

THE STATE OF ALABAMA }
Baldwin County }

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

Claude Peteet COMPLAINANT

vs.

Robert Bittner et al RESPONDENT

I, Madelaine S. Bryars

as Register and Commissioner

have called and caused to come before me

Claude Peteet

witness named in the requirement for Oral Examination, on the 11 day of August
1949, at the office of W. C. Beebe
in Bay Minette, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Claude

Peteet doth depose and say as follows:
My name is Claude Peteet. I am over 21 years of age and reside in Baldwin County, Alabama. I am the complainant in the suit to quiet title pending in the Circuit Court of Baldwin County, Alabama, in equity, against Robert Bittner, Carrie Bittner, John Stelk, Trustee, Chicago Title and Trust Company, Carrie B. Tuttle and Wm. H. Tuttle and the East half of the Northeast quarter of the Northeast quarter and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, Baldwin County. The said named individual defendants are non-residents of the State of Alabama and each of them are over the age of 21 years, and their Post Office addresses and places of residence are unknown. The Chicago Title and Trust Company is a corporation, in Chicago, whose address is unknown. I have made and caused to be made dilligent search and inquiry to ascertain the places of residence and addresses of each of them, if they are still living, and the names of their heirs if dead and have been unable to ascertain the same. They are said to claim some right, title, interest in, claim or encumbrances upon the lands described above. The title to the said lands stands on the records of Baldwin County in my name. I acquired the East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, from the State of Alabama by deed recorded in deed book 67 NS, page 516. The State acquired the lands May 30, 1927, by tax sale under assessment to Robert Bittner and Carrie B. Bittner, who acquired the same from Ernest Deuesterberg, July 17, 1927, by deed recorded in deed book 33 NS, page 390, who acquired the same by mesne conveyances from the United States Government.

I acquired the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, from G.C. Prewett and wife, January 2, 1945, by deed recorded in deed book 87 NS, page 381, who acquired the same March 1, 1934, from J.H. Lassetter by deed recorded in deed book 87 NS, page 217-18, who acquired the same from G. W. Hannah under foreclosure of mortgage recorded in mortgage book 92, page 314-18. The foreclosure deed having been recorded in deed book 77 NS, page 388, and being dated June 14, 1942. G.W. Hanna acquired the property from the State of Alabama, May 9, 1935, under sale fro taxes assessed against W. H. Tuttle, July 8, 1931, who acquired the title by mesne conveyances from the United States Government. I and those through who I claim have been continuous adverse of each of the said tracts of lands for more than

I, Madeline S. Bryner as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and J. C. Steele

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

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

Given under my hand and seal, this 11 day of August 1949.

Madeline S. Bryner (L. S.)

No. _____	Page _____
THE STATE OF ALABAMA, BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
<u>Claude Peter</u>	
COMPLAINANT	
<u>Robert Butler</u> <u>et</u>	
RESPONDENT	
ORAL DEPOSITION	
Filed <u>August 11</u> , 194 <u>9</u>	
<u>Desj. Leuch</u> , Register.	
RECORDED IN _____	
_____ Record	
Vol. _____ Page _____	
_____, Register	

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. 2299, Term, 19

Charles Teter

Complainant

Robert Pittner et al

Vs.

Defendant

In this cause it appears to the Register Alice French that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 2 day of June, 1949, 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 2 day of June, 1949 and Robert et al

And it now further appearing to the Register Alice French that the said Robert Pittner, Clara Pittner, John Stelt Trustee, Carrie B Gittle, William H Pittner and Chicago Title and Trust Company

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 Alice French

that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Robert Pittner, Clara Pittner,

John Stelt Trustee, Carrie B Gittle, William H Pittner, and Chicago Title and Trust Co

This 3 day of August, 1949

Alice French Register.

No. _____ Page _____

**THE STATE OF ALABAMA,
Baldwin County**

CIRCUIT COURT, IN EQUITY

Claude Petrel

Vs.

