

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS

VS

THE NORTH HALF OF THE NORTHWEST
QUARTER OF THE SOUTHEAST QUARTER;
THE EAST HALF OF THE SOUTHEAST
QUARTER OF THE NORTHWEST QUARTER;
THE SOUTHWEST QUARTER OF THE SOUTH-
EAST QUARTER OF THE NORTHWEST QUAR-
TER; BEGINNING AT THE CENTER OF
SECTION 24, TOWNSHIP 4 NORTH, RANGE
3 EAST, AND RUN SOUTH 420 FEET,
THENCE RUN WEST 420 FEET, THENCE
RUN NORTH 420 FEET, THENCE RUN EAST
420 FEET TO THE POINT OF BEGINNING;
THE SOUTHWEST QUARTER OF THE NORTH-
EAST QUARTER, LESS THE FOLLOWING
DESCRIBED PROPERTY: COMMENCING AT
A POINT 480 FEET NORTH OF THE CENTER
OF SECTION 24, TOWNSHIP 4 NORTH,
RANGE 3 EAST, THENCE RUNNING NORTH
480 FEET, THENCE RUNNING EAST 360
FEET, THENCE RUNNING SOUTH 480 FEET,
THENCE RUNNING WEST 360 FEET TO THE
PLACE OF BEGINNING, ALL THE ABOVE
DESCRIBED PROPERTY LYING IN SECTION
24, TOWNSHIP 4 NORTH, RANGE 3 EAST,
IN BALDWIN COUNTY, ALABAMA: THE
MAGNOLIA SPRINGS LAND COMPANY, A
CORPORATION ORGANIZED UNDER THE LAWS
OF THE STATE OF ALABAMA, AND CHARLES
A. ENGLISH, RICHARD MAIBEN, M. L.
SMITH, PETER WILLIAMS, J. S. RICKARD
AND ALBERT BALL: AND THE UNKNOWN HEIRS
DEVISEES, PERSONAL REPRESENTATIVES,
ALIENEES AND ASSIGNS OF THE SAID NAMED
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

In the above styled cause it being made to appear to
this Honorable Court that through a clerical error the decree of
this Court made and entered on the 5th day of January, 1951, the
North half of the Northwest quarter of the Southeast quarter was
described as the North half of the Northwest quarter, and the com-
plainants move this Court to amend its said decree to correctly
describe the said lands;

NOW THEREFORE, the decree of this Court made and entered
on the 5th day of January, 1951, be and the same is hereby amended
to read as follows:

This cause coming on to be heard is submitted for final decree upon behalf of the complainants, 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, Magnolia Springs Land Company, a corporation organized under the laws of the State of Alabama, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball and the unknown heirs, devisees, personal representatives, alienees and assigns of the said named 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 thereon, has been given in the manner required by law, and that the complainants are entitled to the relief as prayed for in their bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainants, Ernest M. Newbill and Myrtle M. Newbill, are over the age of twenty-one years and are residents 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 complainants were and are in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

The North half of the Northwest quarter of the Southeast quarter; the East half of the Southeast quarter of the Northwest quarter; the Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East, and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; the Southwest quarter of the Northeast quarter, less the following described property: Commencing at a

point 480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama.

That the complainants obtained title to the said lands as follows: By deed from T. R. Gregson and Florence Belle Gregson, his wife, dated July 29, 1949, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, on September 22, 1949, in deed book 145 at pages 71-2; who acquired title from G. B. Turner and Vivian Turner, his wife, by deed dated December 26, 1947, and recorded in said Probate office on January 6, 1948 in deed book 127 NS, pages 53-4; who acquired title by deed from P. C. Fuller and Ida Fuller, his wife, dated November 29, 1946, and recorded in said Probate office on November 29, 1946 in deed book 114 NS, pages 115-6; who acquired title by deed from Ida Fuller dated April 5, 1943, and recorded in said Probate office April 6, 1943 in deed book 79 NS, page 271; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated September 10, 1942 and recorded in said Probate office September 11, 1942 in deed book 78 NS, pages 17-18; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated December 1, 1941 and recorded in said Probate office on December 1, 1941 in deed book 76 NS, at page 305; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office of February 3, 1936, in deed book 58 NS, page 468; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office on February 3, 1936 in deed book 58 NS, at pages 468-9; who acquired title from Ollie Hill and Sid Hill, her husband, by deed dated August 8, 1935 and recorded in said Probate office on August 10, 1935, in deed book 57 NS, pages 430-1; the United States having parted title to the aforesaid property by patents to: (1) Charles A. English dated July 10, 1939; (2) One to Richard Maiben dated October 10, 1935; (3) One to Cuff

Joseph dated December 13, 1879 and (4) One to John E. Shipp, dated December 13, 1879; that the title to the said lands and each parcel thereof stand in the name of the complainants upon the records of Baldwin County, Alabama; that for more than ten years next preceding 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 Ernest M. Newbill and Myrtle M. Newbill at the time of the filing of the bill of complaint in this cause and at this time had and have the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said defendants, Magnolia Springs Land Company, a corporation organized under the laws of the State of Alabama, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and the unknown heirs, devisees, personal representatives, alienees and assigns of the said named individuals and each of them and any and all persons, firms, associations or corporations have any right, title to, interest in, claim and 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 Ernest M. Newbill and Myrtle M. Newbill, as against the defendants, The Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and the unknown heirs, devisees, personal representatives, alienees and assigns of the said named 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 Ernest M. Newbill and Myrtle M. Newbill, shall inure to the benefit of all persons deriving title to said lands or any part

thereof, from or through the said Ernest M. Newbill and Myrtle M. Newbill, and the said title so quieted and established in them shall be treated and considered as established in favor of the said Ernest M. Newbill and Myrtle M. Newbill and all persons deriving title through them.

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 Ernest M. Newbill and Myrtle M. Newbill be and they are hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 22 day of August, 1951.

Julius J. Washburn, Jr.
Judge.

