in the County of Baldwin, State of Alabama, to-wit:

The East Half of the Northwest Quarter of the Northeast Quarter of Section 19, Township 7 South, Range 5 East;

TOGETHER with all rights and appurtenances to the said described premises in anywise belonging, TO HAVE AND TO HOLD to the said party of the second part, his heirs and assigns, forever.

IN WITNESS WHEREOF, the said Baldwin Land Holding Company, Inc., a corporation, has, under and by virtue of a resolution of its Board of Directors, caused this instrument to be executed in its corporate name by its President, and its corporate seal to be affixed hereto by its Secretary; and the said S. P. Gaillard, Jr. has hereto set his hand and seal; all on this 11th day of March, A. D. 1937.

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, Fanny Knight Gaillard, a Notary Public in and for said County and State, hereby certify that S. P. Gaillard, Jr., whose name individually and as President and Secretary of the Baldwin Land Holding Company, Inc., a corporation, 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, individually and as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official notarial seal, this 11th day of March, A. D. 1937.


Notary Public for Mobile County, Alabama.

My Commission Expires: June 5, 1939.

Wheed to 20 acre tract
to Bushhelter, etc.
BALDWIN LAND HOLDING COMPANY,
INC., A CORPORATION, and
S. P. GAILLARD, JR.

From To

CHARLES J. BERRY

QUITCLAIM DEED

3/11/37

STATE OF ALABAMA
COUNTY OF MOBILE
I, S. P. GAILLARD, JR., of the County of Mobile, State of Alabama, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same is on file in my office.
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of March, 1937.
S. P. GAILLARD, JR.
Notary Public for the State of Alabama

LAW OFFICES OF
GAILLARD & GAILLARD
1610 MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA

DJB
R46
4/10

STATE OF ALABAMA,
BALDWIN COUNTY.

WARRANTY DEED

THIS INDENTURE, made and entered into by and between Clem Peters and wife Reka K. Peters, hereinafter referred to as parties of the first part, and Charles J. Ebert, hereinafter referred to as party of the second part, WITNESSETH:-

That for and in consideration of the sum of Ten Dollars (\$10) and other good and valuable consideration this day cash in hand paid to parties of the first part by party of the second part, receipt whereof is hereby acknowledged, parties of the first part have granted, bargained, sold and by these presents do hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, the following described real property in Baldwin County, Alabama, viz:-

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Nineteen (19) Township Seven (7) South of Range Five (5) East.

TO HAVE AND TO HOLD unto the said party of the second part, his heirs and assigns, FOREVER.

And the said parties of the first part, for themselves and their heirs, executors and administrators, hereby covenant and warrant with and unto the said party of the second part, his heirs and assigns, that they are seized of an indefeasible estate in fee simple in and to all of the property hereinabove conveyed; that the same is free from all liens and encumbrances; that they have a good right to sell and convey the same as herein conveyed; that they will guarantee the peaceable possession thereof and that they will and their heirs, executors and administrators shall forever warrant and defend the same unto the said party of the second part, his heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the parties of the first part hereunto set their hands and affix their seal, on this the 29th day of August, 1942.

Clem Peters SEAL

Reka K. Peters SEAL

STATE OF MISSOURI
Atchison County

I, Ray C. Whitford, a Notary Public in and for said County and said State, hereby certify that Clem Peters and wife, Reka K. Peters, whose names 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 and that they executed the same voluntarily on the day the same bears date.

Given under my hand and Notarial Seal hereto affixed by me, this 29th day of August, 1942.

Ray C. Whitford
Notary Public, Atchison
County, Missouri

(affix seal)

My Commission Expires January 7, 1943

STATE OF MISSOURI

Atchison County

I, Ray C. Whitford, a Notary Public in and for said County in said State, hereby certify that on the 29th day of August, 1942, came before me the within named Reka K. Peters known to me to be the wife of the within named Clem Peters, who being examined separate and apart from the husband touching her signature to the within instrument, acknowledged that she executed the same of her own free will and accord and without fear, or constraint or threat on the part of her husband.

Given under my hand and Notarial Seal hereto affixed by me, this 29th day of August, 1942.

My Commission Expires January 7, 1943


Notary Public, Atchison Co., Mo.

(affix seal)

76
Clem Peters & wife.
to
Charles J. Elbert
8-29-42

STATE OF ALABAMA, BALDWIN COUNTY

Filed Nov. 17, 1942 8a M

Recorded Deed book 727 page 312-13

and I certify that the following Privilege Tax has been paid.

Deed Tax 1.00

Mortgage Tax 1.00

J. M. Robertson
Judge of Probate

By [Signature]

Charles J. Elbert
Tolay, Ala.

12-10-42
1.85
1.85

WARRANTY DEED

STATE OF ALABAMA,
BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the

sum of ONE DOLLAR AND OTHER VALUABLE CONSIDERATIONS Dollars

to US in hand paid by CHAS. J. EBERT

the receipt whereof is hereby acknowledged LAMAR IRWIN AND WIFE, FRANCES IRWIN

, do grant, bargain, sell and convey unto the said

CHAS. J. EBERT AN UNDIVIDED ONE-HALF INTEREST IN
the following described lands situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of the Northeast Quarter of Section 19,
Township 7 South, Range 5 East; Subject to a first mortgage
to the First Joint Stock Land Bank and the right of redemption
of John Burkhalter

TO HAVE AND TO HOLD to the said CHAS. J. EBERT ~~AN UNDIVIDED INTEREST~~
AND HIS heirs and assigns forever.

And WE do covenant with the said CHAS. J. EBERT
that WE ARE seized in fee of the above
described premises; that WE have the right to sell and convey the same, that the said
premises are free from all encumbrances; and that WE will and OUR heirs,
executors and administrators shall forever WARRANT AND DEFEND the same to the said
CHAS. J. EBERT
heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS our hands and seals this 12th day of August, 1936.

WITNESS:

Lamar Irwin L. S.
Frances Irwin L. S.
L. S.

STATE OF ALABAMA, } SS.
BALDWIN COUNTY.

I, Gus Schultz., a Notary Public in and for said State and County,
do hereby certify that Lamar Irwin.

whose name is signed to the foregoing conveyance, and who is are known to me,
acknowledge before me, on this day, that being informed of the contents of the said convey-
ance has executed the same voluntarily on the day same bears date.

Given under my hand and official seal this 12th day of August., 1936

Gus Schultz
Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA, } SS.
BALDWIN COUNTY.

