

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 OTTONEUKIRCH, 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.

*no* 2736

ORDER OF PUBLICATION

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.

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

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

770 2736.

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

FILED

OCT 31 1951

ALICE J. DUCK, Register

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

RECORDED  
INDEXED  
OCT 31 1951  
BALDWIN COUNTY, ALA.  
CLERK OF COURT

7702736.

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

FILED

OCT 31 1951

ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

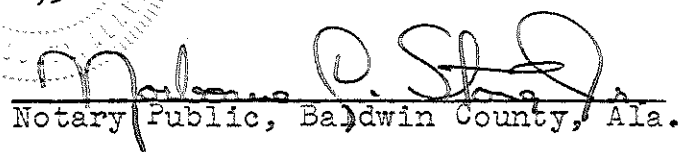
Before me, the undersigned Notary Public in and for said County in said State personally appeared J. S. Lowrey, who, after being by me first duly and legally sworn did depose and say under oath as follows:

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.

  
J. S. Lowrey

Sworn to and subscribed before  
me this 14TH day of January,  
1952.

  
Notary Public, Baldwin County, Ala.

J. S. LOWREYComplainant

vs.

CERTAIN LANDS AND OTTO NEUKIRCHET AL.,Respondents

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, Order  
of Publication, Notice, Affidavit of Publication, Certified Copy of  
Notice of Publication, Motion for Decree Pro Confesso on Publication,  
Decree Pro Confesso on Publication and testimony of J. S. Lowrey

and in behalf of Defendant upon

CHASON & STONE

By:

M. S. StoneSolicitors for ComplainantKing J. StoneRegister.

No. ....2736.....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

J. S. Lowrey,

Complainant

vs.

Certain Lands and Otto Neukirch

et al.,

Respondents.

NOTE OF TESTIMONY

Filed in Open Court this 14<sup>th</sup> day

day of January, 1952

*Otto Neukirch*  
Register.



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.

Wm. J. Henshaw  
Register.

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,

Respondents.

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

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

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

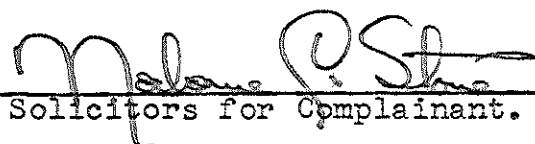
To the end therefore, that equity may be had in the premises, your Complainant respectfully prays that your Honor will cause the

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

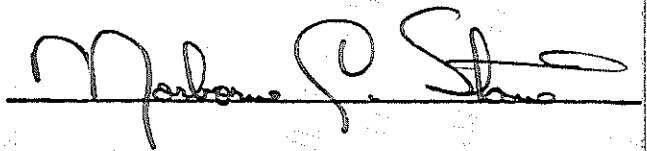
By:   
Solicitors for Complainant.

STATE OF ALABAMA

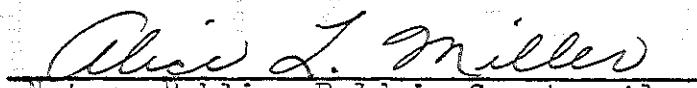
BALDWIN COUNTY

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.

  
Notary Public, Baldwin County, Ala.

NO 2736.

J. S. LOWREY,

Complainant

vs.

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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FILED

OCT 31 1951

ALICE I. DUCK, Register

RECORDED

J. S. LOWREY,

Complainant,

vs.

CERTAIN LANDS AND  
OTTO NEUKIRCH, ET AL.,

Respondents.

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

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 Quarter 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 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, 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 14<sup>th</sup> day of January, 1952.

Telfair J. Mashburn, Jr.  
Telfair J. Mashburn, Jr.,  
Judge.



ALABAMA'S BEST COUNTY'S-

*The* **BALDWIN**

*Times* BEST NEWSPAPER

BAY MINETTE, ALABAMA

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

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 claim-  
ing any title to, interest in, lien or en-  
cumbrances on said land or any part  
thereof. Respondents.

