J. S. LOWREY,

VS.

## Complainant,

Certain lands described as follows: The Northeast Guarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian, and OTTO NEUKIRCH, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrances on said land or any part thereof.

Respondents.

## IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY. 2736 m

#### ORDER OF PUBLICATION

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It being made to appear in the above styled cause from the Bill of Complaint and Affidavit of Norborne C. Stone, one of the Solicitors of Record for the Complainant in said cause that the residence of the Respondent, Otto Neukirch, is unknown and cannot be ascertained after a reasonable (effort; and that said Respondent is over the age of twenty-one years; and the Complainant having requested that the Court enter an appropriate order or publication making said Respondent a party to this cause and notifying him to appear and plead, answer or demur to the Bill of Complaint filed in said cause before a day to be named therein;

It is therefore ORDERED AND DECREED that such notice be prepared and published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks and that a copy of such notice be posted at the Court House door in Bay Minette, Alabama, and that said notice contain a recital to show by what title Complainant claims the land described in the Bill of Complaint and in whose name the title to said land stands on the records of the Probate Court of Baldwin County, Alabama, and who, if anyone, is known to have paid taxes on the said property or to have been in possession of said lands within ten years next prior to the filing of the Bill of Complaint; and that the Respondent be required to appear and plead or answer to the Bill of Complaint before December 10, 1951.

REAL OF THE PARTY

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294 012 •

Witness my hand and seal this 31st day of October, 1951.

In Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, In Equity.



Respondent be required to appear and plead or answer to the Bill of Complaint before December 10, 1951.

Witness my hand and seal this 31st day of October, 1951.

Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, In Equity.

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mo2736. J. S. LOWREY, Complainant, vs. Certain lands and OTTO NEUKIRCH, ET AL., Respondents. IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY. \*\*\*\* ORDER OF PUBLICATION \*\*\*\*\*\*\*\*\*\*\* RECORDED 1.35 FILED OCT 31 1951 ALICE J. DUCK, Register

i i V

## STATE OF ALABAMA

## BALDWIN COUNTY

Before me, the undersigned Notary Public in and for said County in said State personally appeared J. S. Lowrey, who, after being by me first duly and legally sworn did depose and say under oath as follows:

That he is the complainant in that certain cause entitled J. S. Lowrey, Complainant, v. Certain lands and Otto Neukirch, et al., respondents, pending in the Circuit Court of Baldwin County, Alabama.

That the complainant has made diligent effort to ascertain whether or not the respondent Otto Neukirch is in the military service of the United States by inquiring among the residents of the neighborhood of the land involved in this cause. That complainant has been unable to ascertain whether or not said respondent is in the military service but complainant has reason to believe and does believe that the respondent Otto Neukirch is not in the military service of the United States and if he is that his ability to comply with any decree that may be rendered in this cause is not, or would not be, materially impaired or affected by reason of such service.

Sworn to and subscribed before me this MATH day of January,

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Ba)dwin County, Ala.

-1952

8521. NOTE OF TESTIMONY • 1	1M-7-46	1.003	·	Printed	By The	Baldwin	Tim
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J. S. LOWBEY							
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Complainan	11		Baldw	in Co	untv		
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Responden	nts   C	ircuit (	Court o	f Bal	dwin	Cour	atv
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No. 2736		
THE STATE OF ALABAMA Baldwin County		
IN EQUITY Circuit Court of Baldwin County		
J. S. Lowrey,		
<u>Complainant</u>		
vs. <u>Certain Lands and Otto Neukirc</u> h		
et al., Respondents.		
NOTE OF TESTIMONY		
Filed in Open Court this 144 City		
day of farmary 19 <b>52</b>		
Printed By The Baldwin Times		
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STATE OF ALABAMA ) BALDWIN COUNTY ) IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Otto Neukirch, to appear and plead, answer or demur within thirty days from the service thereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, in which Bill of Complaint J. S. Lowrey is the Complainant and the above named party and his unknown heirs and certain lands therein described are the Respondents.

Witness my hand and seal on this the 31st day of October, 1951.

<u><u><u><u></u></u><u><u></u><u></u><u>Register</u>.</u></u></u>

J. S. LOWREY,

## Complainant,

#### vs.

Certain lands described as follows: The Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian, and OTTO NEUKIRCH, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrances on said lands or any part thereof,

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

Respondents.