I, Gus Schultz., a Notary Public in and for said State and County,
do hereby certify that on the 12th. day of August, 1936, came before me

the within named Frances Irwin., known to me to be the wife

of the within named Lamar Irwin., who, being examined

separate and apart from her husband in reference to her signature to the within conveyance,
acknowledged that she signed the same of her own free will and accord, and without fear,
constraint or threat on the part of the husband.

In witness whereof, I hereunto set my hand and official seal this 12th. day of
August., 1936.

Gus Schultz
Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETING:

WE COMMAND YOU, that you summon JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION, BALDWIN LAND HOLDING COMPANY, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOE ORR, AND MRS. A. ORR, if they be living or, if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, 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 CHARLES J. EBERT and CHARLES C. CARPENTER against said above named, and further to do and perform what the said Judge shall order and direct in that behalf. And this the Respondents shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of the said Circuit Court this 10th day of April, 1944.

R. S. Duck
Register.

CHARLES J. EBERT AND
CHARLES C. CARPENTER,
COMPLAINANTS

VS

SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION
18, TOWNSHIP 7 SOUTH RANGE 5
EAST, AND NORTH HALF OF NORTH HALF OF
SECTION 19, TOWNSHIP 7 SOUTH RANGE
5 EAST, BALDWIN COUNTY, ALABAMA,
AND JOSEPH HENRY RASCH, PAULINA MARIE
RASCH, BALDWIN COUNTY COLONIZATION
COMPANY, FIRST JOINT STOCK LAND BANK
OF MONTGOMERY, AMERICAN SECURITIES
CORPORATION, BALDWIN LAND HOLDING
COMPANY, GEORGE E. McEWEN, HENRIETTA
J. McEWEN, ADLOE ORR, AND MRS. A. ORR,
if they be living or if they be dead,
the unknown heirs, devisees, grantees,
personal representatives and assigns of
them, and each of them,
RESPONDENTS.

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

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

Comes your complainants, CHARLES J. EBERT and CHARLES C. CARPENTER
and presents this, their bill of complaint against the following described lands
in Baldwin County, Alabama, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18, Township 7 South Range 5 East, and North half of North Half of Section 19, Township 7 South of Range 5 East;

and against JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION BALDWIN LAND HOLDING COMPANY, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOE ORR and MRS. A. ORR, and each of them separately and severally and if either or any of them be dead, then against the heirs, and each of their heirs, devisees, grantees, personal representatives and assigns, separately and severally, and against any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said land or any part of parcel thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your complainants are over twenty one years of age, and bona fide residents of Baldwin County, Alabama; that Joseph Henry Rasch, Paulina Marie Rasch, George E. McEwen, Henrietta J. McEwen, Adloe Orr, and Mrs. A. Orr are over twenty one years of age and non-residents of the State of Alabama, that a diligent search and inquiry has been made to ascertain and determine their, and each of their addresses, but they are unknown; that the Baldwin County Colonization Company is a corporation but has no agent or representative within the State of Alabama; that the address of the American Securities Corporation and the Baldwin Landholding Company is Mobile, Mobile County, Alabama; and that the address of the First Joint Stock Land Bank of Montgomery, is Montgomery, Montgomery County, Alabama; that the Complainants are the owners in fee simple and in the actual possession of the lands in Baldwin County, Alabama, described as follows:

Southwest Quarter of the Southeast Quarter of Section 18, Township 7 South Range 5 East, and North half of North half of Section 19, Township 7 South of Range 5 East;

2.

That no suit is pending to test the Complainants' title to, interest in, or rights of possession to said land.

3.

That the Complainants obtained title to said lands by conveyances of record in the office of the Probate Judge of Baldwin County, Alabama, as follows:

J. S. Lowrey, dated August 20th, 1940, recorded 73 NS page 23; J. A. Pilgrim and wife, dated August 17th, 1940, recorded 72 NS page 372-3; State Land Commissioner of Alabama, dated December 21, 1936, recorded 61 NS page 165; Baldwin Land Holding Company, Inc, dated March 11th, 1937, recorded 61 NS pages 566-7; Lamar Irwin and Frances Irwin, his wife, dated July 13, 1940, recorded 72 NS page 240; Charles J. Ebert and wife to Charles C. Carpenter dated July 15th, 1940, recorded 72 NS page 267; Clem Peters and wife, dated August 29th, 1942, recorded 78 NS page 312-13; H. J. Rebwaldt, dated August 5th, 1942, recorded 78 NS page 311; Charles J. Ebert and wife to Charles C. Carpenter dated December 14th, 1942, recorded 78 NS page 403;

4.

That the title to said lands as claimed by the Complainants stands upon the records of Baldwin County, Alabama, in the names of Charles J. Ebert and Charles C. Carpenter;

5.

That no one has within the ten years next preceding the filing of this Bill of Complaint, paid any taxes upon or had any possession of said lands except Charles J. Ebert and Charles C. Carpenter, and those through whom they claim.

6.

That the only persons or corporations known by your Complainants to claim said lands or any part thereof, or any interest therein, are Charles J. Ebert and Charles C. Carpenter, and Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen, Adice Orr and Mrs. A. Orr; that a diligent search and inquiry has been made from residents of Elberta and Foley, in Baldwin County, Alabama, the vicinity in which said lands are located, from the records and individuals at Bay Minette, the County seat of Baldwin County, Alabama, the County in which said lands lie, to ascertain the present ages and addresses of the said Respondents whose addresses are unknown, and whether or not they or any of them are dead and, if dead, the names, ages

and addresses of their heirs, devisees, grantees, personal representatives and assigns, and that they are unknown; that from all information obtainable the Respondents whose addresses are unknown are all over the age of twenty one years and non-residents of the State of Alabama;

WHEREFORE, your Complainants pray that this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen, Adloe Orr and Mrs. A. Orr, and each of them, and the unknown heirs, devisees, personal representatives and assigns of them if either of any of them be dead, and any other person, firm or corporation claiming any title to, interest in, lien or encumbrance on the said lands, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18,
Township 7 South of Range 5 East, and North half of North
Half of Section 19, Township 7 South of Range 5 East, in
Baldwin County, Alabama

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

Your Complainants further pray that, upon a final hearing hereof this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances, to the said land and to each part and parcel thereof, is vested in the Complainants, Charles J. Ebert and Charles C. Carpenter, as against Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen Adloe Orr and Mrs. A. Orr, if they be living, and, if they be dead, their and each of their, unknown heirs, devisees, grantees, personal representatives and assigns, and any other persons, firms or corporations claiming any right, title to, interest in, claim, lien or encumbrance upon the said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your Complainant

pray for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BRADY & HALL

By _____
Attorneys for Complainant.