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST
QUARTER; THE EAST HALF OF THE
SOUTHEAST QUARTER OF THE NORTH-
WEST QUARTER; THE SOUTHWEST QUAR-
TER OF THE SOUTHEAST QUARTER OF THE
NORTHWEST QUARTER; BEGINNING AT
THE CENTER OF SECTION 24, TOWNSHIP
4 NORTH, RANGE 3 EAST, AND RUN
SOUTH 420 FEET, THENCE RUN WEST
420 FEET, THENCE RUN NORTH 420 FEET,
THENCE RUN EAST 420 FEET TO THE
POINT OF BEGINNING; THE SOUTHWEST
QUARTER OF THE NORTHEAST QUARTER,
LESS THE FOLLOWING DESCRIBED PROP-
ERTY: COMMENCING AT A POINT 480
FEET NORTH OF THE CENTER OF SECTION
24, TOWNSHIP 4 NORTH, RANGE 3 EAST,
THENCE RUNNING NORTH 480 FEET,
THENCE RUNNING EAST 360 FEET, THENCE
RUNNING SOUTH 480 FEET, THENCE RUN-
NING WEST 360 FEET TO THE PLACE OF
BEGINNING, ALL THE ABOVE DESCRIBED
PROPERTY LYING IN SECTION 24, TOWN-
SHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN
COUNTY, ALABAMA; THE MAGNOLIA SPRINGS
LAND COMPANY, A CORPORATION ORGANIZED
UNDER THE LAWS OF THE STATE OF ALA-
BAMA, AND CHARLES A. ENGLISH, RICHARD
MAIBEN, M. L. SMITH, PETER WILLIAMS,
J. S. RICKARD AND ALBERT BALL; AND
THE UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS
OF THE SAID NAMED 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 coming on to be heard is submitted for final
decree upon behalf of the complainants, 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 com-
plaint against the said lands and the named defendants, Magnolia
Springs Land Company, a corporation organized under the laws of
the State of Alabama, Charles A. English, Richard Maiben, M. L.
Smith, Peter Williams, J. S. Rickard and Albert Ball, and the

and the unknown heirs, devisees, personal representatives, alienees and assigns of the said named 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 thereon, has been given in the manner required by law, and that the complainants are entitled to the relief as prayed for in their bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainants, Ernest M. Newbill and Myrtle M. Newbill, are over the age of twenty-one years and are residents 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 complainants were and are in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

The North half of the Northwest quarter; the East half of the Southeast quarter of the Northwest quarter; the Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East, and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; the Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Ala.

That the complainants obtained title to the said lands as follows: By deed from T. R. Gregson and Florence Belle Gregson, his wife, dated July 29, 1949, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, on September 22, 1949, in deed book 145 at pages 71-2; who acquired title from

G. B. Turner and Vivian Turner, his wife, by deed dated December 26, 1947, and recorded in said Probate office on January 6, 1948 in deed book 127 NS, pages 53-4; who acquired title by deed from P. C. Fuller and Ida Fuller, his wife, dated November 29, 1946, and recorded in said Probate office on November 29, 1946 in deed book 114 NS, pages 115-6; who acquired title by deed from Ida Fuller dated April 5, 1943, and recorded in said Probate office April 6, 1943, in deed book 79 NS, page 271; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated September 10, 1942 and recorded in said Probate office September 11, 1942 in deed book 78 NS, at pages 17-18; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated December 1, 1941 and recorded in said Probate office on December 1, 1941 in deed book 76 NS, at page 305; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated February 3, 1936, and recorded in said Probate office on February 3, 1936, in deed book 58 NS, page 468; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office on February 3, 1936, in deed book 58 NS, pages 468-9; who acquired title from Ollie Hill and Sid Hill, her husband, by deed dated August 8, 1935 and recorded in said Probate office on August 10, 1935 in deed book 57 NS, pages 430-1; the United States having parted title to the aforesaid property by patents to: (1) Charles A. English dated July 10, 1939; (2) One to Richard Maiben dated October 10, 1935; (3) One to Cuff Joseph dated December 13, 1879 and (4) One to John E. Shipp, dated December 13, 1879; that the title to the said lands and each parcel thereof stand in the name of the complainants upon the records of Baldwin County, Alabama; that for more than ten years next preceding 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 Ernest M. Newbill and Myrtle M. Newbill at the time of the filing of the bill of complaint in this cause and at this time had and have the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said defendants, Magnolia Springs Land Company, a corporation organized under the laws of the State of Alabama, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and the unknown heirs, devisees, personal representatives, alienees and assigns of the said named individuals and each of them and any and all persons, firms, associations or corporations have any right, title to, interest in, claim and 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 declares to be in the said Ernest M. Newbill and Myrtle M. Newbill, as against the defendants, The Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and the unknown heirs, devisees, personal representatives, alienees and assigns of the said named 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 Ernest M. Newbill and Myrtle M. Newbill, shall inure to the benefit of all persons deriving title to said lands or any part therein, from or through the said Ernest M. Newbill and Myrtle M. Newbill, and the said title so quieted and established in them shall be treated and considered as established in favor of the said Ernest M. Newbill and Myrtle M. Newbill and all persons deriving title through them.

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 ~~Ernest M.~~ Newbill and Myrtle M. Newbill be and they are hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 5th day of January, 1951.

Telfair J. Washburn, Jr
Judge.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the above and foregoing instrument is a true and correct copy of the Decree rendered by the Judge of the Circuit Court in the above styled cause and same is on file and recorded in my office.

Witness my hand and seal this 16th DAY of Jan 1957.

Alice J. Duck
Register of the Circuit Court.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 1-31-57 3:30 P.M.
Book 162 Page 332-7
[Signature] Judge of Probate

ERNEST M. NEWBILL AND MYRTLE
M. NEWBILL,
COMPLAINANTS

VS

MAGNOLIA SPRINGS LAND CO.,
A CORPORATION, AND OTHERS, AND
CERTAIN LANDS,
DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 2561

This cause is submitted for final decree upon the bill
of complaint, service by publication, decree pro confesso, and
deposition of L. E. Gregson and Ernest M. Newbill, witnesses
for complainants.

This the 5 day of January, 1951.


Solicitor for complainants.


Register.

256 /
RECORDED

Newhall et al
vs

Certain Lands
et al

Note of Testimony

Filed Jan 5, 1951
Dist. of Alaska
Register

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; BEGINNING AT THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, AND RUN SOUTH 420 FEET, THENCE RUN WEST 420 FEET, THENCE RUN NORTH 420 FEET, THENCE RUN EAST 420 FEET TO THE POINT OF BEGINNING: THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 480 FEET NORTH OF THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, THENCE RUNNING NORTH 480 FEET, THENCE RUNNING EAST 360 FEET, THENCE RUNNING SOUTH 480 FEET, THENCE RUNNING WEST 360 FEET TO THE PLACE OF BEGINNING, ALL THE ABOVE DESCRIBED PROPERTY LYING IN SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN COUNTY, ALABAMA; THE MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA, AND CHARLES A. ENGLISH, RICHARD MAIBEN, M. L. SMITH, PETER WILLIAMS, J. S. RICKARD AND ALBERT BALL; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF THE SAID NAMED 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 Magnolia Springs Land Company, a corporation,
Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and the unknown heirs, devisees, personal representatives and assigns of Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described lands, to-wit: The North half of the Northwest quarter; the East half of the Southeast quarter of the Northwest quarter; the Southwest quarter of the Southeast quarter of the Northwest quarter;

Beginning at the center of Section 24, Township 4 North, Range 3 East, and run South 420 feet, Thence run west 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 North of Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama, or some parcel or part thereof.