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

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Comes the Complainant J. S. Lowrey, and files this his Bill of Complaint against the following described land situated in Baldwin County, Alabama, to-wit:

> The Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian.

and against Otto Neukirch, and any and all persons claiming any title to, interest in, lien or encumbrance on said lands or any part thereof and respectfully represents and shows unto your Honor as follows:

#### FIRST:

That he is in the actual, peaceable possession of the lands hereinabove described, claiming to own the same in his own right in fee simple, and that no suit is pending to test Complainant's title to, interest in or right to possession of the said lands.

### SECOND:

Your Complainant further shows unto your Honor that he claims the entire fee simple title in and to all of the above described lands, having acquired the same by deed from the State of Alabama, dated July 19, 1944, which deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 171 at page 153. THIRD:

Your Complainant further shows unto your Honor that the title to said lands stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of your Complainant and that no one has at any time within ten years next preceding the filing of this Bill of Complaint, paid any taxes on said lands or any part thereof and no one known to your Complainant, has had any possession of any part of said lands during said period. The Respondent Otto Neukirch, claims or is reputed to claim some right, title or interest in, or encumbrance upon said lands.

## FOURTH:

That your Complainant does not know whether or not the said Respondent, Otto Neukirch, is now living or dead, or if dead, the names of the heirs of said Otto Neukirch and that your Complainant has made a diligent search and inquiry to ascertain the said facts which are not known to him and that his inquiry consisted of having prepared an Abstract of Title to the said lands and inquiring in the neighborhood of the lands, together with an examination of a telephone directory published by the Illinois Bell Telephone Company in the year 1945, for Chicago, Illinois. That the said Otto Neukirch was a non-resident of the State of Alabama in May of 1940, but your Complainant has not been able to ascertain after a diligent search and inquiry his correct mailing address.

## FIFTH:

That your Complainant calls upon the said Otto Neukirch to set forth and specify his title, claim, interest or encumbrance and how and by what instrument the same is derived and created.

#### SIXTH:

That your Complainant is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, his more particular address being Bay Minette, Alabama.

## PRAYER FOR PROCESS

To the end therefore, that equity may be had in the premises, your Complainant respectfully prays that your Honor will cause the Register to make out and superintend the execution of the appropriate order of publication as notice to the said Otto Neukirch of the filing of this Bill of Complaint and to any and all persons, firms and corporations claiming any interest in the above described land, according to the usual form and practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law and the practice of this Honorable Court and that your Honor will also cause notice to be published of the proceeding instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama, authorizing the quieting of title by proceedings in rem.

#### PRAYER FOR RELIEF

Complainant further prays that on a hearing of this cause that your Honor will establish Complainant's right or title to the lands herein described and will decree that the Complainant is the owner of said lands in fee simple and that no other person, firm or corporation has any title to, interest in, lien or encumbrance upon said lands or any part thereof and especially that Otto Neukirch or his unknown heirs, devisees and legatees have no right, title, interest in, lien or encumbrance upon said lands or any part thereof and that in and by the terms of said decree that your Honor will cause a certified copy thereof to be filed for record in the Office of the Probate Judge of Baldwin County, Alabama, and recorded therein and that in said decree your Honor will direct how said certified copy of the decree shall be indexed and your Complainant prays for such other, further, different and general relief as in equity will be meet and proper.

CHASON & STONE

Solicitors Complainant. for

STATE OF ALABAMA BALDWIN COUNTY

Before me, Alice L. Miller, a Notary Public, in and for said State and County, personally appeared Norborne C. Stone, who is known to me and who, after being by me first duly and legally sworn did depose and say under oath as follows: That he is one of the Solicitors of Record for the Complainant in the above styled cause; that the Complainant has had a diligent search and inquiry made to ascertain the address of the Respondent, Otto Neukirch, who, the Complainant believes, if living, is over twenty-one years of age, named in the foregoing Complaint and whether said Respondent is now living and if not now living, the names, ages and addresses of his heirs at law and next of kin; that the allegations contained in the foregoing Bill of Complaint are true and correct.

Sworn to and subscribed before

me this 31st day of October, 1951.

. 7 Notary Public, Baldwin County, Ala.

# no 2736.

J. S. LOWREY,

Complainant

VS o

Certain lands and Otto Neukirch, et al.,

Respondents.