10201
STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared Charles J. Ebert, who is known to me and who, having been by me first duly sworn, deposes and says that he is the Complainant in the foregoing cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true and from such information obtained, I verily believe and so state the same to be true.

Sworn to and subscribed before me on this the _____ day of April, 1944.

Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETING;

WE COMMAND YOU, that you summon JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION, BALDWIN LAND HOLDING COMPANY, GEORGE E. McWEN, HENRIETTA J. McWEN, ADLOE ORR, AND MRS. A. ORR, if they be living or, if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, 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 CHARLES J. EBERT and CHARLES C. CARPENTER against said above named, and further to do and perform what the said Judge shall order and direct in that behalf. And this the Respondents shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of the said Circuit Court this 14th day of April, 1944.

R. S. Duck
Register.

CHARLES J. EBERT AND
CHARLES C. CARPENTER,
COMPLAINANTS

VS

SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION
18, TOWNSHIP 7 SOUTH RANGE 5
EAST, AND NORTH HALF OF NORTH HALF OF
SECTION 19, TOWNSHIP 7 SOUTH RANGE
5 EAST, BALDWIN COUNTY, ALABAMA,
AND JOSEPH HENRY RASCH, PAULINA MARIE
RASCH, BALDWIN COUNTY COLONIZATION
COMPANY, FIRST JOINT STOCK LAND BANK
OF MONTGOMERY, AMERICAN SECURITIES
CORPORATION, BALDWIN LAND HOLDING
COMPANY, GEORGE E. McWEN, HENRIETTA
J. McWEN, ADLOE ORR, AND MRS. A. ORR,
if they be living or if they be dead,
the unknown heirs, devisees, grantees,
personal representatives and assigns of
them, and each of them,
RESPONDENTS.

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

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

Comes your complainants, CHARLES J. EBERT and CHARLES C. CARPENTER
and presents this, their bill of complaint against the following described lands
in Baldwin County, Alabama, to-wit:

Southwest Quarter of the Southeast Quarter of Section
18, Township 7 South Range 5 East, and North half of North
Half of Section 19, Township 7 South of Range 5 East;

and against JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION
COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION
BALDWIN LAND HOLDING COMPANY, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOE ORR
and MRS. A. ORR, and each of them separately and severally and if either or any of
them be dead, then against the heirs, and each of their heirs, devisees, grantees,
personal representatives and assigns, separately and severally, and against any
and all other persons, firms or corporations claiming any title to, interest in,
lien or encumbrance upon the said land or any part of parcel thereof, and respectfully
represents and shows unto your Honor and this Honorable Court as follows:

1.

That your complainants are over twenty one years of age, and bona
fide residents of Baldwin County, Alabama; that Joseph Henry Rasch, Paulina
Marie Rasch, George E. McEwen, Henrietta J. McEwen, Adloe Orr, and Mrs. A. Orr
are over twenty one years of age and non-residents of the State of Alabama, that a
diligent search and inquiry has been made to ascertain and determine their, and each
of their addresses, but they are unknown; that the Baldwin County Colonization
Company is a corporation but has no agent or representative within the State of
Alabama; that the address of the American Securities Corporation and the Baldwin
Landholding Company is Mobile, Mobile County, Alabama; and that the address of
the First Joint Stock Land Bank of Montgomery, is Montgomery, Montgomery County,
Alabama; that the Complainants are the owners in fee simple and in the actual
possession of the lands in Baldwin County, Alabama, described as follows:

Southwest Quarter of the Southeast Quarter of Section 18, Township
7 South Range 5 East, and North half of North half of Section 19,
Township 7 South of Range 5 East;

2.

That no suit is pending to test the Complainants' title to, interest in,
or rights of possession to said land.

3.

That the Complainants obtained title to said lands by conveyances of
record in the office of the Probate Judge of Baldwin County, Alabama, as follows:

J. S. Lowrey, dated August 20th, 1940, recorded 73 NS page 28; J. A. Pilgrim and wife, dated August 17th, 1940, recorded 72 NS page 372-3; State Land Commissioner of Alabama, dated December 21, 1938, recorded 61 NS page 183; Baldwin Land Holding Company, Inc, dated March 11th, 1937, recorded 61 NS pages 566-7; Lamar Irwin and Frances Irwin, his wife, dated July 13, 1940, recorded 72 NS page 240; Charles J. Ebert and wife to Charles C. Carpenter dated July 13th, 1940, recorded 72 NS page 287; Clem Peters and wife, dated August 29th, 1942, recorded 78 NS page 312-13; H. J. Rehwaldt, dated August 5th, 1942, recorded 78 NS page 311; Charles J. Ebert and wife to Charles C. Carpenter dated December 14th, 1942, recorded 78 NS page 403;

4.

That the title to said lands as claimed by the Complainants stands upon the records of Baldwin County, Alabama, in the names of Charles J. Ebert and Charles C. Carpenter;

5.

That no one has within the ten years next preceding the filing of this Bill of Complaint, paid any taxes upon or had any possession of said lands except Charles J. Ebert and Charles C. Carpenter, and those through whom they claim.

6.

That the only persons or corporations known by your Complainants to claim said lands or any part thereof, or any interest therein, are Charles J. Ebert and Charles C. Carpenter, and Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George B. McEwen, Henrietta J. McEwen, Adloe Orr and Mrs. A. Orr; that a diligent search and inquiry has been made from residents of Elberta and Foley, in Baldwin County, Alabama, the vicinity in which said lands are located, from the records and individuals at Bay Minette, the County seat of Baldwin County, Alabama, the County in which said lands lie, to ascertain the present ages and addresses of the said Respondents whose addresses are unknown, and whether or not they or any of them are dead and, if dead, the names, ages

and addresses of their heirs, devisees, grantees, personal representatives and assigns, and that they are unknown; that from all information obtainable the Respondents whose addresses are unknown are all over the age of twenty one years and non-residents of the State of Alabama;

WHEREFORE, your Complainants pray that this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Corporation, Baldwin Land Holding Company, George B. McEwen, Henrietta J. McEwen Adloe Orr and Mrs. A. Orr, if they be living, and, if they be dead, their and each of their, unknown heirs, devisees, grantees, personal representatives and assigns, and any other persons, firms or corporations claiming any right, title to, interest in, claim, lien or encumbrance upon the said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your Complainants

pray for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BRADY & HALL.