Notice is hereby given that the complainants in the above styled cause have this day made application for the oral examination of Ernest M. Newbill & E. E. Gregory, witness for the complainants 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 27th day of December, 1950.

W. C. Becke
Attorney for complainants

Alice A. Leuck
Register, Circuit Court of Baldwin
County, Alabama.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the complainants for oral examination of the said _____, witness for complainants and that notice of said motion was given to the defendants by entry on the Order Book of the Register, said entry having been made on the 27 day of December, 1950

Alice J. Duck
Register

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; BEGINNING AT THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, AND RUN SOUTH 420 FEET, THENCE RUN WEST 420 FEET, THENCE RUN NORTH 420 FEET, THENCE RUN EAST 420 FEET TO THE POINT OF BEGINNING: THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 480 FEET NORTH OF THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, THENCE RUNNING NORTH 480 FEET, THENCE RUNNING EAST 360 FEET, THENCE RUNNING SOUTH 480 FEET, THENCE RUNNING WEST 360 FEET TO THE PLACE OF BEGINNING, ALL THE ABOVE DESCRIBED PROPERTY LYING IN SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN COUNTY, ALABAMA; THE MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA, AND CHARLES A. ENGLISH, RICHARD MAIBEN, M. L. SMITH, PETER WILLIAMS, J. S. RICKARD AND ALBERT BALL; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF THE SAID NAMED 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 Magnolia Springs Land Company, a corporation,
Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and the unknown heirs, devisees, personal representatives and assigns of Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described lands, to-wit: The North half of the Northwest quarter; the East half of the Southeast quarter of the Northwest quarter; the Southwest quarter of the Southeast quarter of the Northwest quarter;

Beginning at the center of Section 24, Township 4 North, Range 3 East, and run South 420 feet, Thence run west 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 North of Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama, or some parcel or part thereof.

Notice is hereby given that the complainants in the above styled cause have this day made application for the oral examination of Ernest M. Merrill, Jr. & E. E. Ingram, witness for the complainants 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 27 day of December, 1950.

W. C. Burke
Attorney for complainants

Register, Circuit Court of Baldwin
County, Alabama.

Ernest M. Newbilly
And Myrtle M. Newbilly
Complainants

VS
Magnolia Springs
Land Co. et al
Defendants

Notice of request of
Oral examination

FILED

DEC 27 1950

ALICE L. DUCK, Register

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; BEGINNING AT THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, AND RUN SOUTH 420 FEET, THENCE RUN WEST 420 FEET, THENCE RUN NORTH 420 FEET, THENCE RUN EAST 420 FEET TO THE POINT OF BEGINNING; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 480 FEET NORTH OF THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, THENCE RUNNING NORTH 480 FEET, THENCE RUNNING EAST 360 FEET, THENCE RUNNING SOUTH 480 FEET, THENCE RUNNING WEST 360 FEET TO THE PLACE OF BEGINNING, ALL THE ABOVE DESCRIBED PROPERTY LYING IN SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN COUNTY, ALABAMA; THE MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA; AND CHARLES A. ENGLISH RICHARD MAIBEN, M. L. SMITH, PETER WILLIAMS, J. S. RICKARD AND ALBERT BALL; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF THE SAID NAMED 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, ERNEST M. NEWBILL and MYRTLE M. NEWBILL, have filed their bill of complaint on the 24th day of October, 1950, in this Court on the Equity side claiming to own that certain land, lying and being situated in the County of Baldwin, State of Alabama, as described as follows:

The North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East, and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point

480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama.

Complainants allege in their bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County, in their, Ernest M. Newbill and Myrtle M. Newbill's names; that they acquired title to the said lands as follows: By deed from T. R. Gregson and Florence Belle Gregson, his wife, dated July 29, 1949, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, on September 22, 1949, in deed book 145 at pages 71-2; who acquired title from C. B. Turner and Vivian Turner, his wife, by deed dated December 26, 1947, and recorded in said Probate office on January 6, 1948 in deed book 127 NS, pages 53-4; who acquired title by deed from P. C. Fuller and Ida Fuller, his wife, dated November 29, 1946, and recorded in said Probate office on November 29, 1946 in deed book 114 NS, pages 115-6; who acquired title by deed from Ida Fuller dated April 5, 1943, and recorded in said Probate office April 6, 1943, in deed book 79 NS, page 271; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated September 10, 1942 and recorded in said Probate office September 11, 1942 in deed book 78 NS, at pages 17-18; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated December 1, 1941 and recorded in said Probate office on December 1, 1941 in deed book 76 NS, at page 305; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated February 3, 1936, and recorded in said Probate office on February 3, 1936 in deed book 58 NS, page 468; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office on February 3, 1936 in deed book 58 NS, pages 468-9; who

acquired title from Ollie Hill and Sid Hill, her husband, by deed dated August 8, 1935 and recorded in said Probate office on August 10, 1935 in deed book 57 NS, pages 430-1; the United States having parted title to the aforesaid property by patents to: (1) Charles A. English dated July 10, 1939; (2) One to Richard Maiben dated October 10, 1935; (3) One to Cuff Joseph dated December 13, 1879 and (4) One to John E. Shipp, dated December 13, 1879; that the title to the said lands and each parcel thereof stands in the name of complainants upon the records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom they claim title to the said lands and each parcel thereof, have had any possession of the said lands or any part thereof or assessed or paid taxes thereon; that Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, 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 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 complainants; that the said Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball and Magnolia Springs Land Company, a corporation, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the land, or some portion or parcel thereof.

Complainants further allege that they and those through whom they claim have for more than ten years next preceding the filing of said bill of complaint been in the actual 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 their 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, 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 24th day of October,

1950.

Register.

Ernest M. Newhill et al
VS

Centwin Funds

Order Directing
Publication

Filed Oct 24, 1960

Alfred French
Register

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

Ernest M. Newbill, Myrtle M. Newbill Complainant
vs.

