

1128

CLARENCE E. MCCOY AND
BESS I. MCCOY)
COMPLAINANTS)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS

IN EQUITY.

MAGNOLIA SPRINGS LAND COMPANY)
W. Y. BRAME)
G. C. CUGGINS AND)
LEE R. COURTRIGHT)
DEFENDANTS)

ANSWER AND PLEA OF W. Y. BRAME.

Now comes the defendant, W. Y. Brame, and for answer or plea on his behalf herein answers and pleads as follows, to-wit:

First: That he makes no claim to the ownership of any part of the lands described in the bill of complaint or Declaration filed herein by Clarence E. McCoy and Bess I. McCoy, complainants.

Second: In order to clear the land records and to remove any cloud from the title to the lands involved in said suit described as: Beginning at the Northwest Corner of Section 24, Township 7 South of Range 2 East running South 30 rods, thence East parallel with the North line of Section 24 to Turkey Branch, thence along said branch East to West bank of Fish River, thence Northerly along said bank to the North line of Section 24, thence West to the place of beginning, all in Baldwin County, Alabama. He and his wife have made, executed and delivered a quit-claim deed to said land to said complainants, a copy of said bill attached hereto as Exhibit "A" and prayed to be considered a part hereof of the same as if copied herein.

Third: That he ~~has~~ no color of title with record, possession or inheritance for any of the other lands described in the said complainant's original bill.

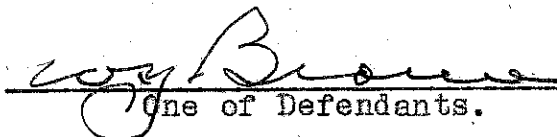
Now having answered complainant's original bill, the defendant, W. Y. Brame, prays that he may go hence without delay, free from all court cost herein and as in duty bound he will ever pray.

W. Y. Brame
One of Defendants.

STATE OF MISSISSIPPI

COUNTY OF LAUDERDALE

Personally appeared before me, the undersigned authority in and for said County and State, W. Y. Brame, who after first being duly sworn by me stated under oath that he is one of the defendants in the above styled cause and that each and every material allegation contained in the above, foregoing and attached answer and plea is true and correct as therein stated.



One of Defendants.

Sworn to and subscribed before me, this the 28th day of June, 1944.



Notary Public

My commission expires September 26, 1944.

KNOW ALL MEN BY THESE PRESENTS:

We, W. Y. Brame and his wife, Mrs. Minnie D. Brame, both of Meridian, Mississippi, for and in consideration of (\$1.00) One and no/100 Dollars and other considerations received from Clarence E. McCoy and Mrs. Bess I. McCoy of Bay Minette, Alabama, the receipt of which is hereby acknowledged, do hereby sell, convey and quit-claim unto the said, Clarence E. McCoy and Mrs. Bess I. McCoy, the following described lands, to-wit:

Beginning at the Northwest Corner of Section 24, Township 7 South of Range 2 East running South 50 rods, thence East parallel with the North line of Section 24 to Turkey Branch, thence along said branch East to West bank of Fish River, thence Northerly along said bank to the North line of Section 24, thence West to the place of beginning, all in Baldwin County, Alabama.

WITNESS OUR SIGNATURES, this the 28th day of June, 1944.

Grantors.

STATE OF MISSISSIPPI

COUNTY OF LAUDERDALE

Personally appeared before me, the undersigned authority in and for said County and State, W. Y. Brame and his wife, Mrs. Minnie D. Brame, of Meridian, Mississippi, both of whom are personally known to me, who each acknowledged that they signed, sealed and delivered the above, foregoing and attached quit-claim deed as their act and deed for the purposes therein stated on the day and date first above written.

Given under my hand and official seal, this the 28th day of June, 1944.

Notary Public.

My commission expires September 26, 1944.

STATE OF MISSISSIPPI

COUNTY OF LAUDERDALE

Personally appeared before me, the undersigned authority in and for said County and State, Mrs. Minnie D. Brame, known to me to be the wife of W. Y. Brame, who was interviewed, questioned and examined by me privately, separately, apart and removed from the presence of her husband, W. Y. Brame, after which she did then and there freely and voluntarily acknowledge that she did of her own free will and accord, sign, seal and deliver the above, foregoing and attached quit-claim deed as her act and deed for the purposes therein stated on the day and date first above written.

Given under my hand and official seal, this the 28th day of June, 1944.

Notary Public.