Robert Butner, et al

Decree Pro Confesso of Publication

Issued

June 3, 19*49*

W. J. F. Smith
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

CLAUDE PETEET,

COMPLAINANT,

VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE, AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENES,
SUCCESSORS IN TRUST, BENEFICIARIES,
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND
EACH OF THEM AND ANY AND ALL
PERSONS, FIRMS, ASSOCIATIONS,
CORPORATIONS, CLAIMING ANY TITLE
TO, INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE ON SAID LANDS OR ANY
PART THEREOF,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Notice having been given to Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, defendants in the above styled cause as required by law, and the time within which they are required to plead, answer or demur having expired, and they having failed to plead, answer or demur within the time required by law, application is made for decree pro confesso against the said Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle in the above styled cause.

Witness my hand this the 3 day of August, 1949.


Solicitor for the Complainant

Claude Felt
Vs
Certain Lands
Robert Bittner,
Carrie Fittle,
et al

Application for
Decree pro Confess

Filed August 3, 1949
Alice J. Muck
Registered

CLAUDE PETEET,

COMPLAINANT

VS

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST; WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE AND WILLIAM E. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENES,
SUCCESSORS IN TRUST, BENEFICIARIES
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND
EACH OF THEM AND ANY AND ALL
PERSONS, FIRMS, ASSOCIATIONS,
CORPORATIONS, CLAIMING ANY TITLE
TO, INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE ON SAID LANDS OR ANY
PART THEREOF,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Whereas CLAUDE PETEET has filed his Bill of Complaint on the 1st day of June, 1949, in this Court on the Equity side, claiming to be in actual peaceable possession, owning and claiming to own those certain parcels or lots of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all in Baldwin County, Alabama;

Complainant alleges in his Bill of Complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County, in his, Claude Peteet's name; that he acquired title to the said lands described as follows: The East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, by deed recorded in the office of the Judge of Probate in Deed Book 67, page 561, from the State of Alabama, who acquired the same May 30, 1927, by sale for Taxes,

assessed to Robert Bittner and Clara Bittner, who acquired the same from Ernest Duesterberg, July 17, 1923, by deed recorded in said Probate office in Deed Book 33 NS, page 390, who acquired the same by mesne conveyances from the United States Government;

that the Complainant obtained title to the said lands described

as follows: West half of the Northeast quarter of the Northeast quarter of Section 16; Township 8 South, Range 4 East, from G.

C. Prewett and Maude Prewett, his wife, January 2, 1945, by deed recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 87 NS, page 381, who acquired the same

March 1, 1934, by deed recorded in said office in Deed Book 87, NS, pages 217-18, under foreclosure of mortgage from J. H. Lassetter

dated June 10, 1942, recorded in said office in Mortgage Book 92, pages 313-14 to G. W. Hanna, the said mortgage having been by the

said G. W. Hanna transferred to the said G. C. Prewett by instrument dated June 10, 1942, recorded in said office in Mortgage Book

92, at page 314, the said J. H. Lassetter having acquired the

same from G. W. Hanna by deed dated June 10, 1942, recorded in

the said office in Deed Book 77 NS, at page 388, who acquired the

same by tax deed from the State of Alabama dated May 9, 1935, recorded in said office in Deed Book 59, NS, page 551, who acquired

the same July 8, 1931, by tax sale under an assessment to W. H.

Tuttle, who acquired the same by mesne conveyances from the United

States; that Robert Bittner, Clara Bittner, John Stelk, Trustee,

Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle

and William H. Tuttle, if living, are over the ages of twenty-one

years and non-residents of the State of Alabama, and if dead,

their unknown heirs, devisees, personal representatives, alienees,

successors in trust, beneficiaries and assigns are over the age of

twenty-one years and are non-residents of the State of Alabama,

their places of residence and post office addresses being unknown,

that the said Robert Bittner, Clara Bittner, John Stelk, Trustee,

Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle

and William H. Tuttle, if living, claim or are reputed to claim

and if dead, their unknown heirs, devisees, personal representatives

alienees, successors in trust, beneficiaries and assigns, claim

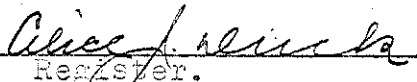
or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all in Baldwin County, Alabama, or some part of parcel thereof.

Complainant further alleges that he and those through whom he claims have for more than ten years next preceding the filing of said Bill of Complaint been in the actual peaceable adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any part thereof or assessed or paid taxes on said lands or any part thereon and that the Bill of Complaint is filed for the purpose of establishing his title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from said Bill of Complaint, the same being duly verified, that the names, ages and places of residences and post office addresses of the said Defendants are unknown and cannot be ascertained upon diligent inquiry was made and the names, ages and places of residence and addresses cannot be ascertained.