By _____
Attorneys for Complainant.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared Charles J. Ebert, who is known to me and who, having been by me first duly sworn, deposes and says that he is the Complainant in the foregoing cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true and from such information obtained, I verily believe and so state the same to be true.

Sworn to and subscribed before me on this the _____ day of April, 1944.

Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETING;

WE COMMAND YOU, that you summon JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION, BALDWIN LAND HOLDING COMPANY, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOE ORR, AND MRS. A. ORR, if they be living or, if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, 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 CHARLES J. EBERT and CHARLES C. CARPENTER against said above named, and further to do and perform what the said Judge shall order and direct in that behalf. And this the Respondents shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of the said Circuit Court this 10th day of April, 1944.


Register.

CHARLES J. EBERT AND
CHARLES C. CARPENTER,
COMPLAINANTS

VS

SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION
18, TOWNSHIP 7 SOUTH RANGE 5
EAST, AND NORTH HALF OF NORTH HALF OF
SECTION 19, TOWNSHIP 7 SOUTH RANGE
5 EAST, BALDWIN COUNTY, ALABAMA,
AND JOSEPH HENRY RASCH, PAULINA MARIE
RASCH, BALDWIN COUNTY COLONIZATION
COMPANY, FIRST JOINT STOCK LAND BANK
OF MONTGOMERY, AMERICAN SECURITIES
CORPORATION, BALDWIN LAND HOLDING
COMPANY, GEORGE E. McEWEN, HENRIETTA
J. McEWEN, ADLOE ORR, AND MRS. A. ORR,
if they be living or if they be dead,
the unknown heirs, devisees, grantees,
personal representatives and assigns of
them, and each of them,
RESPONDENTS.

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

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

Comes your complainants, CHARLES J. EBERT and CHARLES C. CARPENTER
and presents this, their bill of complaint against the following described lands
in Baldwin County, Alabama, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18, Township 7 South Range 5 East, and North half of North Half of Section 19, Township 7 South of Range 5 East;

and against JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION BALDWIN LAND HOLDING COMPANY, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOE ORR and MRS. A. ORR, and each of them separately and severally and if either or any of them be dead, then against the heirs, and each of their heirs, devisees, grantees, personal representatives and assigns, separately and severally, and against any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said land or any part of parcel thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your complainants are over twenty one years of age, and bona fide residents of Baldwin County, Alabama; that Joseph Henry Rasch, Paulina Marie Rasch, George E. McEwen, Henrietta J. McEwen, Adloe Orr, and Mrs. A. Orr are over twenty one years of age and non-residents of the State of Alabama, that a diligent search and inquiry has been made to ascertain and determine their, and each of their addresses, but they are unknown; that the Baldwin County Colonization Company is a corporation but has no agent or representative within the State of Alabama; that the address of the American Securities Corporation and the Baldwin Landholding Company is Mobile, Mobile County, Alabama; and that the address of the First Joint Stock Land Bank of Montgomery, is Montgomery, Montgomery County, Alabama; that the Complainants are the owners in fee simple and in the actual possession of the lands in Baldwin County, Alabama, described as follows:

Southwest Quarter of the Southeast Quarter of Section 18, Township 7 South Range 5 East, and North half of North half of Section 19, Township 7 South of Range 5 East;

2.

That no suit is pending to test the Complainants' title to, interest in, or rights of possession to said land.

3.

That the Complainants obtained title to said lands by conveyances of record in the office of the Probate Judge of Baldwin County, Alabama, as follows:

J. S. Lowrey, dated August 20th, 1940, recorded 73 NS page 28; J. A. Pilgrim and wife, dated August 17th, 1940, recorded 72 NS page 372-3; State Land Commissioner of Alabama, dated December 21, 1936, recorded 61 NS page 163; Baldwin Land Holding Company, Inc, dated March 11th, 1937, recorded 61 NS pages 566-7; Lamar Irwin and Frances Irwin, his wife, dated July 13, 1940, recorded 72 NS page 240; Charles J. Ebert and wife to Charles C. Carpenter dated July 15th, 1940, recorded 72 NS page 287; Clem Peters and wife, dated August 29th, 1942, recorded 78 NS page 312-13; H. J. Rehwaldt, dated August 5th, 1942, recorded 78 NS page 311; Charles J. Ebert and wife to Charles C. Carpenter dated December 14th, 1942, recorded 78 NS page 403;

4.

That the title to said lands as claimed by the Complainants stands upon the records of Baldwin County, Alabama, in the names of Charles J. Ebert and Charles C. Carpenter;

5.

That no one has within the ten years next preceding the filing of this Bill of Complaint, paid any taxes upon or had any possession of said lands except Charles J. Ebert and Charles C. Carpenter, and those through whom they claim.

6.

That the only persons or corporations known by your Complainants to claim said lands or any part thereof, or any interest therein, are Charles J. Ebert and Charles C. Carpenter, and Joseph Henry Rasch, Pauline Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen, Adlee Orr and Mrs. A. Orr; that a diligent search and inquiry has been made from residents of Elberta and Foley, in Baldwin County, Alabama, the vicinity in which said lands are located, from the records and individuals at Bay Minette, the County seat of Baldwin County, Alabama, the County in which said lands lie, to ascertain the present ages and addresses of the said Respondents whose addresses are unknown, and whether or not they or any of them are dead and, if dead, the names, ages

and addresses of their heirs, devisees, grantees, personal representatives and assigns and that they are unknown; that from all information obtainable the Respondents whose addresses are unknown are all over the age of twenty one years and non-residents of the State of Alabama;

WHEREFORE, your Complainants pray that this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen, Adloe Orr and Mrs. A. Orr, and each of them, and the unknown heirs, devisees, personal representatives and assigns of them if either of any of them be dead, and any other person, firm or corporation claiming any title to, interest in, lien or encumbrances on the said lands, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18,
Township 7 South of Range 5 East, and North half of North
Half of Section 19, Township 7 South of Range 5 East, in
Baldwin County, Alabama

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

Your Complainants further pray that, upon a final hearing hereof this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances, to the said land and to eachpart and parcel thereof, is vested in the Complainants, Charles J. Ebert and Charles C. Carpenter, as against Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen Adloe Orr and Mrs. A. Orr, if they be living, and, if they be dead, their and each of their, unknown heirs, devisees, grantees, personal representatives and assigns, and any other persons, firms or corporations claiming any right, title to, interest in, claim, lien or encumbrance upon the said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your Complainants

pray for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BEARD & HALL.