My commission expires September 26, 1944.

thereof be and the same is hereby quieted and established in Complainant's CLARENCE E. McCOY and BESS I. McCOY and that the said Defendants and each of them be and they are hereby forever enjoined from claiming any right, title or interest in, claim, lien or encumbrance upon the said lands or any part thereof, and from exercising, or attempting to exercise, or claiming any right to exercise, possession of, or over the said lands or any part thereof.

It is further ordered, adjudged and decreed that the Register of Chancery cause a certified copy of this decree to be recorded in the office of the Judge of Probate of Baldwin County, Alabama, forthwith.

It is further ordered, adjudged and decreed that the Complainant pay the costs in this cause for which let execution issue.

Done at Monroeville, Alabama, this the 15th day of

July, 1944.

G. M. Hare
Judge.

CLARENCE E. McCOY and
BESS I. McCOY

VS.

MAGNOLAI SPRINGS LAND COM-
PANY, W. I. BRAME, G. C.
COGGIN, and LEE R. COURT-
RIGHT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

No. 1228


Decree Pro Confesso having been taken in above styled cause against the Magnolia Springs Land Company, G. C. Coggin and Lee R. Courtright and the Defendant, W. I. Brame, having filed an Answer disclaiming any interest in the lands described in the Bill of Complaint the said cause stands for decree.

It is therefore moved that the said cause be submitted to the Honorable F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, for final decree.

This the 14th day of July, 1944.

Beebe & Hall

By


Attorneys for Complainant.

CLARENCE E. McCOY and
BESS I. McCOY

VS.


MAGNOLIA SPRINGS LAND COM-
PANY, W. I. BRAME, G. C. COGGIN,
and LEE R. COUNTRIGHT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

No. 1228.

This cause is submitted for final decree upon the Bill of Complaint, Decree Pro Confesso against the Defendants, Magnolia Springs Land Company, G. C. Coggin and Lee R. Court-right and the Answer of W. I. Brame and the motion of Com-plainant's attorneys for final decree.



Register.


KNOW ALL MEN BY THESE PRESENTS:

We, W. Y. Brame and his wife, Mrs. Minnie D. Brame, both of Meridian, Mississippi, for and in consideration of (\$1.00) One and no/100 Dollars and other considerations received from Clarence E. McCoy and Mrs. Bess I. McCoy of Bay Minette, Alabama, the receipt of which is hereby acknowledged, do hereby sell, convey and quit-claim unto the said, Clarence E. McCoy and Mrs. Bess I. McCoy, the following described lands, to-wit:

Beginning at the Northwest Corner of Section 24, Township 7 South of Range 2 East running South 30 rods, thence East parallel with the North line of Section 24 to Turkey Branch, thence along said branch East to West bank of Fish River, thence Northerly along said bank to the North line of Section 24, thence West to the place of beginning, all in Baldwin County, Alabama.

WITNESS OUR SIGNATURES, this the 28th day of June, 1944.





Grantors.

STATE OF MISSISSIPPI
COUNTY OF LAUDERDALE

Personally appeared before me, the undersigned authority in and for said County and State, W. Y. Brame and his wife, Mrs. Minnie D. Brame, of Meridian, Mississippi, both of whom are personally known to me, who each acknowledged that they signed, sealed and delivered the above, foregoing and attached quit-claim deed as their act and deed for the purposes therein stated on the day and date first above written.

Given under my hand and official seal, this the 28th day of June, 1944.



Notary Public.

My commission expires September 26, 1944.

STATE OF MISSISSIPPI

COUNTY OF LAUDERDALE

Personally appeared before me, the undersigned authority in and for said County and State, Mrs. Minnie D. Brame, known to me to be the wife of W. Y. Brame, who was interviewed, questioned and examined by me privately, separately, apart and removed from the presence of her husband, W. Y. Brame, after which she did then and there freely and voluntarily acknowledge that she did of her own free will and accord, sign, seal and deliver the above, foregoing and attached quit-claim deed as her act and deed for the purposes therein stated on the day and date first above written.

Given under my hand and official seal, this the 28th day of June, 1944.


Notary Public

My commission expires September 26, 1944.

CLARENCE E. MCCOY AND
BESS I. MCCOY COMPLAINANTS

VS

MAGNOLIA SPRINGS LAND COMPANY
W. Y. BRAME
G. C. COGGINS AND
LEE R. COURTRIGHT DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

To The Honorable F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, in equity sitting.