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA, IN EQUITY  
NO. 2736  
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 age of twenty-one years;

NOTICE IS HEREBY GIVEN to the said  
Otto Neukirch, if living and if dead

to the heirs at law, devisees 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, 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 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 Complainant on the  
records of the Probate Court of Baldwin  
County, Alabama, and that no suit is  
pending to test Complainant's title to, in-  
terest 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 pos-  
session of any part of said lands during  
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

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.

ALICE J. DUCK, as Register  
of the Circuit Court of  
Baldwin County, Alabama,  
in Equity.

CHASON & STONE  
Solicitors for Complainant.

41-4tc.

### COST STATEMENT

556 WORDS @ 6 1/2 cents — — — \$ 36 14

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

*Jimmy Faulkner*  
Publisher.

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

Date of 1st publication Nov. 1, 1951 Vol. 62 No. 41

Date of 2nd publication Nov. 8, 1951 Vol. 62 No. 42

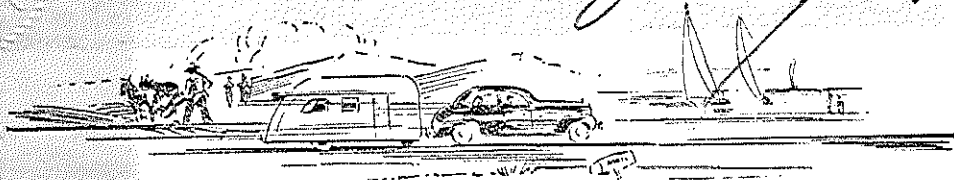
Date of 3rd publication Nov. 15, 1951 Vol. 62 No. 43

Date of 4th publication Nov. 22, 1951 Vol. 62 No. 44

Subscribed and sworn before the undersigned this 26 day of Dec, 1951

*Dorothy Martin*  
Notary Public, Baldwin County.

*Jimmy Faulkner*  
Publisher.



THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

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 against ~~Otto Neukirch and his unknown~~~~heirs at law, if any.~~

Defendant\_\_\_\_\_

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 9th day of January 19 52

CHASON &amp; STONE

746 Code

By: Marlene P. Stone

Solicitor.

No. 2736

Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

J. S. LOWREY

Complainant \_\_\_\_\_

Vs.

Certain lands and OTTO NEUKIRCH  
ET AL.,

Defendant \_\_\_\_\_

Motion for Decree Pro Confesso  
on Publication

Filed 1-9- 1952

Alvin J. Duck  
Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. \_\_\_\_\_, Term, 19\_\_\_\_

J. S. LOWREY

Complainant

Vs.

Certain lands and OTTO NEUKIRCH. ET AL.

Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 1st day of November, 1951, 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 31st day of October 1951 and \_\_\_\_\_

And it now further appearing to the Register Alice J. Duck that the said Otto Neukirch and his unknown heirs at law, if any.

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 J. Duck \_\_\_\_\_ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Otto Neukirch and his unknown heirs at law, if any,

This 9th day of January 19 52Alice J. Duck

Register.

J. S. LOWREY, .....  
Complainant,  
VS.  
Certain Lands and OTTO NEUKIRCH, .....  
et al. Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
IN EQUITY.  
NO. 2736

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from  
Bay Minette, in the County of Baldwin  
Alabama, the place of trial of said cause, to-wit: J. S. Lowrey

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

CHASON & STONE  
By: Malone P. Stone  
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Alice L. Miller,  
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

CHASON & STONE  
By: Malone P. Stone  
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION.

J. S. Lowrey.....,

Complainant,

Vs.

Certain Lands and Otto Neu-.....,

kirch et al., Respondent\$

#2736

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

Filed this 9<sup>th</sup> day of Jan.....,

1952.....

Alice J. Duck.....  
Register.