By _____
Attorneys for Complainant.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared Charles J. Ebert, who is known to me and who, having been by me first duly sworn, deposes and says that he is the Complainant in the foregoing cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true and from such information obtained, I verily believe and so state the same to be true.

Sworn to and subscribed before me on this the _____ day of April, 1944.

Notary Public, Baldwin County, Alabama.

1085

Good conscience shall seem meet and proper.
Pray for such other, further, different or General relief as in equity and

WILLIAM & HILL

By

Attorneys for Complainant.

CHARLES J. EBERT AND CHARLES C.
CARPENTER
STATE OF ALABAMA
SALVAGE COUNTY
COMPLAINANTS
VS
JOSEPH HENRY CASCH, ET AL
RESPONDENTS

SUMMONS AND COMPLAINT

such information obtained, verily believe and so state the same to be true.
going bills of complaint, from all information obtainable, are true and from
complaints in the foregoing cause, and that the facts stated in the fore-
having been by me sworn, depose and say that he is
State, personally appeared Charles J. Ebert, who is known to me and who,
the undersigned authority in and for said County and

Sworn to and subscribed before me on this the _____ day of April,

THE STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on 22nd day of April, A. D. 19 29, the Probate Court of Baldwin County rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from Baldwin Land Holding Co # 1, the owner of said lands, and for the payment of the fees, costs, and expenses of and under said decree, and the sale had in execution thereof.

AND WHEREAS, thereafter, to-wit, on the 27th day of May, 19 29, under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County for said taxes, fees, costs, and expenses, and no person having bid a sufficient sum for said lands to pay the same; said lands were bid in for the State for the sum of said taxes, fees, costs, and expenses.

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama, with the approval of the Governor, has fixed the price of said land, and ascertained that the sum of Twenty-eight and No/100 (\$28.00) Dollars is sufficient to cover and satisfy all claims of the State and County against said lands for or on account of taxes, interest, fees, and costs, and officers' fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by Chas. Ebert to purchase said lands, and said sum of Twenty-eight and No/100 (\$28.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Chas. Ebert, without warranty or covenant of any kind on the part of the State, express or implied, all right and title of the State of Alabama in and to said lands, described as follows:

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 19, t7s, r5e.

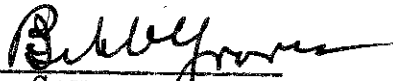
lying and being situate in said County and State, to have and to hold the same, the said right and title of the State in the lands aforesaid, unto Chas. Ebert

and his heirs and assigns forever.

In testimony whereof I have hereunto set my hand and seal this the 21st day of December, 1936

Approved

STATE LAND COMMISSIONER OF ALABAMA,

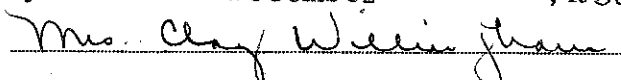

Governor

By 
State Land Commissioner.

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

I, Mrs. Clay Willingham, a Notary Public in and for said County, in said State, hereby certify that Henry S. Long, whose name is signed to the foregoing conveyance as State Land Commissioner, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he, in his capacity as such State Land Commissioner, executed the same voluntarily on the day the same bears date.

Given under my hand this the 21st day of December, 1936

 Notary Public.

CHARLES J. EBERT, ET AL

COMPLAINANTS

VS

JOSEPH HENRY RASCH, ET ALS

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 109

Notice is hereby given that the Complainant will, on
the 29th day of June, 1944, before Bernice F. Reid as special commissioner,
take the testimony orally of the following witnesses on behalf of the
complainants:

Charles J. Ebert
John J. Lewis
Rubert M. Hall

Dated this the 26th day of June, 1944.

BEEBE & HALL

By

John Lee

Solicitors for Complainants.

CHARLES J. EBERT, ET AL
COMPLAINANTS

VS

JOSEPH HENRY RASCH, ET AL
RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 109V

TO HONORABLE R. S. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

The Complainants wish to take, orally, testimony on behalf of
the complainants of the following named witnesses:

Charles J. Ebert
John J. Lewis
Hubert M. Hall

It is hereby requested that you give proper and legal notice
and that Bernice F. Reid be duly appointed as Special Commissioner to take
the testimony of the said witnesses and that due and legal notice of said
request and said appointment be given as required by law.

BEEBE & HALL

By 

ALABAMA'S BEST COUNTY'S-

BAY MINETTE, ALABAMA

BEST NEWSPAPER

NOTICE
CHARLES E. ROBERT AND
CHARLES C. CARPENTER,
COMPLAINANTS
VS
JOSEPH HENRY RASCH ET AL
RESPONDENTS.

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

It having been made to appear, in
the above cause, by the affidavit of
Charles E. Robert and Charles C. Car-
penter, George E. McDwan, Henrietta
T. McDwan, Adloc. Orr, and Mrs. A.
Orr, if they be living or, if they be
dead, their heirs, devisees, grantees or
assigns, and any other person, firm or
corporation claiming any right, title
to, interest in, lien or encumbrance on
said lands herein described in Baldwin
County, or any part or parcel thereof,
appearing in this Court and plead, answer
or demur to the Bill of Complaint in
this cause filed on or before the 8th
day of May, 1944; and upon their hav-
ing failed to do so at the expiration of
thirty days from said date this cause
shall be at issue.

IT IS FURTHER ORDERED that
this order and notice be published in
the Baldwin Times, a newspaper pub-
lished in Bay Minette, in Baldwin County,
Alabama, once a week for four con-
secutive weeks.

IN WITNESS WHEREOF, I, R. S.
DUCK, as Register, have hereunto set
my hand and seal on this the 5th
day of April, 1944.

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

DEBBIE E. ALLEN, Clerk
Solicitor for Complainants.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Ford Cook, being duly sworn, deposes and says
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Notice

COST STATEMENT

617 WORDS @ 4 1/2 cents \$ 27.77

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

Ford Cook
Publisher.

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

Date of 1st publication April 6, 1944 Vol. 5-5 No. 10

Date of 2nd publication " 13, 1944 Vol. 5-5 No. 11

Date of 3rd publication " 20, 1944 Vol. 5-5 No. 12

Date of 4th publication " 27, 1944 Vol. 5-5 No. 13

Subscribed and sworn before the undersigned this _____ day of _____ 1944.

Notary Public, Baldwin County.

Ford Cook
Publisher.