Magnolia Springs Land Co. Certain lands et al Respondent
I, Madeline A. Bryan

as Register and Commissioner

have called and caused to come before me

Ernest M. Newbill, and
L. E. Gregson

witness L. E. Gregson named in the Requirement for Oral Examination, on the 5 day of January 1957, at the office of W. C. Meeker in Baldwin County, Alabama, and having first sworn said Witness L. E. Gregson to speak the truth, the whole truth, and nothing but the truth, the said Ernest M. Newbill and L. E. Gregson doth depose and say as follows:

My name is Ernest M. Newbill. I am over the age of 21 years of age and complainant in that certain suit in the Circuit Court of Baldwin County, Alabama, in equity, quieting-title to the following described lands: The North half of the Northwest quarter; the East half of the Southeast quarter of the Northwest quarter; the Southwest quarter of the Southeast quarter of the Northwest quarter; beginning at the center of Section 24, Township 4 North, Range 3 East, and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; the Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 N, R 3 E, thence running North 480 feet, thence East 360 feet, thence South 480 feet, thence West 360 feet to the place of beginning; all in Section 24, T 4 N, R 3 E, in Baldwin County, Alabama. I purchased these lands on the 29 day of July, 1949. I immediately went into possession of the same and have been in continuous possession since my purchase. I have lived on the property and cultivated the lands. The title to the said lands stands on the records in the Office of the Judge of Probate of Baldwin County, Alabama, in my name. Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball are reputed to claim some right, title to or interest in the said lands. There is no suit pending other than this to test the title to the said property. I have made diligent search and inquiry to ascertain the ages and places of residence of the defendants, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball. I have inquired at the Court house and of numerous persons in the community where the land lies, but I am informed and believe that they are each over the age of 21 years and non-residents of the State of Alabama and the post-office address is unknown and cannot be ascertained upon diligent search.

Ernest M. Newbill

My name is L. E. Gregson. I am over the age of 21 years and a resident of Baldwin County, Alabama. For more than 25 years I have lived within 12 miles of and have frequently seen the said lands. On July 29, 1949, Ernest M. Newbill and Myrtle M. Newbill purchased the said lands and immediately went into possession of the said lands and have remained in continuous possession since their purchase. That no person other than Ernest M. Newbill and Myrtle M. Newbill and those through whom they claim has been in possession of said land or any part thereof or assessed or paid taxes on the said lands, for more than ten years continuously. Ollie Hill and her successors in title, F. C. Fuller, John Fuller, G. B. Turner and Vivian Turner, T. R. Gregson and Florence Belle Gregson and complainants have owned and been in possession of said lands under color of title and claim of ownership for more than 20 years next preceding this date.

L. E. Gregson

ORAL EXAMINATION.

I, Madeline S. Byers, as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witness S and read over to them and they signed the same in the presence of myself and W C Beebe at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness S or had proom made before me of the identity of said witness S; 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 5 day of January, 1907
Madeline S. Byers (L. S.)

NO. 2561 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Murkitt et al

vs. Complainant

Estimate Janda et al

Respondent.

Oral Deposition

Filed January 2, 1907

Walter J. Leach, Register.

Recorded in

Record

Vol. Page

Walter J. Leach, Register.

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST QUAR-
TER; THE EAST HALF OF THE SOUTHEAST
QUARTER OF THE NORTHWEST QUARTER; THE
SOUTHWEST QUARTER OF THE SOUTHEAST
QUARTER OF THE NORTHWEST QUARTER; BE-
GINNING AT THE CENTER OF SECTION 24,
TOWNSHIP 4 NORTH, RANGE 3 EAST, AND
RUN SOUTH 420 FEET, THENCE RUN WEST 420
FEET, THENCE RUN NORTH 420 FEET, THENCE
RUN EAST 420 FEET TO THE POINT OF BE-
GINNING; THE SOUTHWEST QUARTER OF THE
NORTHWEST QUARTER, LESS THE FOLLOWING
DESCRIBED PROPERTY: COMMENCING AT A
POINT 480 FEET NORTH OF THE CENTER OF
SECTION 24, TOWNSHIP 4 NORTH OF RANGE
3 EAST, THENCE RUNNING NORTH 480 FEET,
THENCE RUNNING EAST 360 FEET, THENCE
RUNNING SOUTH 480 FEET, THENCE RUNNING
WEST 360 FEET TO THE PLACE OF BEGINNING,
ALL THE ABOVE DESCRIBED PROPERTY LYING
IN SECTION 24, TOWNSHIP 4 NORTH, RANGE
3 EAST, IN BALDWIN COUNTY, ALABAMA; THE
MAGNOLIA SPRINGS LAND COMPANY, A CORPOR-
ATION ORGANIZED UNDER THE LAWS OF THE
STATE OF ALABAMA; AND CHARLES A. ENGLISH
RICHARD MAIBEN, M. L. SMITH, PETER
WILLIAMS, J. S. RICKARD AND ALBERT BALL;
AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENES AND ASSIGNS OF
THE SAID NAMED 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 the Magnolia Springs Land
Company, a corporation, and Charles A. English, Richard Maiben,
M. L. Smith, Peter Williams, J. S. Rickard, Albert Ball, if
living, and if dead to their unknown heirs, devisees, personal
representatives, alienees, successors and assigns, 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: The North half of the Northwest quarter of
the Southeast quarter; The East half of the Southeast quarter
of the Northwest quarter; The Southwest quarter of the South-
east quarter of the Northwest quarter; Beginning at the center

of Section 24, Township 4 North, Range 3 East and run South 420 feet, thence run West 420 feet, thence run North 420 feet; thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 North of Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama.

That Ernest M. Newbill and Myrtle M. Newbill, have filed their bill of complaint on the ____ day of October, 1950, in this Court on the equity side claiming to be in the actual, peaceable possession, owning and claiming to own that certain parcel or lot or land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

The North half of the Northwest quarter of the Southeast quarter; The East half of the Southwest quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property; Commencing at a point 480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama.

Complainants allege in their bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County, Alabama, in their, Ernest M. Newbill and Myrtle M. Newbill's name; that they acquired title to the said land as follows: By deed from T. R. Gregson and Florence Bell Gregson, his wife, dated July 29, 1949; and recorded in the