It is therefore ordered, adjudged and decreed that notice of the pendency of said suit be given by publication once a week for four weeks consecutively in the Baldwin Times, a newspaper, published in Bay Minette, in Baldwin County, Alabama.

WITNESS my hand and seal this the 1st day of June, 1949.


Register.

Grade Ticket
No
Robert Butler
et al

Order for Publication

Filed 6-1-49
Alice J. Leuck
Register

CLAUDE PETEET,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH²
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE, AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENEES,
SUCCESSORS IN TRUST, BENEFICIARIES
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND
EACH OF THEM AND ANY AND ALL
PERSONS, FIRMS, ASSOCIATIONS,
CORPORATIONS, CLAIMING ANY TITLE
TO, INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE ON SAID LANDS OR ANY
PART THEREOF,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE TELFAIR J. WASHBURN, JR., JUDGE OF THE TWENTY-
EIGHTH JUDICIAL CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN
EQUITY SITTING:

Comes your Complainant, CLAUDE PETEET, and presents
this, his Bill of Complaint against the following described
lands in Baldwin County, Alabama, to-wit:

East half of the Northeast quarter of
the Northeast quarter of Section 16,
Township 8 South, Range 4 East, and the
West half of the Northeast quarter of
the Northeast quarter of Section 16,
Township 8 South, Range 4 East, all in
Baldwin County, Alabama;

and against Robert Bittner, Clara Bittner, John Stelk, Trustee,
Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle
and William H. Tuttle, whose addresses and places of residence are
unknown, if living, and if they or either of them are dead, then
against their heirs, devisees, personal representatives, alienees,
successors in trust, beneficiaries, and assigns, separately and

severally and against any and all persons, firms, associations, corporations, claiming any title to, interest in, claim, lien, encumbrance on said lands or any part or parcel thereof and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of twenty-one years and a resident of the County of Baldwin, State of Alabama, that Complainant has made diligent search to ascertain the ages, places of residence of the said Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle; that he has inquired of numerous persons in the vicinity in which such land is situated and of persons at Bay Minette, including all of the officers, and has searched the Probate and tax records and from such search and inquiry has ascertained and alleges that Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, if living, are over the age of twenty-one years and are non-residents of the State of Alabama, and if dead, their heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries, and assigns are over the age of twenty-one years and are non-residents of the State of Alabama, their places of residence being unknown to Complainant;

2.

That your Complainant is the owner of in fee simple and in the actual possession of the said lands in Baldwin County, Alabama, described as follows, to-wit:

East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East; West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all being in Baldwin County, Alabama;

and that he and those through whom he claims have been in the continuous peaceable adverse possession of the said lands for more than ten years next preceeding the filing of this Complaint and

that he and those through whom he claims title to the said lands have for more than ten years next preceeding the filing of this Bill of Complaint annually assessed and paid the taxes on the said lands and that during such period of time no other person has assessed the said lands for taxes or paid taxes thereon, and that no other person for such period has had, or attempted to exercise any possession over the said land or claimed any right to possession thereof or any title to, or interest in, claim, lien or encumbrance thereon or to any part or parcel of the same.

3.

That no suit is pending to test Complainant's title to, interest in, lien, claims or encumbrances on, or rights of possession of said land.

4.

That the Complainant obtained title to the said lands described as follows: The East half of the Northeast quarter of the Northeast-quarter of Section 16, Township 8 South, Range 4 East, by deed recorded in the office of the Judge of Probate in Deed Book 67, page 561, from the State of Alabama, who acquired the same May 30, 1927, by Sale for Taxes, assessed to Robert Bittner and Clara Bittner, who acquired the same from Ernest Duesterberg, July 17, 1923, by deed recorded in said Probate office in Deed Book 33 NS, page 390, who acquired the same by mesne conveyances from the United States Government; that the Complainant obtained title to the said lands described as follows: West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, from G. C. Prewett and Maude Prewett, his wife, January 2, 1945, by deed recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 87 NS, page 381, who acquired the same March 1, 1934, by deed recorded in said office in Deed Book 87 NS, pages 217-18, under foreclosure of mortgage from J. H. Lassetter dated June 10, 1942, recorded in said office in Mortgage Book 92, pages 313-14 to G. W. Hanna, the said mortgage having been by the said G. W. Hanna transferred to the said G. C. Prewett by instrument