Come your complainants, Clarence E. McCoy and Bess I. McCoy, and humbly complaining against the Magnolia Springs Land Company, W. Y. Brame and Lee R. Courtright and G. C. Coggins respectfully show unto your Honor as follows:

First: That your complainants are each over the age of twenty-one years and are residents of Cook County, Illinois; that the Magnolia Springs Land Company is a corporation with its principal place of business at Foley in Baldwin County; that W. Y. Brame is over the age of twenty-one years and a non-resident of the State of Alabama, his place of residence and Post Office address being Meridan, Mississippi; that Lee R. Courtright is over the age of twenty-one years and resides at 1209 Selma Street, Mobile, Alabama; that G. C. Coggins is over the age of twenty-one years and a resident of the city of Mobile, Alabama.

Second: Complainants further show unto your Honor that they are the owners in fee simple and are in the quiet and peaceable possession of the following described lands situated in Baldwin County, Alabama, viz:- All of fractional section No. 13 lying South of a stream known as Water Hole Branch and situated in Township No. 7 South of Range No. 2 East in Baldwin County, State of Alabama, and said fractional section containing 300 acres more or less and said land in the district subject to entry at St. Stephens, Alabama, said land is bounded on the South by a line between sections No. 13 and 24, and Fish River; on the East and North by Water Hole Branch; on the west by Section No. 14, being the same property con-

conveyed by John W. Burkholder to Frank L. Allen by deed dated August 4th, 1890 and recorded in Deed Book 2 N.S. on pages 246-7 in the office of the Probate Judge of Baldwin County, Alabama

Also all that part or parcel of land lying and being in Baldwin County, State of Alabama to-wit: Beginning at the Northwest corner of Section No. 24 Township No. 7 South of Range 2 East running South 30 rods thence East parallel with the North line of section No. 24 to Turkey Branch; thence along said branch East to West bank of Fish River thence Northerly along to bank to North line of Section 24, thence West to place of beginning; being the same property conveyed by Sarah A. Forbes to Frank L. Allen by deed dated August 2nd, 1897 and recorded in Deed Book 3 N.S. pages 437-8 in the office of the Probate Judge, of Baldwin County, Alabama.

That there is no suit pending to try or test the validity of complainants title to said lands or any part thereof.

Third: Complainants further show that the said defendants claim or are reputed to claim same right or title to interest in, lien, claim or incumbrance upon said lands or some part thereof; complainants call upon them and each of them to set forth and specify their and each of their right or title to, interest in, lien, claim or incumbrance upon, such lands and each part thereof and how and by what instrument or instruments the same is created or derived.

Wherefore complainants pray that the said Magnolia Springs Land Company, W. Y. Brame, G. C. Coggins and Lee R. Courtright be, by appropriate process, made parties defendants to this bill of complaint, and required to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court; Complainants further pray that upon the final hearing of the cause made by this bill of complaint, this Honorable Court make and enter an order and decree adjudging that the said defendants and each of them have no right or title to, interest in, lien, claim or incumbrance upon said lands or any part thereof; that the title to said lands be quitted and established in complainants, and said defendants and each of them be forever enjoined from claiming any right or title to, interest in, lien, claim or

incumbrance upon said lands or any part thereof and from attempting to take or to exercise any possession of or over the same; and complainants pray for such other, further or different relief as in equity they may be entitled to in the premises.

BEEBE & HALL

BY W C Beebe
Solicitors for complainants

State of Alabama

Baldwin County

Before me the undersigned authority this day personally appeared W. C. Beebe, who being by me duly sworn deposes and says that he is solicitor for complainants in the cause of Clarence E. McCoy and Bess I. McCoy against W. M. Brame and others in the Circuit Court of Baldwin County, Alabama, in equity, and that W. Y. Brame is a non-resident of the State of Alabama, his place of residence and Post Office address being Meridan, Mississippi; and that he is over the age of twenty-one years.

W C Beebe

Sworn to and subscribed before me this the 31 day of May 1944

Clerk of the Circuit Court
Baldwin County, Alabama

Evered
R. D. Smith
14/1944

Mc Coy et al

vs

Memphis Spring Garden
et

Complainant

BEEBE & SWEARINGEN
LAWYERS
BAY MINETTE, ALABAMA

W. C. BEEBE
FLOYD G. SWEARINGEN

June 16, 1956

Mrs. Margaret Ryan Brophy
c/o Burlington Railway Co.
Transportation Department
Chicago, Illinois

Dear Mrs. Brophy:

We are trying to clear up the title to a small tract of land in Baldwin County, Alabama, which was formerly owned by Mrs. Nellie Gerhold, and in so doing, are trying to trace down all the brothers and sisters, nieces and nephews, and other heirs. We have been informed that you were possibly adopted by Mr. and Mrs. Gerhold.