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

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SUMMONS & BILL OF COMPLAINT

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. Starter FILLED OCT 31 1951 ALIGE I. DUCK, Register RECORDED

J. S. LOWREY, Complainant,	IN THE CIRCUIT COURT OF
VS.	BALDWIN COUNTY, ALABAMA
CERTAIN LANDS AND OTTO NEUKIRCH, ET AL.,	IN EQUITY.
Respondents.	Ŷ Ĩ

#### FINAL DECREE

This cause coming on to be heard is submitted for final decree upon the Bill of Complaint, Order of Publication, Notice, Certified Copy of Notice of Publication, Affidavit of Publication, Motion for Decree pro Confesso, Decree pro Confesso and Testimony of J. S. Lowrey, taken before the Commissioner heretofore appointed by the Register of this Court, all as noted and filed by the Register.

And it appearing to the court that J. S. Lowrey is in the actual, peaceable possession of the Northeast Cuarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian in Baldwin County, Alabama, claiming to own the same in his own right in fee simple, and that no suit is pending to test the title of the said J. S. Lowrey to, or his interest in, or right to the possession of the said lands and it further appearing to the court that J. S. Lowrey acquired his interest in and to the said land by deed from the State of Alabama, dated Jyly 19, 1944, which deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 171 N. S., at page 153, and that the title to said land stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of J. S. Lowrey.

And it further appearing to the court that no one, other than the said J. S. Lowrey, has, at any time within ten years next preceding the filing of the Bill of Complaint in this cause, paid any taxes on said lands or any part thereof, and that no one, other than the Complainant J. S. Lowrey, has had any possession of any part of said lands during said ten year period.

And it further appearing to the court that J. S. Lowrey, the Complainant, and those through whom he claims, have paid taxes on all of the above described land for ten years next preceding the filing of the Bill of Complaint and that the said J. S. Lowrey is entitled to the relief prayed for in the Bill of Complaint, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that J. S. Lowrey is the owner in fee simple of the Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian, Baldwin County, Alabama, and that no other person, firm or corporation has any title to, interest in, lien or encumbrance upon said lands or any part thereof, and that Otto Neukirch, if living, or his unknown heirs, devisees and legatees, if deceased, have no right, title, interest in, lien or encumbrance upon said lands or any part thereof.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Register of this Court shall, within thirty days from the rendition of this decree, file a certified copy of the same for record in the Probate Court of Baldwin County, Alabama, and tax the expense thereof as part of the costs of this proceeding and the said decree shall be recorded in the same book and manner in which deeds are recorded, and shall be indexed in the name of the Respondent, Otto Neukirch in the direct index and in the name of the Complainant, J. S. Lowrey, in the reverse index.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Complainant J. S. Lowrey be, and he hereby is, taxed with the costs of this proceeding, for which execution may issue.

It is further ORDERED, ADJUDGED AND DECREED by the Court that all the proceedings herein be recorded.

Done this 14th day of January, 1952.

Jelfaer H. Mashburn, Jr., J Judge.