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA --- GREETING:

WE COMMAND YOU, that you summon JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION, BALDWIN LAND HOLDING COMPANY, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOE ORR, AND MRS. A. ORR, if they be living or, if they be dead, their unknown heirs, devisees, grantees, personal representatives and assigns, and each of them, 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 CHARLES J. EBERT and CHARLES C. CARPENTER against said above named, and further to do and perform what the said Judge shall order and direct in that behalf. And this the Respondents shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of the said Circuit Court this 6th day of April, 1944.

R. S. Duck
Register.

CHARLES J. EBERT AND
CHARLES C. CARPENTER,
COMPLAINANTS

VS

SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION
18, TOWNSHIP 7 SOUTH RANGE 5
EAST, AND NORTH HALF OF NORTH HALF OF
SECTION 19, TOWNSHIP 7 SOUTH RANGE
5 EAST, BALDWIN COUNTY, ALABAMA,
AND JOSEPH HENRY RASCH, PAULINA MARIE
RASCH, BALDWIN COUNTY COLONIZATION
COMPANY, FIRST JOINT STOCK LAND BANK
OF MONTGOMERY, AMERICAN SECURITIES
CORPORATION, BALDWIN LAND HOLDING
COMPANY, GEORGE E. McEWEN, HENRIETTA
J. McEWEN, ADLOE ORR, AND MRS. A. ORR,
if they be living or if they be dead,
the unknown heirs, devisees, grantees,
personal representatives and assigns of
them, and each of them,
RESPONDENTS.

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

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

Comes your complainants, CHARLES J. EBERT and CHARLES C. CARPENTER
and presents this, their bill of complaint against the following described lands
in Baldwin County, Alabama, to-wit:

Southwest Quarter of the Southeast Quarter of Section
18, Township 7 South Range 5 East, and North half of North
Half of Section 19, Township 7 South of Range 5 East;

and against JOSEPH HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION
COMPANY, FIRST JOINT STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION
BALDWIN LAND HOLDING COMPANY, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOE ORR
and MRS. A. ORR, and each of them separately and severally and if either or any of
them be dead, then against the heirs, and each of their heirs, devisees, grantees,
personal representatives and assigns, separately and severally, and against any
and all other persons, firms or corporations claiming any title to, interest in,
lien or encumbrance upon the said land or any part of parcel thereof, and respectfully
represents and shows unto your Honor and this Honorable Court as follows:

1.

That your complainants are over twenty one years of age, and bona
fide residents of Baldwin County, Alabama; that Joseph Henry Rasch, Paulina
Marie Rasch, George E. McEwen, Henrietta J. McEwen, Adloe Orr, and Mrs. A. Orr
are over twenty one years of age and non-residents of the State of Alabama, that a
diligent search and inquiry has been made to ascertain and determine their, and each
of their addresses, but they are unknown; that the Baldwin County Colonization
Company is a corporation but has no agent or representative within the State of
Alabama; that the address of the American Securities Corporation and the Baldwin
Landholding Company is Mobile, Mobile County, Alabama; and that the address of
the First Joint Stock Land Bank of Montgomery, is Montgomery, Montgomery County,
Alabama; that the Complainants are the owners in fee simple and in the actual
possession of the lands in Baldwin County, Alabama, described as follows:

Southwest Quarter of the Southeast Quarter of Section 18, Township
7 South Range 5 East, and North half of North half of Section 19,
Township 7 South of Range 5 East;

2.

That no suit is pending to test the Complainants' title to, interest in,
or rights of possession to said land.

3.

That the Complainants obtained title to said lands by conveyances of
record in the office of the Probate Judge of Baldwin County, Alabama, as follows:

J. S. Lowrey, dated August 20th, 1940, recorded 73 NS page 23; J. A. Pilgrim and wife, dated August 17th, 1940, recorded 72 NS page 372-3; State Land Commissioner of Alabama, dated December 21, 1936, recorded 61 NS page 163; Baldwin Land Holding Company, Inc, dated March 11th, 1937, recorded 61 NS pages 566-7; Lamar Irwin and Frances Irwin, his wife, dated July 13, 1940, recorded 72 NS page 240; Charles J. Ebert and wife to Charles C. Carpenter dated July 15th, 1940, recorded 72 NS page 267; Clem Peters and wife, dated August 29th, 1942, recorded 78 NS page 312-13; H. J. Rehwaldt, dated August 5th, 1942, recorded 78 NS page 311; Charles J. Ebert and wife to Charles C. Carpenter dated December 14th, 1942, recorded 78 NS page 403;

4.

That the title to said lands as claimed by the Complainants stands upon the records of Baldwin County, Alabama, in the names of Charles J. Ebert and Charles C. Carpenter;

5.

That no one has within the ten years next preceding the filing of this Bill of Complaint, paid any taxes upon or had any possession of said lands except Charles J. Ebert and Charles C. Carpenter, and those through whom they claim.

6.

That the only persons or corporations known by your Complainants to claim said lands or any part thereof, or any interest therein, are Charles J. Ebert and Charles C. Carpenter, and Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen, Adloe Orr and Mrs. A. Orr; that a diligent search and inquiry has been made from residents of Elberta and Foley, in Baldwin County, Alabama, the vicinity in which said lands are located, from the records and individuals at Bay Minette, the County seat of Baldwin County, Alabama, the County in which said lands lie, to ascertain the present ages and addresses of the said Respondents whose addresses are unknown, and whether or not they or any of them are dead and, if dead, the names, ages

and addresses of their heirs, devisees, grantees, personal representatives and assigns, and that they are unknown; that from all information obtainable the Respondents whose addresses are unknown are all over the age of twenty one years and non-residents of the State of Alabama;

WHEREFORE, your Complainants pray that this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen, Adloe Orr and Mrs. A. Orr, and each of them, and the unknown heirs, devisees, personal representatives and assigns of them if either of any of them be dead, and any other person, firm or corporation claiming any title to, interest in, lien or encumbrance on the said lands, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18,
Township 7 South of Range 5 East, and North half of North
Half of Section 19, Township 7 South of Range 5 East, in
Baldwin County, Alabama

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

Your Complainants further pray that, upon a final hearing hereof this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances, to the said land and to each part and parcel thereof, is vested in the Complainants, Charles J. Ebert and Charles C. Carpenter, as against Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta J. McEwen Adloe Orr and Mrs. A. Orr, if they be living, and, if they be dead, their and each of their, unknown heirs, devisees, grantees, personal representatives and assigns, and any other persons, firms or corporations claiming any right, title to, interest in, claim, lien or encumbrance upon the said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your Complainants

pray for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BEEBE & HALL

By Shirley
Attorneys for Complainant.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared Charles J. Ebert, who is known to me and who, having been by me first duly sworn, deposes and says that he is the Complainant in the foregoing cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true and from such information obtained, I verily believe and so state the same to be true.