dated June 10, 1942, recorded in said office in Mortgage Book 92, at page 314, the said J. H. Lassetter having acquired the same from G. W. Hanna by deed dated June 10, 1942, recorded in the said office in Deed Book 77, at page 388, who acquired the same by tax deed from the State of Alabama dated May 9, 1935, recorded in said office in Deed Book 59, NS, page 551, who acquired the same July 8, 1931, by tax sale under an assessment to W. H. Tuttle, who acquired the same by mesne conveyances from the United States; that the title to the said lands and each parcel thereof stand in the name of the Complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceeding the filing of this Bill of Complaint no person other than those through whom he claims title to the said lands or any part thereof have assessed or paid taxes thereon and that he and those through whom he claims title have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceeding the filing of this bill of Complaint and that he and those through whom he claims have actually cultivated and occupied and used the said land in person or by tenant; that Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a corporation, Carrie B. Tuttle and William H. Tuttle claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some portion or parcel thereof.

WHEREFORE, your Complainant prays that this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint and by appropriate process make the said Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a corporation, Carrie B. Tuttle and William H. Tuttle, and the unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries, and assigns of the said named individuals and each of them, if they should be dead, and all other persons, firms, or corporations and associations claiming any title to, or interest in, claim, lien or encumbrance upon the said lands, to-wit:

East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all in Baldwin County, Alabama, or any part or parcel thereof, to be made parties defendant to this Bill of Complaint and by appropriate process require them and each of them separately and severally to 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 Complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of liens, claims and encumbrances, to the said land and each part or parcel thereof, is vested in your Complainant, Claude Peteet, as against Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle, and William H. Tuttle, if they be living, and the unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries, and assigns of the said named corporation and individuals and each of them, if they be dead, and as against any and all persons, firms, associations, corporations, claiming any title to, interest in, claim, lien, encumbrance, upon said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your Complainant prays for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.


W. C. Beebe, Solicitor for
Complainant.

STATE OF ALABAMA)

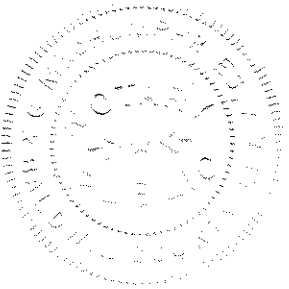
BALDWIN COUNTY)

Before me, the undersigned authority in and for said County and State, personally appeared W. C. Beebe, who is known to me, and who, having been by me first duly sworn, deposes and says that he is Solicitor for the Complainant in the above styled cause, and that the facts stated in the foregoing Bill of Complaint, from all information obtainable, are true, and from such information obtained he verily believes, and so states, the same to be true.

W. C. Beebe

Sworn to and subscribed before me on this the 1st day of June, 1949.

James H. Brown
Notary Public, Baldwin County,
Alabama.



CLAUDE PETEET,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE, AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENEES,
SUCCESSORS IN TRUST, BENEFICIARIES,
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND EACH
OF THEM AND ANY AND ALL PERSONS,
FIRMS, ASSOCIATIONS, CORPORATIONS,
CLAIMING ANY TITLE TO, INTEREST IN,
CLAIM, LIEN OR ENCUMBRANCE ON SAID
LANDS OR ANY PART THEREOF,

DEFENDANTS,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause is submitted for final decree upon Bill
of Complainant, service by publication, decree pro confesso,
and deposition of Claude Peteet, witness for complainant.

This the 17 day of August, 1949.

W. C. Beebe
Solicitor for Complainant

Alfred J. Smith
Register.

No. 2299 (14)

Claude Pelet
Vs

Certain Lands
Robert Pittner
Carrie Little,
et al

Note of
testimony

Filed 8-16-49
Wright & Much
R. B.

CLAUDE PETEET,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN²
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENES,
SUCCESSORS IN TRUST, BENEFICIARIES,
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND
EACH OF THEM AND ANY AND ALL
PERSONS, FIRMS, ASSOCIATIONS,
CORPORATIONS, CLAIMING ANY TITLE
TO, INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE ON SAID LANDS OR ANY
PART THEREOF,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Complainant having on the 3 day of August, 1949,
filed his motion and request for oral examination of Claude
Peteet, witness for complainant and due and proper notice there-
of having been given as required by law on the Order Book of
this Court and Madeline S. Bryars of the Town of Bay Minette
being a suitable person to act as Commissioner to take the de-
position of said witness.