THE STATE OF ALABAMA.  
Baldwin County.

TO: ALICE L. MILLER, Bay Minette, Alabama

Witness' Fees, \$\_\_\_\_\_

No. 2736

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

J. S. Lowrey

Complainant—

vs.

Certain Lands and Otto Neu-  
kirch et al.

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Alice L. Miller

WITNESSES:

J. S. Lowrey



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 land or any part thereof,

Respondents.

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

704736

NOTICE:

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

902 658

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.

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

CHASON & STONE  
Solicitors for Complainant.

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.

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

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 10-31-51  
Recorded in Deed Book 2 page 257-8  
M. Stuart  
Judge of Probate

Index of Returns  
Filed for Record  
Date 10-31-21  
State of Alabama Baldwin County

Alapams, in Edmista,  
Circuit Court of Baldwin County,  
Vice J. Duck, as Register of the

Witness my hand and seal this 31st day of October, 1921.

above styled cause.

Title 1, Section 1110 of the Code of Alapams of 1901 in the foregoing is a true and correct copy of the notice returned by Baldwin County, Alapams, in Edmista, so hereby certified that the I, Vice J. Duck, as Register of the Circuit Court of

Solicitors for Complainant,  
CHARLES S. STONE

Alapams, in Edmista,  
Circuit Court of Baldwin County,  
Vice J. Duck, as Register of the

Witness my hand and seal this 31st day of October, 1921.  
clearing up all doubts and disputes concerning the same.

Complainant to the lands described above and for the purpose of  
suit is filed for the purpose of establishing the title of said

It is further alleged in said Bill of Complaint that such

possession of any part of said lands during said period.

best thereof and no one is known to the Complainant to have had any

the title of the said Bill of Complaint on the said lands or any

no one being held liable at any time within ten years next preceding

claiming in his own right in fee simple and that

Complainant is in the actual possession of said lands.

It is further alleged in the said Bill of Complaint that the

land.

Complainant's title to interest in or right to possession of said

Baldwin County, Alapams, and that no suit is pending to test Com-

plaint of the Complainant on the records of the Probate Court of

Complainant also alleges that the title to said lands stands in the

County, Alapams, in Deed Book 111 p. 3. at page 123; the Bill of

good is recorded in the Office of the Judge of Probate of Baldwin

same by good from the State of Alapams dated July 10, 1914, which

NO 2736.

J. S. Lowrey

Newkirk

Otto

Stones  
Mrs. Duck

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

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,

witness named in the Requirement for Oral Examination, on the \_\_\_\_ day of \_\_\_\_  
194\_\_\_\_, at the office of Chason & Stone  
in Bay Minette, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said J. S. Lowrey  
doth depose and say as follows:

That his name is J. S. Lowrey and that he is the complainant in the case of J. S. Lowrey v. Certain Lands and Otto Neukirch 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 interfered 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 Otto 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:

Norborne C. Stone, Jr.

J. S. Lowrey

ORAL EXAMINATION.

I, Alice L. Miller, as ~~Register~~ Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witness—and read over to him and he signed the same in the presence of myself and Norborne C. Stone, Jr.

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 10 day of January, 1952.

Alice L. Miller (L. S.)  
Alice L. Miller

NO. 2136 PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

J. S. Lowrey

vs. Complainant

Certain Lands and Otto Neukirch  
et al.

Respondent.

Oral Deposition

Filed 1-14, 1952

Alice L. Miller, Register.  
Recorded in \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Record \_\_\_\_\_, Register.

2136

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

J. S. LOWREY

Complainant

VS.

Certain Lands and OTTO NEUKIRCH et al Respondent

I, Alice L. Miller

as ~~Register and~~ Commissioner

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WITNESS:

Norborne C. Stone, Jr.

J. S. Lowrey



PROBATE JUDGE

Received of..

Bay Minette, Ala., 1-15, 1952

[illegible]