office of the Judge of Probate of Baldwin County, Alabama, on September 22, 1949, in deed book 145 at pages 71-2; who acquired title from G. B. Turner and Vivian Turner, his wife, by deed dated December 26, 1947, and recorded in said Probate office on January 6, 1948 in deed book 127 NS, pages 53-4; who acquired title by deed from P. C. Fuller and Ida Fuller, his wife, dated November 29, 1946, and recorded in said Probate office on November 29, 1946 in deed book 114 NS, pages 115-6; who acquired title by deed from Ida Fuller dated April 5, 1943, and recorded in said Probate office April 6, 1943, in deed book 79 NS, page 271; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated September 10, 1942 and recorded in said Probate office September 11, 1942 in deed book 78 NS, at pages 17-18; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated December 1, 1941 and recorded in said Probate office on December 1, 1941 in deed book 76 NS, at page 305; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated February 3, 1936, and recorded in said Probate office on February 3, 1936 in deed book 58 NS, page 468; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office on February 3, 1936 in deed book 58 NS, pages 468-9; who acquired title from Ollie Hill and Sid Hill, her husband, by deed dated August 8, 1935 and recorded in said Probate office on August 10, 1935 in deed book 57 NS, at pages 430-1; the United States having parted title to the aforesaid property by patents to: (1) Charles A. English dated July 10, 1939; (2) One to Richard Maiben dated October 10, 1935; (3) One to Cuff Joseph dated December 13, 1879 and (4) One to John E. Shipp, dated December 13, 1879; that the title to the said lands and each parcel thereof stands in the name of the complainants upon the

records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom they claim title to the said lands, or any part thereof, has assessed or paid taxes thereof; that Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, if living, are each 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, 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 complainants; that the said Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard, Albert Ball and the Magnolia Springs Land Company, a corporation, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the said land or some portion or parcel thereof.

Complainants further allege that they and those through whom they claim have for more than ten years next preceding the filing of said bill of complaint, been in the actual 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 their 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 addressed 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

BECK 002 PAGE 322

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 Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, J. L. Smith, Peter Williams, J. B. Rickard, and Albert Ball, if they be living, and if they be dead, their unknown heirs, devisees, personal representatives, alienees and assigns and successors, and any and all other persons, firms, or corporations and associations claiming any title to, interest in, claim, lien, or encumbrance upon the North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in 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 26th day of December, 1950, at which time the said cause shall stand at issue.

WITNESS my hand this the 24th day of October, 1950.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 10-25-50 10 A.M.
Recorded 2 318-22
book page

Judge of Probate

Register, Circuit Court of
Baldwin County, Alabama, in equity.

ERNEST M. NEWBILL AND MYRTLE
M. NEWBILL,
COMPLAINANTS

VS

THE NORTH HALF OF THE NORTHWEST
QUARTER: THE EAST HALF OF THE
SOUTHEAST QUARTER OF THE NORTH-
WEST QUARTER: THE SOUTHWEST
QUARTER OF THE SOUTHEAST QUARTER
OF THE NORTHWEST QUARTER: BEGIN-
NING AT THE CENTER OF SECTION 24,
TOWNSHIP 4 NORTH, RANGE 3 EAST,
AND RUN SOUTH 420 FEET, THENCE
RUN WEST 420 FEET, THENCE RUN
NORTH 420 FEET, THENCE RUN EAST
420 FEET TO THE POINT OF BEGIN-
NING: THE SOUTHWEST QUARTER OF
THE NORTHEAST QUARTER, LESS THE
FOLLOWING DESCRIBED PROPERTY:
COMMENCING AT A POINT 480 FEET
NORTH OF THE CENTER OF SECTION
24, TOWNSHIP 4 NORTH, RANGE 3
EAST, THENCE RUNNING NORTH 480
FEET, THENCE RUNNING EAST 360 FEET
THENCE RUNNING SOUTH 480 FEET,
THENCE RUNNING WEST 360 FEET, TO
THE PLACE OF BEGINNING, ALL THE
ABOVE DESCRIBED PROPERTY LYING IN
SECTION 24, TOWNSHIP 4 NORTH,
RANGE 3 EAST, IN BALDWIN COUNTY,
ALABAMA: THE MAGNOLIA SPRINGS
LAND COMPANY, A CORPORATION ORG-
ANIZED UNDER THE LAWS OF THE
STATE OF ALABAMA: AND CHARLES A.
ENGLISH, RICHARD MAIBEN, M. L.
SMITH, PETER WILLIAMS, J. S.
RICKARD AND ALBERT BALL: AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND
RESIDUES OF THE SAID NAMED INDIV-
IDUALS AND EACH OF THEM AND ANY
AND ALL PERSONS, FIRMS, ASSOCIAT-
IONS OR 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 attorney for the complainants in the above styled
cause hereby gives notice to the above named persons, firms,
associations or corporations, that the deposition of L. E.
Gregson and Ernest M. Newbill, witnesses for the complainants,
will be taken before Madeline S. Bryars, commissioner, hereto-
fore named by this Honorable Court on the 31 day of January,
1951, at the office of W. C. Beebe in the town of Bay Minette,
Alabama, at 10:00 o'clock A.M.

Witness this the 2 day of January 1951.


Solicitor for Complainants.

Register.

7561

Newhill et al

vs

Pentamind Land
et al

Notice of taking
and place of
taking deposition

For crossbook

Filed January 7, 1951
Alice J. Henson
Register

ERNEST M. NEWBILL AND MYRTLE
M. NEWBILL,
COMPLAINANTS

VS

THE NORTH HALF OF THE NORTHWEST
QUARTER: THE EAST HALF OF THE
SOUTHEAST QUARTER OF THE NORTH-
WEST QUARTER: THE SOUTHWEST
QUARTER OF THE SOUTHEAST QUARTER
OF THE NORTHWEST QUARTER: BEGIN-
NING AT THE CENTER OF SECTION 24,
TOWNSHIP 4 NORTH, RANGE 3 EAST,
AND RUN SOUTH 420 FEET, THENCE
RUN WEST 420 FEET, THENCE RUN
NORTH 420 FEET, THENCE RUN EAST
420 FEET TO THE POINT OF BEGIN-
NING: THE SOUTHWEST QUARTER OF
THE NORTHEAST QUARTER, LESS THE
FOLLOWING DESCRIBED PROPERTY:
COMMENCING AT A POINT 480 FEET
NORTH OF THE CENTER OF SECTION
24, TOWNSHIP 4 NORTH, RANGE 3
EAST, THENCE RUNNING NORTH 480
FEET, THENCE RUNNING EAST 360 FEET
THENCE RUNNING SOUTH 480 FEET,
THENCE RUNNING WEST 360 FEET, TO
THE PLACE OF BEGINNING, ALL THE
ABOVE DESCRIBED PROPERTY LING IN
SECTION 24, TOWNSHIP 4 NORTH,
RANGE 3 EAST, IN BALDWIN COUNTY,
ALABAMA: THE MAGNOLIA SPRINGS
LAND COMPANY, A CORPORATION ORG-
ANIZED UNDER THE LAWS OF THE
STATE OF ALABAMA: AND CHARLES A.
ENGLISH, RICHARD MAIBEN, M. L.
SMITH, PETER WILLIAMS, J. S.
RICKARD AND ALBERT BALL: AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND
ASSIGNS OF THE SAID NAMED INDIV-
IDUALS AND EACH OF THEM AND ANY
AND ALL PERSONS, FIRMS, ASSOCIAT-
IONS OR 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 attorney for the complainants in the above styled
cause hereby gives notice to the above named persons, firms,
associations or corporations, that the deposition of L. E.
Gregson and Ernest M. Newbill, witnesses for the complainants,
will be taken before Madeline S. Bryars, commissioner, hereto-
fore named by this Honorable Court on the 24 day of January,
1951, at the office of W. C. Beebe in the town of Bay Minette,
Alabama, at 10:00 o'clock A.M.