JIMMY FAULKNER

A L/D W B ALABAMA'S BEST COUNTY'S- MMES BEST NEWSPAPER J. S. LOWREY, Completinent. VS. Certain lends described as follows: The Northecst Quarter of the Southeast Quarter of Section 12, Township 7 South Range 4 East of St. Stophens Meridian. and OTIO NEUKIRCH, and any and all persons, firms or corporations claim-ing any title to, interest in, lien or en-cumbrances on said lend or any part thereof. Respondents. IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY NO. 2735 NOTICE: It having been made to appear from BAY MINETTE. ALABAMA AFFIDAVIT OF PUBLICATION STATE OF ALABAMA. NOTICE: It having been made to appear from the Affidavit of Norborne C. Stone, one of the Solicitors of Record for the Com-plainant in the above styled cause that the residence of Otto Neukirch, one of the Respondents in the above styled cause, is unknown and cannot be as-certained after a reasonable effort and that the said Otto Neukirch is believed to be over the are of upperpendent BALDWIN COUNTY. mme Paulfnes, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of to be over the age of twenty-one years; NOTICE IS HEREBY GIVEN to the said Otto Neukirch, if living and if dead. 10 1 Otto Neukirch, if living and if dead to the beirs at law, devisess and next of kin of the said Otto Neukirch, and to any and all persons, firms or corpora-tions claiming any title to, interest in, lien or encumbrance on said lands de-scribed herein or any part thereof; that on the 31st day of October, 1951, J. S. Lowrey filed his Bill of Complaint in the Circuit Court of Baldwin County, Ala-bama, in Equity, against the above named Respondents and the following described lands situated in Baldwin County, Alabama, to-wit: The Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian, and you are hereby notified to appear and plead, mswer or demur to said Bill of Complaint by December 10th, 1951, or a decree pro confesso will be rendered and you are hereby will be rendered years next preceding the tiling of the and for the purpose of clearing up all doubts and disputes concerning the same. Witness my hand and seal this 31st day of October, 1951. said Bill of Complaint on the said lands or any part thereof and no one is known to the Complainant to have had any pos-session of any part of said lands during ALICE J. DUCK, as Register of the Circuit Court of Baldwin County, Alabama, said period. It is further alleged in said Bill of Com-plaint that such suit is filed for the pur-pose of establishing the title of said Complainant to the lands described above in Equity. CHASON & STONE Solicitors for Complainant. 41\_4tc. COST STATEMENT a decree pro confesso will be rendered against you. The Bill of Complaint alleges that the I hereby certify this is correct, due and unpaid (paid). The Bill of Complaint alleges that the Complainant claims to own the entire fee simple title to said lands, having ac-quired the same by deed from the State of Alabama dated July 19 1944 which deed is recorded in the Office of the Judge of Probate of Baldwin County, Ala-bama, in Deed Book 171 N. S. at page 153; the Bill of Complaint also alleges that the title to said lands stands in the name of the Complaintant on the records of the Probate Court of Baldwin County, Alabama, and that no suit is pending to test Complaintant's title to, in-terest in or right to possession of said land. Publisher. Was published in said newspaper for the consecutive weeks in the following issues: , 195/ Vol. 62 No. 4/ Date of 1st publication. land. It is further alleged in the said Bill of Complaint that the Complainant is in the actual, peaceable possession of said lands, claiming to own the same in his own right, in fee simple and that no one has paid taxes at any time within ten 195 Vol. 62 No4 2 Date of 2nd publication\_ 1951 Vol 62 No. 43 Date of 3rd publication. , 195 Vol ( 2 No. 44 --22 Date of 4th publication\_\_\_ Subscribed and sworn before the undersigned this 2c day of the 195\_ This Man Notary Public, Baldwin County. Publisher.

8601. Motion for Decree Pro Confesso on Publication.

	19 - Ann
THE STATE OF ALABAMA, CIRCUIT COURT,	IN EQUITY
BALDWIN COUNTY No.	, Term, 19
J. S. LOWREY	Complainant
Vs.	
Certain lands and OTTO NEUKIRCH, ET AL.,	Defendant
Motion is hereby made for a Decree Pro Confesso againstOttoNeukirch	and-his-unknown
heirs at law, if any.	Defendant
in the annexed stated cause, on the ground that more than thirty days have elaps	ed since the perfection
of publication was made under the order of this Court; and it having been show:	n by due proof to the
Court that said Defendant is a non-resident of the State of Alabama, and has faile	ed to answer, plead or
demur to the Bill in this cause, to the date hereof.	
This 9th day of January 19 52	
746 Code By: Morlow Stone	Solicitor.

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No. 2736 Page				·				
The State of Alabama, BALDWIN COUNTY								
CIRCUIT COURT, IN EQUITY					•			
J. S. LOWREY				· .	:			÷
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Complainant Vs.		•						
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	JRT, IN EQUITY , Term, 19
J. S. LOWREY Vs.	Complainant
Certain lands and OTTO NEUKIRCH. ET AL.	Defendant
In this cause it appears to the Register Alice J. Duck	— that the order of publication
retofore made in this cause, was published for four consecutive weeks, con	
y of <u>November</u> , 1951, in the <u>Baldwin Times</u>	a newspaper published
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Baldwin County, on the31st day of	
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And it now further appearing to the Register <u>Alice J.</u>	Duck, that the said
Otto Neukirch and his unknown heirs at law, if	
<u>Otto Neukirch and his unknown heirs at iaw, in</u>	
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aving, to the date hereof, failed to demur, plead to, or answer the Bill of	Complaint in this cause, it is
ow, therefore, on motion of Complainant, ordered and decreed by the F	
that the Bill of Complaint in this cause be, and it h	
onfessed against the said Otto Neukirch and his unknown	
miessed against the said	
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This 9th day of January 19	9.52
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J.S.LOWREY,	Complainant,	CIRCUIT N COUNTY		
VS.		IN EQUIT	Y.	
Cortain Lands and O et al.	TTONEUKIRCH,, Respondent.	NO. 2736		