It is therefore ordered, adjudged and decreed that
the said motion for the oral examination of Claude Peteet,
witness for complainant, be and is hereby granted.

And that Madeline S. Bryars be and she is hereby appointed
as Commissioner to take the deposition of said witness.

Witness my hand this the 7 day of August, 1949.

W. J. F. Smith
Register

No 2299 10

Claude Pettet
US

Cynthia Lons
Robert Bittner
Carrie Guttley
et al

Order appointing
Commissioner

Filed August 7, 1941

Re: 7

CLAUDE PETERT,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN²
SHIP 8 SOUTH, RANGE 4, EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELA, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENIES,
SUCCESSORS IN TRUST, BENEFICIARIES,
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND EACH
OF THEM AND ANY AND ALL PERSONS,
FIRMS, ASSOCIATIONS, CORPORATIONS,
CLAIMING ANY TITLE TO, INTEREST IN,
CLAIM, LIEN OR ENCUMBRANCE ON SAID
LANDS OR ANY PART THEREOF,

DEFENDANTS.

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

Testimony having been taken in this cause and
the same being ready for final decree, motion is hereby
made that the said cause be set down for final decree.

This the 17 day of August, 1949.

J. C. Beebe
Solicitor for Complainant.

No 2299 (13)

Claude Pelet
Vs

Certain Lords,
Robert Pittner
Carrie Tuttle,
et al

Application for
final decree

Filed August 17/1914
Alice French

CLAUDE PETEET,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE, AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENES,
SUCCESSORS IN TRUST, BENEFICIARIES,
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND
EACH OF THEM AND ANY AND ALL
PERSONS, FIRMS, ASSOCIATIONS,
CORPORATIONS, CLAIMING ANY TITLE
TO, INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE ON SAID LANDS OR ANY
PART THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Notice is hereby given to Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, if living, and if dead, to their unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries, and assigns and to any and all persons, firms and corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and in Baldwin County, Alabama.

That Claude Peteet has filed his Bill of Complaint on the 1st day of April, 1949, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own those parcels or lots of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all in Baldwin County, Alabama;

Complainant alleges in his Bill of Complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in his name; that he acquired title to the said lands described as follows: The East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, by deed recorded in the office of the Judge of Probate in Deed Book 67, page 561, from the State of Alabama, who acquired the same May 30, 1927, by Sale for Taxes, assessed to Robert Bittner and Clara Bittner, who acquired the same from Ernest Duesterberg, July 17, 1923, by deed recorded in said Probate office in Deed Book 33 NS, page 390, who acquired the same by mesne conveyances from the United States Government; that the

Complainant obtained title to the said lands described as follows:

West Half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, from G. C. Prewett and Maude Prewett, his wife, January 2, 1945, by deed recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 87 NS, page 381, who acquired the same March 1, 1934, by deed recorded in said office in Deed Book 87 NS, pages 217-18, under foreclosure of mortgage from J. H. Lassetter dated June 10, 1942, recorded in said office in Mortgage Book 92, pages 313-14 to G. W. Hanna, the said mortgage having been by the said G. W. Hanna transferred to the said G. C. Prewett by instrument dated June 10, 1942, recorded in said office in Mortgage Book 92, at page 314, the said J. H. Lassetter having acquired the same from G. W. Hanna by deed dated June 10, 1942, recorded in the said office in Deed Book 77, at page 388, who acquired the same by tax deed from the State of Alabama dated May 9, 1935, recorded in said office in Deed Book 59 NS, at page 551, who acquired the same July 8, 1931, by tax sale under an assessment to W. H. Tuttle, who acquired the same by mesne conveyances from the United States;

that Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, if living, are over the ages of twenty-one years and non-residents of the State of Alabama, and if dead, their unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries and assigns are over the age of twenty-one years and are non-residents of the State of Alabama, their place of residence and post office addresses being unknown, that the said Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, if living, claim or are reputed to claim, and if dead, their unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries and assigns claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East; Baldwin County, Alabama, or some part or parcel thereof.