Witness this the 2 day of January, 1951.

W. C. Beebe
Solicitor for Complainants.

I, Alice J. Duck, Register of the circuit Court of
Baldwin County, in Equity, do hereby certify that the fore-
going notice of the time and place of taking deposition of
complainants witnesses was filed and entered on the order book
of the Register on the ____ day of January, 1951.

Register.

7561

Newbill et al

MS

Certain Lands
et al

Notice of time
and place of taking
depositions

for file

Filed Jan 2, 1908
A. J. Renshaw
Register

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; BEGINNING AT THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, AND RUN SOUTH 420 FEET, THENCE RUN WEST 420 FEET, THENCE RUN NORTH 420 FEET, THENCE RUN EAST 420 FEET TO THE POINT OF BEGINNING; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 480 FEET NORTH OF THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, THENCE RUNNING NORTH 480 FEET, THENCE RUNNING EAST 360 FEET, THENCE RUNNING SOUTH 480 FEET, THENCE RUNNING WEST 360 FEET TO THE PLACE OF BEGINNING, ALL THE ABOVE DESCRIBED PROPERTY LYING IN SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN COUNTY, ALABAMA; THE MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA; AND CHARLES A. ENGLISH RICHARD MAIBEN, M. L. SMITH, PETER WILLIAMS, J. S. RICKARD AND ALBERT BALL; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF THE SAID NAMED 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 the Magnolia Springs Land Company, a corporation, and Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard, Albert Ball, if living, and if dead to their unknown heirs, devisees, personal representatives, alienees, successors and assigns, 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: The North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center

of Section 24, Township 4 North, Range 3 East and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 North of Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama.

That Ernest M. Newbill and Myrtle M. Newbill, have filed their bill of complaint on the ____ day of October, 1950, in this Court on the equity side claiming to be in the actual, peaceable possession, owning and claiming to own that certain parcel or lot or land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

The North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property; Commencing at a point 480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama.

Complainants allege in their bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County, Alabama, in their, Ernest M. Newbill and Myrtle M. Newbill's names, that they acquired title to the said land as follows: By deed from T. R. Gregson and Florence Bell Gregson, his wife, dated July 29, 1949, and recorded in the

office of the Judge of Probate of Baldwin County, Alabama, on September 22, 1949, in deed book 145 at pages 71-2; who acquired title from G. B. Turner and Vivian Turner, his wife, by deed dated December 26, 1947, and recorded in said Probate office on January 6, 1948 in deed book 127 NS, pages 53-4; who acquired title by deed from P. C. Fuller and Ida Fuller, his wife, dated November 29, 1946, and recorded in said Probate office on November 29, 1946 in deed book 114 NS, pages 115-6; who acquired title by deed from Ida Fuller dated April 5, 1943, and recorded in said Probate office April 6, 1943, in deed book 79 NS, page 271; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated September 10, 1942 and recorded in said Probate office September 11, 1942 in deed book 78 NS, at pages 17-18; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated December 1, 1941 and recorded in said Probate office on December 1, 1941 in deed book 76 NS, at page 305; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated February 3, 1936, and recorded in said Probate office on February 3, 1936 in deed book 58 NS, page 468; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office on February 3, 1936 in deed book 58 NS, pages 468-9; who acquired title from Ollie Hill and Sid Hill, her husband, by deed dated August 8, 1935 and recorded in said Probate office on August 10, 1935 in deed book 57 NS, at pages 430-1; the United States having parted title to the aforesaid property by patents to: (1) Charles A. English dated July 10, 1939; (2) One to Richard Maiben dated October 10, 1935; (3) One to Cuff Joseph dated December 13, 1879 and (4) One to John E. Shipp, dated December 13, 1879; that the title to the said lands and each parcel thereof stands in the name of the complainants upon the

records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom they claim title to the said lands, or any part thereof, has assessed or paid taxes thereof; that Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, if living, are each 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, 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 complainants; that the said Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard, Albert Ball and the Magnolia Springs Land Company, a corporation, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the said land or some portion or parcel thereof.

Complainants further allege that they and those through whom they claim have for more than ten years next preceding the filing of said bill of complaint, been in the actual 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 their 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 addressed 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 Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard, and Albert Ball, if they be living, and if they be dead, their unknown heirs, devisees, personal representatives, alienees and assigns and successors, and any and all other persons, firms, or corporations and associations claiming any title to, interest in, claim, lien, or encumbrance upon the North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property: Commencing at a point 480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in 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 26th day of December, 1950, at which time the said cause shall stand at issue.

WITNESS my hand this the 24th day of October, 1950.

Alice J. French
Register, Circuit Court of
Baldwin County, Alabama, in equity.

MD 2561

Ernest M. Newhill et al

vs

Magnolia Springs Land

C. et al & certain
lands

Notice

FILED

OCT 24 1950

ALICE L. DUCK, Register

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; BEGINNING AT THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, AND RUN SOUTH 420 FEET, THENCE RUN WEST 420 FEET, THENCE RUN NORTH 420 FEET, THENCE RUN EAST 420 FEET TO THE POINT OF BEGINNING; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 480 FEET NORTH OF THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, THENCE RUNNING NORTH 480 FEET, THENCE RUNNING EAST 360 FEET, THENCE RUNNING SOUTH 480 FEET, THENCE RUNNING WEST 360 FEET TO THE PLACE OF BEGINNING, ALL THE ABOVE DESCRIBED PROPERTY LYING IN SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN COUNTY, ALABAMA; THE MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA; AND CHARLES M. ENGLISH, RICHARD MAIBEN, M. L. SMITH, PETER WILLIAMS, J. S. RICKARD AND ALBERT BALL; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF THE SAID NAMED 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.

Come the complainants in the above styled cause and requests the oral examination of Ernest M. Newbill and Myrtle M. Newbill 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 27 day of December, 1950.