1944.

Sworn to and subscribed before me on this the 6th day of April,

Charles J. Ebert
Notary Public, Baldwin County, Alabama.

My Commission Expires Sept. 10, 1947

CHARLES J. EBERT AND CHARLES
C. CARPENTER,
COMPLAINANTS

VS

JOSEPH HENRY RASCH, ET AL
RESPONDENTS.

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

It having been made to appear, in the above cause, by the affidavit of Charles J. Ebert, that Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Company Colonization, a corporation, American Securities Corporation, George E. McEwen, Henrietta J. McEwen, Adloe Orr, Mrs. A. Orr, Baldwin Land Holding Company, Inc., and First Joint Stock Land Bank of Montgomery, Alabama, if they be living or if they be dead, their heirs, devisees, Grantees or assigns, are non-residents of the State of Alabama, their addresses being unknown; that Charles J. Ebert and Charles C. Carpenter own in fee simple the following described lands in Baldwin County, Alabama, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18,
Township 7 South of Range 5 East;
North half of the North half of Section 19, Township 7
South of Range 5 East;


having acquired the same by conveyances of record in the office of the Probate Judge of Baldwin County, Alabama, as follows: J. S. Lowrey, dated August 20th, 1940, recorded 73 NS page 23; J. A. Pilgrim and wife, dated August 17th, 1940, recorded 72 NS page 372-3; State Land Commissioner of Alabama, dated December 21, 1936, recorded 61 NS page 163; Baldwin Land Holding Company, Inc., dated March 11, 1937, recorded 61 NS pages 566-7; Lamar Irwin and Frances Irwin, his wife, dated July 13, 1940, recorded 72 NS page 240; Charles J. Ebert and wife to Charles C. Carpenter, dated July 15th, 1940, recorded 72 NS page 267; Clem Peters and wife, August 29th, 1942, recorded 78 NS pages 312-13; H. J. Rehwaldt, dated August 5th, 1942, recorded 78 NS page 311; Charles J. Ebert and wife to Charles C. Carpenter dated December 14th, 1942, recorded 78 NS page 403; that the title to said land stands on the records of the Probate Office of Baldwin County, Alabama, in the name of Charles J. Ebert and Charles C. Carpenter; that no person is known to have paid taxes upon the said lands or to have been in possession of said lands or any part

thereof within ten years next preceding the filing of this Bill of Complaint, except Charles J. Ebert and Charles C. Carpenter and those through whom they claim by mesne conveyances.

IT IS THEREFORE ORDERED and notice is hereby given that said Respondents, Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwan, Henrietta J. McEwen, Adloe Orr, and Mrs. A. Orr, if they be living or, if they be dead, their heirs, devisees, grantees or assigns, and any other person, firm or corporation claiming any right, title to, interest in, lien or encumbrance on said lands herein described in Baldwin County, or any part or parcel thereof, appear in this Court and plead, answer or demur to the Bill of Complaint in this cause filed on or before the 8th day of May, 1944, and upon their having failed to do so at the expiration of thirty days from said date this cause shall be at issue.

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

IN WITNESS WHEREOF, I, R. S. DUCK, as Register, have hereunto set my hand and seal on this the 5th day of April, 1944.



Register of the Circuit Court of
Baldwin County, Alabama.

BEEBE & HALL
Solicitors for Complainants.

STATE OF ALABAMA
BALDWIN COUNTY.

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, in Equity, hereby certify that the above is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published at Bay Minette, Alabama, in the cause of Charles J. Ebert and Charles C. Carpenter, Complainants, vs Joseph Henry Rasch, et al, Respondents, and filed in the office of the Probate Judge of Baldwin County, Alabama, the county in which said lands lie, in accordance with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 5th day of April, 1944.


Register of the Circuit Court of
Baldwin County, Alabama.

CHARLES J. HUBERT, ET AL.

COMPLAINANTS

VS

JOSEPH HENRY RABECH, ET AL.

RESPONDENTS

IN THE CIRCUIT COURT OF

BALTIMORE COUNTY, ALABAMA

IN EQUITY.

NO. _____

Notice is hereby given that the complainant will, on

the 26th day of June, 1944, before Gertrude F. Reid as special commissioner,

take the testimony orally of the following witnesses on behalf of the

complainants:

Charles J. Hubert

John J. Lewis

Hubert M. Hall

Dated this the 26th day of June, 1944.

BERNIE F. HALL

By

Solicitors for Complainants.

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. 1095

TERM, 1944.

CHARLES J. EBERT, ET AL

Complainant s.

VS.

JOSEPH HENRY RASCH, ET ALS

Respondent s.

TO R. S. DUCK, REGISTER:

In the above stated cause a Decree pro confesso
having been taken against the Respondent—
and evidence having been taken, and the cause being ready for submission for final decree, and
no defense having been interposed, the complainant s by BEEBE & HALL,
Solicitor S of record, now files with the Register of this Court this written request to deliver the
papers in this cause to the Judge for final decree in vacation.

BEEBE & HALL

BY J. M. Lee

Solicitor S for Complainant s.

NO. _____

CHARLES J. EBERT, ET AL

Complainant—

VS.

JOSEPH HENRY RASCH, ET AL

Respondent—

Request For Decree In Vacation

Filed

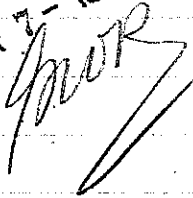
July 5, 1944
[Signature]

194

Register.

BAY MINETTE, ALA., APR 7 - 1944 1944

Please Return Bill With Remittance

Recording	from	to	Privilege Tax	Rec. Fee	Total
SP	Class of Albert &c	Jas H Rasch			140
		<div> <div>Paid</div> <div>APR 7 - 1944</div> <div>  </div> </div>			

Township 7 South Range 5 East, North half of
the North half of Section 19, Township 7 South
Range 5 East

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

Southwest Quarter of the Southeast Quarter of Section
18, Township 7 South Range 5 East, and the North half
of the North half of Section 19, Township 7 South Range
5 East,

all being in Baldwin County, Alabama, is vested absolutely in the Complainants
Charles J. Ebert and Charles C. Carpenter.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a
certified copy of this decree be recorded in the office of the Judge of Probate, of
Baldwin County, Alabama, in the direct index in the names of Joseph Henry Rasch,
Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land
Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company,
George E. McEwen, Henrietta J. McEwen, Adloe Orr, and Mrs. A. Orr, and the unknown
heirs, devisees, grantees, personal representatives, and assigns of Joseph Henry
Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock
Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding
Company, George E. McEwen, Henrietta J. McEwen, Adloe Orr, and Mrs. A. Orr,
and in the indirect index in the names of Charles J. Ebert and Charles C. Carpenter.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Register
shall, within thirty days from the rendition of this decree, file a certified
copy thereof in the office of the Judge of Probate, of Baldwin County, Alabama
for record 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 Monroeville, Alabama, this the 7th day of

July, 1944.