Complainant further alleges that he and those through whom he claims have, for more than ten years next preceding the filing of said Bill of Complaint, been in the actual peaceable adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any part thereof or assessed or paid taxes on said lands or any part thereon and that the Bill of Complaint is filed for the purpose of establishing his title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from said Bill of Complaint, the same being duly verified that the names, ages and places of residence and post office addresses of the said defendants are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained.

And an order having been made and entered that notice of the pendency of said suit be given publication once a week for four consecutive weeks, in a newspaper published in Bay Minette, in Baldwin County, Alabama.

It is therefore ordered that the said Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, if living, and if dead, their unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries and assigns and any and all other persons, firms and corporations claiming any title to, interest in, claim, lien or encumbrance upon the said lands described as follows: East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, Baldwin County, Alabama, appear and plead, answer or demur to the said Bill of Complaint within sixty days after the first publication of this notice, namely the 2 day of June, 1949, at which time the said cause shall stand at issue.

WITNESSES my hand this the 1 day of June, 1949.

Alice L. Luck
Register, Circuit Court, Baldwin
County, Alabama, in Equity.

2299
Note in

Court file

Claude Street

vs.

Certain Lands

Filed 6-1-49
Alice J. Duck
Reg.
✓

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Claude Peteet, is Complainant and Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, if they be living, and if they be dead, the unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries and assigns and the following described lands, to-wit: East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all in Baldwin County, Alabama; and any and all persons, firms or corporations ~~claiming title to, interest in, claim, lien or encumbrance upon~~ the said lands are Defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper, published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 1 day of June, 1949, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of

June 2, 1949, June 9, 1949, and June 16, 1949
June 23, 1949

And I do further certify that the foregoing notice was filed by me for record in the office of the Judge of Probate of Baldwin County, Alabama, recorded by the said Judge of Probate in LP

Book 2: page 232-7, on the 1 day of June, 1949.

Witness my hand this the 1 day of June, 1949.

Register.

CLAUDE PETEET,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELM, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE, AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENES,
SUCCESSORS IN TRUST, BENEFICIARIES,
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND EACH
OF THEM AND ANY AND ALL PERSONS,
FIRMS, ASSOCIATIONS, CORPORATIONS,
~~CLAIMING ANY TITLE TO, INTEREST IN,~~
CLAIM, LIEN OR ENCUMBRANCE ON SAID
LANDS OR ANY PART THEREOF,,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

The attorneys for the Complainant in the above styled
cause hereby gives notice to the above named persons, firms,
or corporations that the deposition of Claude Peteet, witness
for the Complainant, will be taken before Madeline S. Bryars,
Commissioner, heretofore named by this Honorable Court, on the
11 day of August, 1949, at the office of W. C. Beebe in
the town of Bay Minette, Alabama, at 9:00 A.M.

Witness this the 7 day of August, 1949.

W C Beebe
Attorney for Complainant.

I, Alice J. Duck, Register of the Circuit Court
of Baldwin County, in Equity, do hereby certify that the
foregoing notice of the time and place of taking deposition
of the Complainant's witness was filed and entered on the
Order Book of the Register on the 7 day of August,
1949.

Alice J. Duck
Register

No 2299 (VI)

Claude Petet

Us

Certain Lands

Robert Bittner

Carrie Tuttle,

et al

Notice of time and
place of taking
oral depositions.

Filed Aug. 7, 1949

Alice French

Reist

CLAUDE PETEET,

COMPLAINANT

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE, AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENES,
SUCCESSORS IN TRUST, BENEFICIARIES,
AND ASSIGNS OF THE SAID NAMED
CORPORATION, INDIVIDUALS AND
EACH OF THEM AND ANY AND ALL
PERSONS, FIRMS, ASSOCIATIONS,
CORPORATIONS, CLAIMING ANY TITLE
TO, INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE OF SAID LANDS OR ANY
PART THEREOF,

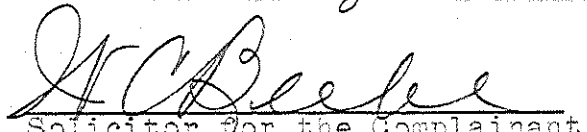
DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Comes the Complainant in the above styled cause and
requests the oral examination of Claude Peteet as witness
for the Complainant, who resides in Baldwin County, State of
Alabama, and suggests Madeline S. Bryars of the town of Bay
Minette, as a suitable person to act as Commissioner to take
the deposition of the said witness.