W. C. Burke
Attorney for Complainants

Earnest M. Newbille
and Myrtle M. Newbille
Complainants
VS

Marquette Springs
Sand Company et al
Defendants

Request for oral
examination

FILED
DEC 27 1950
ALICE J. DUCK, Clerk

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

To Madeline S. Bryars

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 Ernest M. Newbill and L. E. Gregson

as witnesses in behalf of Ernest M. Newbill and Myrtle M. Newbill in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Ernest M. Newbill and Myrtle M. Newbill

Complainants

and

Magnolia Springs Land Company, et al

Respondent

on oath, to be by you administered, upon _____
to take and certify the deposition of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 2nd day of January, 1951

Wright-Whelan
Register

Commissioner's Fee, \$ 10.00

Witness' Fees, \$ None

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Ernest M Newbell
et al

Complainant

VS.

Curtis L. Smith
et al

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Madeline S. Bryars

WITNESSES:

Ernest M. Newbell
L. E. Bryson

ERNEST M. NEWBILL AND MYRTLE
M. NEWBILL

COMPLAINANTS

VS

THE NORTH HALF OF THE NORTHWEST
QUARTER; THE EAST HALF OF THE
SOUTHEAST QUARTER OF THE NORTH-
WEST QUARTER; THE SOUTHWEST
QUARTER OF THE SOUTHEAST QUARTER
OF THE NORTHWEST QUARTER; BE-
GINNING AT THE CENTER OF SECTION
24, TOWNSHIP 4 NORTH, RANGE 3
EAST, AND RUN SOUTH 420 FEET,
THENCE RUN WEST 420 FEET, THENCE
RUN NORTH 420 FEET, THENCE RUN
EAST 420 FEET TO THE POINT OF
BEGINNING; THE SOUTHWEST QUARTER
OF THE NORTHEAST QUARTER, LESS
THE FOLLOWING DESCRIBED PROPERTY:
COMMENCING AT A POINT 480 FEET
NORTH OF THE CENTER OF SECTION 24,
TOWNSHIP 4 NORTH OF RANGE 3 EAST,
THENCE RUNNING North 480 FEET,
THENCE RUNNING EAST 360 FEET, THENCE
RUNNING SOUTH 480 FEET, THENCE RUN-
NING WEST 360 FEET TO THE PLACE OF
BEGINNING, ALL THE ABOVE DESCRIBED
PROPERTY LYING IN SECTION 24, TOWN-
SHIP 4 NORTH, RANGE 3 EAST, IN
BALDWIN COUNTY, ALABAMA; THE MAG-
NOLIA SPRINGS LAND COMPANY, A COR-
PORATION ORGANIZED UNDER THE LAWS
OF THE STATE OF ALABAMA; AND CHAR-
LES A. ENGLISH, RICHARD MAIBEN, M.
L. SMITH, PETER WILLIAMS, J. S.
RICKARD AND ALBERT BALL; AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND
ASSIGNS OF THE SAID NAMED INDIV-
IDUALS AND EACH OF THEM AND ANY
AND ALL PERSONS, FIRMS, ASSOCIAT-
IONS, 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 27 day of January, 1951, filed his motion and request for oral examination of L. E. Gregson and Ernest M. Newbill, witnesses for complainants, and due and proper notice thereof 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 deposition of said witnesses.

It is therefore ordered, adjudged and decreed that the said motion for the oral examination of L. E. Gregson and Ernest M. Newbill, witnesses for complainants, be and is hereby granted.

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

Witness my hand this the 2 day of January, 1951.

Register.

Muskegon
vs
Certain Land Co

Order appointing
Commissioner

Filed Jan 2, 1951
A. J. Knecht
Register

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS

THE NORTH HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER: THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; BEGINNING AT THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, AND RUN SOUTH 420 FEET, THENCE RUN WEST 420 FEET, THENCE RUN NORTH 420 FEET, THENCE RUN EAST 420 FEET TO THE POINT OF BEGINNING: THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 480 FEET NORTH OF THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, THENCE RUNNING NORTH 480 FEET, THENCE RUNNING EAST 360 FEET, THENCE RUNNING SOUTH 480 FEET, THENCE RUNNING WEST 360 FEET TO THE PLACE OF BEGINNING, ALL THE ABOVE DESCRIBED PROPERTY LYING IN SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN COUNTY, ALABAMA; THE MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA; AND CHARLES A. ENGLISH RICHARD MAIBEN, M. L. SMITH, PETER WILLIAMS, J. S. RICKARD AND ALBERT BALL; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF THE SAID NAMED INDIVIDUALS AND EACH OF THEM AND ANY AND ALL PERSONS, FIRMS, ASSOCIATION, CORPORATION, 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 Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, 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 the defendants having failed to plead, answer or demur within the time required by law, application is made for decree pro confesso against the said named defendants, in the above styled cause.

Witness my hand this the 27 day of December, 1950.

H. C. Beebe
Solicitor for Complainants.

RECORDED

Ernest M. Newbill
& Myrtle M. Newbill
Complainants

VS

Magnolia Springs
Land Company, et al
Defendants

Application for
decree pro Confess

FILED

DEC 27 1950

ALICE J. DUCK, Clerk

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WE COMMAND YOU, that you summon Magnolia Springs Land Company, a corporation, to be and appear before the judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by Ernest M. Newbill and Myrtle M. Newbill, and further to do and perform what said judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESSES, Miss F. Quirk, Register of said Circuit Court, this twelfth day of October, 1950.

Miss F. Quirk
Register

ERNEST M. NEWBILL AND MYRTLE M.
NEWBILL,

COMPLAINANTS,

VS.

THE NORTH HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; BEGINNING AT THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, AND RUN SOUTH 420 FEET, THENCE RUN WEST 420 FEET, THENCE RUN NORTH 420 FEET, THENCE RUN EAST 420 FEET TO THE POINT OF BEGINNING; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 480 FEET NORTH OF THE CENTER OF SECTION 24, TOWNSHIP 4 NORTH OF RANGE 3 EAST, THENCE RUNNING NORTH 480 FEET, THENCE RUNNING EAST 360 FEET, THENCE RUNNING SOUTH 480 FEET, THENCE RUNNING WEST 360 FEET TO THE PLACE OF BEGINNING, ALL THE ABOVE DESCRIBED PROPERTY LYING IN SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, IN BALDWIN COUNTY, ALABAMA; THE MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA; AND CHARLES A. ENGLISH, RICHARD MAIBEN, M. L. SMITH, PETER WILLIAMS, J. S. RICKARD AND ALBERT BALL; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENORS AND ASSIGNS OF THE SAID NAMED 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. DASHBURN, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Come your complainants, Ernest M. Newbill and Myrtle M. Newbill, and present this, their bill of complaint, against the following described lands in Baldwin County, Alabama, to-wit:

The North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the Center of Section 24, Township 4 North, Range 3 East and run South 420 feet, thence run West 420 feet,

thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property; Commencing at a point 480 feet North of the center of Section 24, Township 4 North of Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Ala.,

and against the Magnolia Springs Land Company, a corporation organized under the laws of the State of Alabama, with its principal place of business at Foley, Alabama, and against Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, 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 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 represent and show unto your Honor and this Honorable Court as follows:

FIRST:

That your complainants are each over the age of twenty-one years and residents of the County of Baldwin, State of Alabama, that the Magnolia Springs Land Company is a corporation, organized and existing under the laws of the State of Alabama, with its principal place of business at Foley, Alabama, that Complainants have made diligent search to ascertain the ages, places of residence of the said Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball; that they have 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 have searched the Probate and Tax records and from such search and inquiry have ascertained and allege that

Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, 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 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.