## DEMAND FOR ORAL EXAMINATION.

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labama, the place	of trial of said	cause, to-wit:	J. S. Lowre	y	
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	i. Soos			e	
2. That said	complainant re	quires an oral e	xamination of sa	id witnessæss bef	ore a com-
	-		CHASO	id witnesses bef	Q 8,
issioner appointed	-	er of this Court.	CHASO	N & STONE	Q 8,
issioner appointed OTE:	d by the Registe	er of this Court. .By:	CHASO	N & STONE	e, lainant.
issioner appointed OTE:	d by the Registe suggests the nar	er of this Court. By: ne of <u>Alice</u>	CHASO CHASO Se L. Miller, sioner upon the ex	N & STONE	e, lainant.

BT-6-40-500
DEMAND FOR ORAL EXAMINATION,
J. S. Lowrey
Complainant,
Vs.
Certain Lands and Otto Neu-
kirch et al., Respondents
#2736
IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA—IN EQUITY.
Filed this
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Register.
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COMMISSION TO TAKE DEPOSITIONS THE STATE OF ALABAMA, CIRCUIT COURT Baldwin County. TO: ALICE L. MILLER, Bay Minette, Alabama ÷ KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine <u>J. S. Lowrey</u> as witnesses in behalf of <u>Complainant</u> \_\_\_\_\_ in a cause pending in our Circuit Court in Baldwin County, of said State, wherein J. S. Lowrey is \_\_, Complainant\_\_ and \_ The Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range & East of St. Stephens Meridian, and OTTO NEUKIRCH, and any and all persons, firms or corporations claiming any interest in said lands, are \_\_\_\_\_ Respondent S on oath, to be by you administered, upon \_\_\_\_\_\_ the said J. S. Lowrey\_\_\_\_\_ to take and certify the deposition \_\_\_\_\_ of the witness \_\_\_\_\_ and return the same to our Court, with all convenient speed, under your hand.

Witness \_\_\_\_\_ day of \_\_\_\_\_ January\_\_\_\_\_, 195 2 \_\_\_\_\_

Duck, Register.

Commissioner's Fee, \$\_\_\_\_\_ Witness' Fees, \$\_\_\_\_\_

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No. 2736				
THE STATE OF ALABAMA Baldwin County				
Baldwin County				
CIRCUIT COURT				
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J. S. Lowrey				6 ° 4
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Complainant—	<b>6</b>			
VS.				
Certain Lands and Otto Neu-				
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kirch et al.				
Defendant—		<b>1</b>		
COMMISSION TO TAKE DEPOSITION				
COMMISSIONER			· · · · · · · · · · · · · · · · · · ·	
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Alice L. Miller				
WITNESSES:				
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J. S. Lowrey				4 Y
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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

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J. S. LOWREY,

VS.

## Complainant,

Certain lands described as follows: The Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian, and OTTO NEUXIRCH, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrances on said land or any part thereof,

Respondents.

#### NOTICE:

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It having been made to appear from the Affidavit of Norborne C. Stone, one of the Solicitors of Record for the Complainant in the above styled cause that the residence of Otto Neukirch, one of the Respondents in the above styled cause, is unknown and cannot be ascertained after a reasonable effort and that the said Otto Neukirch is believed to be over the age of twenty-one years;

NOTICE IS HEREBY GIVEN to the said Otto Neukirch, if living and if dead, then to the heirs at law, devisees and next of kin of the said Otto Neukirch, and to any and all persons, firms or corporations claiming any title to, interest, in, lien or encumbrance on said lands described herein or any part thereof; that on the 31st day of October, 1951, J. S. Lowrey filed his Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, against the above named Respondents and the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East of St. Stephens Meridian.

and you are hereby notified to appear and plead, answer or demur to said Bill of Complaint by December 10th, 1951, or a decree pro confesso will be rendered against you.