J. M. Hare
Judge.

CHARLES J. EBERT, ET AL
COMPLAINANTS

VS

JOSEPH H. RASCH, ET AL
DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

No. 1095

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

Original Bill of Complaint.

Copy of notice published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama.

Proof of publication of notice in the Baldwin Times.

Notice filed in the lis pendens record in the office of the Probate Judge of Baldwin County, Alabama.

Motion for decree pro confesso of service by publication against Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta McEwen, Adloe E. Orr, Mrs. A. Orr, and the unknown heirs or devisees of them if they, or any of them, should be dead, and any other person, firm or corporation claiming to own any right, title to, interest in or encumbrance upon the following described lands in Baldwin County, Alabama, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18, Township 7 South Range 5 East, and North half of North half of Section 19, Township 7 South of Range 5 East

Decree pro confesso on service by publication against Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta McEwen, Adloe E. Orr, Mrs. A. Orr.

Request for taking orally the testimony of Charles J. Ebert, John J. Lewis and Hubert M. Hall.

Appointment of Bernice F. Reid as special commissioner.

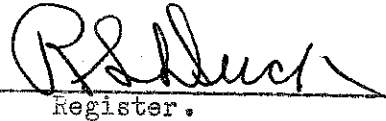
Notice of time set for taking the testimony of Charles J. Ebert,
John J. Lewis, and Hubert M. Hall, on behalf of complainant.

Commission issued by the Register to Bernice F. Reid, as special
commissioner.

Testimony of Charles J. Ebert, John J. Lewis, and Hubert M. Hall.

Request for decree in vacation.

Conveyances attached to the testimony of Charles J. Ebert.


Register.

CHARLES J. EBERT, ET AL
COMPLAINANTS

VS

JOSEPH HENRY RASCH, ET ALS
DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 1095

Motion is hereby made for a decree pro confesso against Joseph Henry Rasch, Paulina Marie Rasch, Baldwin County Colonization Company, First Joint Stock Land Bank of Montgomery, American Securities Corporation, Baldwin Land Holding Company, George E. McEwen, Henrietta McEwen, Adloe E. Orr, Mrs. A. Orr, and the unknown heirs or devisees of then if they, or any of them, should be dead, and any other person, firm or corporation claiming to own any right, title to, interest in or encumbrance upon the following described lands in Baldwin County, Alabama, to-wit:

Southwest Quarter of the Southeast Quarter of Section 18, Township 7 South Range 5 East, and North half of North half of Section 19, Township 7 South Range 5 East

Defendants, in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant ^{has} 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.

Dated this the ✓ day of July, 1944.

BEEBE & HALL

BY *Edmond Hall*
Solicitors for Complainants.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1095 July, Term, 1944

Charles J Ebert et als. Complainant

Vs.

Joseph Henry Reach et. als. Defendant

In this cause it appears to the Register R S Duck. that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 6th day of April., 1944, in the Baldwin Times. a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin. County, on the 7th day of April. 1944 and

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

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

This 26th day of June.

1944

R S Duck.

Register.

CHARLES J. EBERT, AND
CHARLES C. CARPENTER
COMPLAINANTS

VS

SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION
18, TOWNSHIP 7 SOUTH RANGE 5
EAST, AND NORTH HALF OF NORTH
HALF OF SECTION 19, TOWNSHIP
7 SOUTH RANGE 5 EAST, BALDWIN
COUNTY, ALABAMA, AND JOSEPH HENRY
RASCH, PAULINA MARIE RASCH, BALDWIN
COUNTY COLONIZATION COMPANY, FIRST
JOINT STOCK LAND BANK OF MONTGOMERY,
AMERICAN SECURITIES CORPORATION, BALDWIN
LAND HOLDING COMPANY, GEORGE E. McEWEN
HENRIETTA J McEWEN, ADLOE ORR, AND MRS.
A. ORR, IF THEY BELIVING OR IF THEY
BE DEAD, THE UNKNOWN HEIRS, DEVISEES,
GRANTEES, PERSONAL REPRESENTATIVES AND
ASSIGNS OF THEM, AND EACH OF THEM
RESPONDENTS.

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

This cause coming on to be heard was submitted for final
decree upon the pleadings, decree pro confesso, and proof as noted by the
Register, and it appearing to the Court that the Complainants are the owners
of and in the peaceable possession of the said lands and each and every parcel
thereof, and that the title of the Complainants has been duly and justly proven
by legal and competent evidence, the Court is of the opinion that the Complainants
are entitled to the relief prayed for.

IT IS THEREFORE ORDERED AND DECREED that the Respondents JOSEPH
HENRY RASCH, PAULINA MARIE RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT
STOCK LAND BANK OF MONTGOMERY, AMERICAN SECURITIES CORPORATION, BALDWIN LAND HOLDING
CORPORATION, GEORGE E. McEWEN, HENRIETTA J. McEWEN, ADLOR ORR, AND MRS. A. ORR
and the unknown heirs and devisees and grantees of JOSEPH HENRY RASCH, PAULINA MARIE
RASCH, BALDWIN COUNTY COLONIZATION COMPANY, FIRST JOINT STOCK LAND BANK OF MONT-
GOMERY, AMERICAN SECURITIES CORPORATION, BALDWIN LAND HOLDING COMPANY, GEORGE E.
McEWEN, HENRIETTA J. McEWEN, ADLOR E. ORR AND MRS. A. ORR, and each of them, and
any and all other persons, firms or corporations claiming any title to, interest in,
lien or encumbrance upon the said lands or any part or parcel thereof, have no
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 the Southeast Quarter, Section 18,

Send original and one copy to
Montgomery to be served on
First Joint Stock Land Bank.

Hold two copies and when original
has been returned from Montgomery
send two copies and original.
to Mobile to be served on
Baldwin Land Holding Co and
American Securities Corporation.

RSD.