SECOND:

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

The North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East, and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property; Commencing at a point 480 feet North of the Center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running East 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, in Baldwin County, Ala;

and that they and those through whom they claim have been in the continuous adverse possession of the said lands for more than ten years next preceeding the filing of this complaint and that they and those through whom they claim title to the said lands have for more than ten years next preceding 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 have or exercise any possession over the said lands 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.

THIRD:

That there is no suit pending to test complainants title to, interest in, liens, claims or encumbrances on, or rights of possession of said land.

FOURTH:

~~That the complainants obtained title to the said~~
lands by deed from T. R. Gregson and Florence Bell Gregson, his wife, by deed dated July 29, 1949, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, on September 22, 1949; in deed book 145 at pages 71-2; who acquired title from G. B. Turner and Vivian Turner, his wife, by deed dated December 26, 1947, and recorded in said Probate office on January 6, 1948 in deed book 127 NS, pages 53-4; who acquired title by deed from P. C. Fuller and Ida Fuller, his wife, dated November 29, 1946, and recorded in said Probate office on November 29, 1946 in deed book 114 NS, pages 115-6; who acquired title by deed from Ida Fuller dated April 5, 1943, and recorded in said Probate office April 6, 1943, in deed book 79 NS, page 271; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated September 10, 1942 and recorded in said Probate office September 11, 1942 in deed book 76 NS, at pages 17-18; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated December 1, 1941 and recorded in said Probate office on December 1, 1941 in deed book 76 NS, at page 305; who acquired title from John T. Fuller and Joe S. Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office on February 3, 1936 in Deed book 56 NS, page 468; who acquired title from P. C. Fuller and Ida Fuller, his wife, by deed dated February 3, 1936 and recorded in said Probate office on February 3, 1936 in deed book 58 NS, pages 468-9; who acquired title from Ollie Hill and Sid Hill, her husband, by deed dated August 8, 1935 and

and recorded in said Probate office on August 10, 1935 in deed book 57 NS, at pages 430-1; the United States having parted title to the aforesaid property by patents to: (1) Charles A. English dated July 10, 1939; (2.) Richard Maiben dated October 10, 1935 and (3.) C. J. Joseph dated December 13, 1879 and (4) John E. Shipp, dated December 13, 1879; that the title to the said lands and each parcel thereof stand in the name of the complainants upon the records of Baldwin County, Alabama; that for more than ten years next preceding the filing of this bill of complaint no person other than those through whom they claim title to the said lands or any part thereof has assessed or paid taxes thereon and that they and those through whom they claim title have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceding the filing of this bill of complaint and that they and those through whom they claim have actually cultivated and occupied and used the said lands in person or by tenant; that the Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the said land, or some portion or parcel thereof.

WHEREFORE, your complainants pray that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process make the said Magnolia Springs Land Company, a corporation, and Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball, and the unknown heirs, devisees, personal representatives, alienees, 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: The North half of the Northwest quarter of the Southeast quarter; The East half of the Southeast quarter of the Northwest quarter; The Southwest quarter of the Southeast quarter of the Northwest quarter; Beginning at the center of Section 24, Township 4 North, Range 3 East; and run South 420 feet, thence run West 420 feet, thence run North 420 feet, thence run East 420 feet, to the point of beginning; The Southwest quarter of the Northeast quarter, less the following described property; Commencing at a point 480 feet North of the center of Section 24, Township 4 North, Range 3 East, thence running North 480 feet, thence running West 360 feet, thence running South 480 feet, thence running West 360 feet to the place of beginning, all of the above described property lying in Section 24, Township 4 North, Range 3 East, 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 complainants further pray, 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 of parcel thereof, is vested in your complainants, Ernest M. Newbill and Myrtle M. Newbill, as against the Magnolia Springs Land Company, a corporation, and Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard, and Albert Ball, if they be living, and the unknown heirs, devisees, personal representatives, alienees, successors and assigns of the said named 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 complainants pray 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

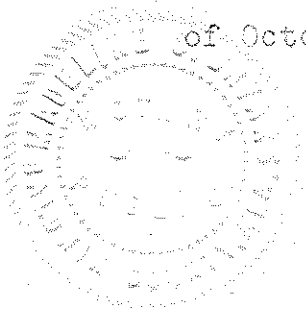
BALDWIN COUNTY

Before, me, the undersigned authority in and for said County and State, personally appeared J. 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 complainants 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 24 day of October, 1950.

Mabeline L. Rogers
Notary Public, Baldwin County, Ala.



THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

ERNEST M. NEWBILL AND MYRTLE M. NEWBILLComplainant S

Vs.

MAGNOLIA SPRINGS LAND COMPANY, ET ALDefendant S

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 _____ day of _____, 19____, 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 _____ day of _____, 1950 and _____

And it now further appearing to the Register Alice J. Duck, that the said Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball

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 S, 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 Magnolia Springs Land Company, a corporation, Charles A. English, Richard Maiben, M. L. Smith, Peter Williams, J. S. Rickard and Albert Ball.

This 27th day of December, 1950.Alice J. Duck, Register.

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

Ernest M. Newhill and
Maryette M. Newhill,

Vs.

Wayno L. Springs
Land Company, et al

Decree Pro Confesso of Publication

Issued 12 27, 1957

W. J. Venable
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The Baldwin Times, Bay Minette, Ala.

ERNEST M. NEWBILL AND MYRTLE
M. NEWBILL,

COMPLAINANTS

VS

MAGNOLIA SPRINGS LANDS CO.,
A CORPORATION, AND OTHERS, AND
CERTAIN LANDS

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 2561.

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 2 day of January, 1951.


Solicitor for Complainants.

2561

RECORDED
Newbold et al

vs

Certaini-Sants
et al

Motion for decree

2561

Filed Jan 5, 1957
Amey J. French
Register