The Bill of Complaint alleges that the Complainant claims to own the entire fee simple title to said lands, having acquired the same by deed from the State of Alabama dated July 19, 1944, which deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 171 N. S. at page 153; the Bill of Complaint also alleges that the title to said lands stands in the name of the Complainant on the records of the Probate Court of Baldwin County, Alabama, and that no suit is pending to test Complainant's title to, interest in or right to possession of said land.

It is further alleged in the said Bill of Complaint that the Complainant is in the actual, peaceable possession of said lands, claiming to own the same in his own right, in fee simple and that no one has paid taxes at any time within ten years next preceding the filing of the said Bill of Complaint on the said lands or any part thereof and no one is known to the Complainant to have had any possession of any part of said lands during said period.

It is further alleged in said Bill of Complaint that such suit is filed for the purpose of establishing the title of said Complainant to the lands described above and for the purpose of clearing up all doubts and disputes concerning the same. Witness my hand and seal this 31st day of October, 1951.

Duck, as Register of the

Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity,

CHASON & STONE Solicitors for Complainant.

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I, Alice J. Duck, as 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 required by Title 7, Section 1119 of the Code of Alabama of 1940 in the above styled cause.

Witness my hand and seal this 31st day of October, 1951.

A D

Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity.

STATE OF ALABAMA, BALDWIN COUNTS Mad 10-31-57 SA. & Book 2 page 257 Barander due the Mesturet Judge at Probest 

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S. Combo Lowrey 1. ŝ 238 13 Ō 13 13 10 23 Section Section 022@ ÷3 <u>\_\_\_\_</u> 1 £-\$ 翁 No. And the second xin F õŤ ÷'nŝ ŝ 03 1.1 Ô 2000 Di 67.8-Ő 2 N 1 "CL C Cort. Ö. 0.5 ŝ. 1 Å 23 39  $\bigcirc$ Ó  $\langle 0 \rangle$ ¢.,  $\tau = \xi$ 2,074,03707. de à 2-4  $\hat{}$ \$ 77 (B) and S 64 a wate will we water \*\*-\* 0 2 0 Zell Xa la fall 國會認會 6) New York S. 23 S. 4 \$...<u>\$</u> Ser. Ó 907 6-4  $\odot$ gen er p  $\{ \lambda \}$ . Solo 373 12.5 e<sup>1-4</sup> 1 1 63 Ċ. Č, 3.5 Acres 6 \$3 200 신 Ċ, the second \$3 \*~~\* 0.23  $\bigcirc$ 12-X 24  $\bigcirc$ 0,000 õ 100.64 ing. <u>\_</u>\_\_\_ 4.2000 0223 San Elle Pres Alle ŝ 10 W 0 0 è  $\sim$ ં es. g  $G_{i}$ -痧 1. 1. Not an and °O 50 談 . GENTA 1.3 ÷ ALL TANK 63 -No. 0 14 63 52 2-1 ation of the second 000 Ó 2 Contraction of 611 J.J.  $\mathcal{O}$ 100 R  $(\cdot)$ 1.1 \$ 3 1720 1. ٨ 6.4 Silling and 83  $\odot$ 10 Contraction (Contraction)  $\odot$ \$ AN CAN 16 ê. 4.3  $C_{ij}^{\alpha}$ 23 63  $\mathcal{L}$ 002 Com D 2 Strates 52 Ŷ, TTO: 0 an ana la Andre St. and the second 1.1 6.3 ÷., TENGE Ó Ó 13 80. A 3 <u>نا</u> 83  $\mathcal{O}$ Ś ÷. 61 200 17 100 J.S. see. ALC. 200 Ċ, č.,  $\mathcal{L}_{\mathcal{T}}$  $\odot$ Č, ¥9 1 5.5 6 CJ. 19 (N. 19) (N. State of the second 鑟 Ö 1. 1. P. 1. a la cua 1 8:52 TW.C  $\sim$ 6 27 12 

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over the age of twenty-one years.