We would appreciate hearing from you at your earliest convenience as to whether or not you were legally adopted by Mr. and Mrs. Gerhold and whether or not your adoption papers showed that you were adopted with the right of inheritance from the adopting parents; where such adoption was and in what court.

Yours truly,

Beebe & Swearingen



By F. G. Swearingen

FGS/mb

Clarence McCoy, et als.,
Complainant,
Vs.
Magnolia Springs Land Co et als.
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondents
G C Coggin. May 31st 1944 Magnolia Springs Land Co. June 6th 1944.
and Lee R Courtright June 3rd 1944

by the Sheriff of Mobile and Baldwin County, on the _____ day of _____,
194_____.

And it further appears to the Register, that the said _____
G C Coggin. Magnolia Springs Land Co. and Lee R Courtright.

_____, the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
on motion of Beebe & Hall, Solicitors
for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,
and it hereby is, in all things taken as confessed against the said G C Coggin.
Magnolia Springs, Land Co. and Lee R Courtright.

This 10th day of July, 1944


Register.

RECORDED
No. 1128.

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

Clarence. McGoy.

Complainant,

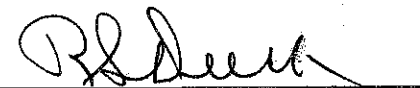
Vs.

Magnolia Springs L anc. Co.

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this 10th day of July,
1944.


Register.

Clarence McCoy, et als.

THE STATE OF ALABAMA,
BALDWIN COUNTY

VS.

IN EQUITY

Magnolia Springs Land Co et als.

CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

Decree pro Confesso.

and in behalf of Defendant upon _____

Reid

Register.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, } No. 1128
BALDWIN COUNTY

CIRCUIT COURT BALDWIN COUNTY

May. TERM, 1944

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Magnolia Springs Land Company. 6/6/44
W Y Brame. ~~XXXXXX~~ Lee R Courtright & G C Coggins. 5/21/44
6/3/44

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Magnolia Springs Land Company W Y Brame. Lee R Courtright, Respondants
and G C Coggins Defendant

by Clarence E. McCoy. and Bess I. McCoy.

Complainants

Witness my hand this 31st day of May, 1944

[Signature]

R. F. Duck

BAY MINETTE, ALA.,

JUL 17 1944

194

IN ACCOUNT WITH

G. W. ROBERTSON

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Recording

from

to

Privilege Tax

Rec. Fee

Total

Deena Clara E. May

15 May 1944

1.10

PAID
[Signature]

FOR REGISTERED ARTICLE No. 2255
 paid 1 class postage paid 5-31 (Date) 1944
 due, \$ none Surchage paid, \$ _____
 R. S. Owen (Sender)
 B. W. (Street and number) _____ (Post office and State) _____
 W. of Brom (Address) _____ (Post office and State) _____
 Meriden, Conn (Address) _____ (Post office and State) _____
 Departing employee will place initials in space below, indicating restricted delivery
 Del. fee 4 in person Special delivery fee _____
 or order _____
 Delivered to addressee _____
 Fee paid no Postmaster, per cash
 2686



Form 384
 1-1-43

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article the quantity and number of which appears on the face of this Card.

1. Meriden, Conn
 (Signature or name of addressee)

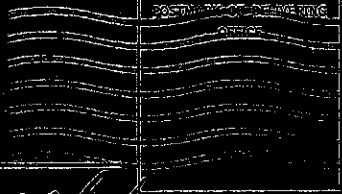
2. W. of Brom
 (Signature of addressee's agent—Agent's name in case addressee's name on the envelope)

Date of delivery 1944

U. S. GOVERNMENT PRINTING OFFICE 11-18221

Post Office Department
OFFICIAL BUSINESS

NEVERLY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE SENT



Return to *R. S. Duch*
(NAME OF SENDER)

Street and Number,
or Post Office Box *Circuit Clerk*

REGISTERED ARTICLE

No. *2255* Post Office *Meridian, Miss.*

INSURED PARCEL

State

BEEBE & SWEARINGEN
LAWYERS
BAY MINETTE, ALABAMA

BAY MINETTE, ALA.
JUN 16
7-PM
1956




~~No. 14 floor~~

*Return to sender - No
record of this party at
Burlington Railroad Co.
Chicago, Illinois.*

NOT FOUND L-6372

RETURN
TO
WRITER



Mrs. Margaret Ryan Brophy
c/o Burlington Railway Co.
Transportation Department
Chicago, Illinois

CHICAGO
JUN 21
1956
ILL.