Witness my hand this the 2 day of August, 1949.


Solicitor for the Complainant

No 2299 (18)

Claude Petech
vs.

Certain Lords,
Robert Bittner,
Carrie Tuttle
et al.

Application for
Oral Examination

Filed August 3, 1949

Archie French
P. t.

CLAUDE PETEET,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA
BITTNER, JOHN STELK, TRUSTEE,
CHICAGO TITLE AND TRUST CO., A
CORPORATION, AND CARRIE B.
TUTTLE, AND WILLIAM H. TUTTLE,
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, ALIENES,
SUCCESSORS IN TRUST, BENEFICIARIES
AND ASSIGNS OF THE SAID NAMED
CORPORATIONS, CLAIMING ANY TITLE
TO, INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE ON SAID LANDS OR ANY
PART THEREOF,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

To Robert Bittner, Clara Bittner, John Stelk, Trustee,
Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle,
and William H. Tuttle and the unknown heirs, devisees, personal
representatives, alienees, successors in trust, beneficiaries,
and assigns and to any and all persons, firms and corporations
claiming any title to, interest in, claim, lien or encumbrance
on the following described lands: East half of the Northeast
quarter of the Northeast quarter of Section 16, Township 8 South,
Range 4 East, and the West half of the Northeast quarter of the
Northeast quarter of Section 16, Township 8 South, Range 4 East,
all in Baldwin County, Alabama;

Notice is hereby given that the Complainant in the above
styled cause has this day made application for the oral examin-
ation of Claude Peteet, witness for the Complainant in the above
styled cause and has suggested Madeline S. Bryars as a suitable
person to act as commissioner in the taking of the deposition of
said witness.

Witness this 3 day of August 1949.

David L. Smith
Clerk, Circuit Court of
Baldwin County, Alabama.

W. C. Beebe
Solicitor for Complainant.

No 2299 (9)

Claude Petech
Us

Certain Lords
Robert Pittner
Carrie Tuttle
et al

Notice of Application
of Oral examination

Filed August 3, 1949

W. J. French
P. #

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Claude Peteet, is Complainant and Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Company, a Corporation, Carrie B. Tuttle and William H. Tuttle, if they be living, and if they be dead, the unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries and assigns and the following described lands, to-wit: East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all in Baldwin County, Alabama; any and all persons, firms, or corporations claiming title to, interest in, claim, lien or encumbrance upon the said lands in Baldwin County, are Defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper, published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 1 day of June, 1949.

Witness my hand this the 1 day of June, 1949.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY
Filed 6-1-49 4 P.M.
Recorded his Clerk 21 page 233 37
..... M. R. Hunt
Judge of Probate Q

A black and white illustration of a steam locomotive pulling a passenger car and a flatcar with a car on it. A person on horseback is in the foreground, and sailboats are in the background.

G. N. BONIE, doing business
as Foley Building and
Manufacturing Company,

Plaintiff,

VS.

CALLA MAI TANNER,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 1784.

DECREE

This cause coming on to be heard is submitted for decree on Respondent's Demurrer to Plaintiff's Bill of Complaint as Last Amended, and the same being considered and understood by the Court, the Court is of the opinion that said Demurrer is not well taken and should be overruled. It is Therefore

ORDERED, ADJUDGED AND DECREED that Respondent's Demurrer to Plaintiff's Bill of Complaint as Last Amended be, and it is hereby overruled.

Done and ordered this 10th day of October, 1949.

Jelfair J. Madlbury Jr.
Judge

CLAUDE PETEET,

COMPLAINANT,

-VS-

EAST HALF OF THE NORTH-
EAST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4
EAST: WEST HALF OF THE NORTH-
EAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 16, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST;
ALL IN BALDWIN COUNTY, ALABAMA;
AND ROBERT BITTNER, CLARA BITTNER,
JOHN STELK, TRUSTEE, CHICAGO
TITLE AND TRUST CO., A CORPOR-
ATION, AND CARRIE B. TUTTLE AND
WILLIAM H. TUTTLE, AND THE UN-
KNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES,
SUCCESSORS IN TRUST, BENEFICIARIES
AND ASSIGNS OF THE SAID UNITED
CORPORATION, INDIVIDUALS AND EACH
OF THEM AND ANY AND ALL PERSONS
FIRMS, ASSOCIATIONS, CORPORATIONS,
CLAIMING ANY TITLE TO, INTEREST IN,
CLAIM, LIEN OR ENCUMBRANCE ON SAID
LANDS OR ANY PART THEREOF,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DEFENDANTS.