THE STATE OF ALABAMA, Baldwin County.	Circuit Court of Baldwin County, Alabama (In Equity)
J. S. LOWREY	Complainant
	VS.
Certain Lands and OT	FTO NEUKIRCH et al Respondent
I, Alice L. Miller	
as <b>Registerx nuck</b> Commissioner have called and caused to come before me	e J. S. Lowrey, the complainant,
ngengen in einen einen einen einen seinen seine Mehr der einen Mehr der einen einen seinen seine Mehr der einen seinen seine	
witnessnamed in the Requirement for 194, at the office of <u>Chason &amp; S</u>	r Oral Examination, on the day of Stone
in <b>Bay Minette</b> , Alabama, ar truth, the whole truth, and nothing but the	nd having first sworn said Witness to speak the truth, the said <b>J. S. Lowrey</b>
	se and say as follows:
plainant in the case of J. S.	is J. S. Lowrey and that he is the com- Lowrey v. Certain Lands and Otto Neu- sident of Bay Minette, Alabama and is

That he is in the possession of the Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East, and has been in possession of that land since 1944, the year in which he acquired a deed from the State of Alabama to said land. That his possession has consisted of visits to the land at frequent intervals during the last seven years to examine it and inspect it. That he has leased the oil rights on the said land and has sold stump wood and timber from said land during this period. That no one, to his knowledge has ever asserted any right to possession of the land during this period other than himself, and no one has ever interferred with his possession since he went into possession in 1944. That he claims to own this land in his own right under the 1944 deed together with his possession and that no one has filed suit to test his title or right to possession of the land, and that no such suit is pending at this time. That his possession has been exclusive during the last seven years and he is the only person who has paid taxes on this land for the last ten years.

That Øtto Neukirch owned the land at one time but he failed to pay the taxes due for the year 1939 and the land sold to the State of Alabama in June of 1940. That he does not know Otto Neukirch or where he lives or if he is living or dead, but that he has attempted to ascertain these facts through inquiry among the residents in the neighborhood of the land and by examining the 1945 telephone directory of Chicago, Illinois, which he understands is the last known address of Otto Neukirch.

That the title to this land stands in his name on the records of the Probate Judge of Baldwin County, Alabama, and his deed to the land from the State of Alabama is recorded in that office in Deed Book 171 N. S. at page 153.

WITNESS:	Alarrey
Malan OSA	J. S. Lowrey
Norborne C. Stone, Jr.	

#### ORAL EXAMINATION.

I, Alice L. Miller	, as Angenter And Commissioner hereby certify
that the foregoing depositionon Oral Examinat	ion was taken down by me in writing in the words
of the witness and read over to <u>him</u>	and
myself and Norborne C. Stone, Jr.	
at the time and place herein mentioned; that ]	I have personal knowledge of personal identity of
said witnessor had proom made before me o	f the identity of said witness; that I am not of
counsel or of kin to any of the parties to said of	cause, or any manner interested in the result thereof
I enclose the said Oral Examination in an e	envelope to the Register of said Court.
Given under my hand and seal, this <u>10</u>	
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a ser a s A ser a s	Alice L. Miller
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Filed Vol. NO.ot al Certain Lands and Otto Neukirch S. Lowrey 2 IN CIRCUIT COURT, IN EQUITY. THE STATE OF ALABAMA BALDWIN COUNTY ral Deposition 11 - 24 Recorded in VS. LALACKE, Register. PAGE-Page-Respondent. Complainant -, Register 1952 Record

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Printed by The Baldwin Times, Bay Minette.
THE STATE OF ALABAMA, Circuit Court of Baldwin County, Alabama Baldwin County.
J. S. LOWREY Complainant
VS.
Certain Lands and OTTO NEUKIRCH et al Respondent
I, Alice L. Miller
as Register and Commissioner
have called and caused to come before me J. S. Lowrey, the complainant,
i <u>kan na sana kan na sana k</u> an sa
witnessnamed in the Requirement for Oral Examination, on the day of 194, at the office of <u>Chason &amp; Stone</u>
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said <u>J.S. Lowrey</u> doth depose and say as follows:
That his name is J. S. Lowrey and that he is the com- plainant in the case of J. S. Lowrey v. Certain Lands and Otto Neu- kirch et al. That he is a resident of Bay Minette, Alabama and is over the age of twenty-one years.
That he is in the possession of the Northeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 4 East, and has been in possession of that land since 1944, the year in which he acquired a deed from the State of Alabama to said land. That his possession has consisted of visits to the land at frequent intervals during the last seven years to examine it and inspect it.
That he has leased the oil rights on the said land and has sold stump wood and timber from said land during this period. That no one, to his knowledge has ever asserted any right to possession of the land during this period other than himself, and no one has ever
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WITNESS:	Stourly
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