This cause coming on to be heard is submitted for final decree upon behalf of the Complainant, upon the original bill of complaint and upon the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said bill of complaint against the said lands and the named defendants, Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Co., a Corporation, and Carrie B. Tuttle, and William H. Tuttle, and the unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries and assigns of the said named corporation, individuals and each of them and any and all persons, firms, associations, corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the Complainant is entitled to the relief as prayed for in his bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said Complainant, Claude Peteet, is over the age of twenty-one years and a resident of Baldwin County, Alabama; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, and the West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, all in Baldwin County, Alabama;

That the Complainant obtained title to the said lands as follows: The East half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, by deed recorded in the office of the Judge of Probate in Deed Book 67, page 561, from the State of Alabama, who acquired the same May 30, 1927, by sale for Taxes, assessed to Robert Bittner and Clara Bittner, who acquired the same from Ernest Duesterberg, July 17, 1923, by deed recorded in said Probate office in Deed Book 33 NS, page 390, who acquired the same by mesne conveyances from the United States Government; that the Complainant obtained title to the said lands as follows: West half of the Northeast quarter of the Northeast quarter of Section 16, Township 8 South, Range 4 East, from G. C. Prewett and Maude Prewett, his wife, January 2, 1945, by deed recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 87 NS, page 381, who acquired the same March 1, 1934, by deed recorded in said office in Deed Book 87 NS, pages 217-8, under foreclosure of mortgage from J. H. Lassetter dated June 10, 1942, recorded in said office in Mortgage Book 92, pages 313-14 to G. W. Hanna, the said mortgage having been by the said G. W. Hanna transferred to the said G. C. Prewett by instrument dated June 10, 1942, recorded in said office in Mort-

gage Book 92, at page 314, the said J. H. Lassetter having acquired the same from G. W. Hanna by deed dated June 10, 1942, recorded in the said office in Deed Book 77 NS, at page 388, who acquired the same by tax deed from the State of Alabama dated May 9, 1935, recorded in said office in Deed Book 59, NS, at page 551, who acquired the same July 8, 1931, by tax sale under an assessment to W. H. Tuttle, who acquired the same by mesne conveyances from the United States; that the title to the said lands and each parcel thereof stand in the name of the Complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceeding the filing of said bill of complaint no person other than those through whom he claims title to the said lands or any part thereof have assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Claude Peteet at the time of the filing of the Bill of Complaint in this cause and at this time had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said defendants, Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Co., a Corporation, Carrie B. Tuttle and William H. Tuttle and the unknown heirs, devisees, personal representatives, alienees, successors in trust, beneficiaries and assigns of the said named corporation, individuals and each of them and any and all persons, firms, associations, corporations, have any title to, interest in, claim, lien or encumbrance upon the whole or any part of the said lands, and that the fee simple title to the said lands and each and every part and parcel thereof be and the same is hereby quieted and established in and declared to be in the said Claude Peteet, as against the defendants, Robert Bittner, Clara Bittner, John Stelk, Trustee, Chicago Title and Trust Co., a Corporation, Carrie B. Tuttle and William H. Tuttle, and the unknown heirs, devisees, personal representatives, alienees, successor in trust, beneficiaries and assigns of the said named corporation, individuals and each of them and any and all persons, firms, associations, corporations claiming any title to, interest in, claim

lien or encumbrance on said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quieted and established in and declared to be in the said Claude Peteet, shall inure to the benefit of all persons deriving title to said lands or any part therein, from or through the said Claude Peteet, and the said title so quieted and established in him shall be treated and considered as established in favor of the said Claude Peteet and all persons deriving title through him.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the Register of this Court, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Claude Peteet be and he is hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, Alabama; this the 18th day of August, 1949.

Jeffrey J. Mashburn, Jr.
Judge