

lands in Baldwin County, Alabama, to-wit:-

Starting at the East corner of Block No. 5 of the Subdivision of the John Cook Grant, Section four (4), Township nine (9) South, Range three (3) East, run thence N 61-30 W 1051 feet to the point of beginning; run thence S 89-25 W 710 feet to the margin of Bay John; run thence N 15-30 E 251 feet; along and with the margin of said Bay John or Bon Secour River; run thence S 81-10 E 292.4 feet; run thence S 61-30 E 401 feet to the point of beginning, containing 2.43 acres, and being part of Block No. 5 of the Subdivision of the John Cook Grant in Section 4, Township 9 South, Range 3 East; Beginning at the East corner of Block No. 5 of the Subdivision of the John Cook Grant, Section four (4), Township nine (9) South, Range three (3) East, run thence S 42-30 E 460 feet; run thence N 80-55 W 582 feet; run thence N 33-30 E 328 feet; run thence S 73-00 E 82 feet to the point of beginning, containing 2.24 acres, and being part of Blocks No's 5 and 6 of the Subdivision of the John Cook Grant, Section 4, Township 9 South, Range 3 East.

and that no other person, firm or corporation has any title to, interest in, or lien or encumbrance upon said land or any part thereof and especially that Nicholas Cook, James Martinez and Joseph Martinez and any and all unknown heirs, devisees or grantees of these persons have no right, title to, interest in or lien or encumbrance upon said land.

It is further ordered, adjudged, and decreed that the Register shall, within thirty (30) days from the rendition of this decree, file a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, showing title out of the defendants above named, in the direct indexes to the records and title into Norah Kniep, Anna K. Joy, Ella K. Herring, Kirk H. Kniep, and Amelia K. Godsey in the indirect indexes to the records, and that the expenses thereof shall be taxed in the cost of this cause.

It is further ordered that complainants pay the cost herein to be taxed for which execution may issue.

This 11th day of February, 1952.

Jessie P. Madlock, Jr.
Judge of Circuit Court of
Baldwin County, Alabama, in
equity

NORAH KNIEP, ANNA K. JOY,) (
ELLA K. HERRING, KIRK H.) (
KNIEP AND AMELIA K. GODSEY,) (
Complainants,) (
-vs-) (
Starting at the East corner of) (
Block No. 5 of the Subdivision) (
of the John Cook Grant, Section) (
four (4), Township nine (9)) (
South, Range three (3) East, run) (
thence N 61-30 W 1051 feet to) (
the point of beginning; run) (
thence S 89-25 W 710 feet to the) (
margin of Bay John; run thence) (
N 15-30 E 251 feet; along and) (
with the margin of said Bay John) (
or Bon Secour River; run thence) (
S 81-10 E 292.4 feet; run thence) (
S 61-30 E 401 feet to the point) (
of beginning, containing 2.43) (
acres, and being part of Block) (
No. 5 of the Subdivision of the) (
John Cook Grant in Section 4,) (
Township 9 South, Range 3 East;) (
Beginning at the East corner of) (
Block No. 5 of the Subdivision) (
of the John Cook Grant, Section) (
four (4), Township nine (9)) (
South, Range three (3) East, run) (
thence S 42-30 E 460 feet; run) (
thence N 80-55 W 582 feet; run) (
thence N 33-30 E 328 feet; run) (
thence S 73-00 E 82 feet to the) (
point of beginning, containing) (
2.24 acres, and being part of) (
Blocks No's 5 and 6 of the Sub-) (
division of the John Cook Grant,) (
Section 4, Township 9 South,) (
Range 3 East; NICHOLAS COOK;) (
JAMES MARTINEZ; JOSEPH MARTINEZ,) (
and any and all unknown heirs,) (
devisees or grantees of said) (
named defendants, and any other) (
person, firm or corporation) (
claiming any interest in or right) (
or title to said lands,) (
Defendants) (
FINAL DECREE
This cause coming on to be heard was submitted on behalf of
Complainant upon Bill of Complaint, affidavit of non-residence of
defendants, Decree Pro Confesso and testimony is noted by the
register and after due consideration thereof, it is the opinion
of the court that the Complainants are entitled to the relief prayed
for in said Bill of Complaint.
It is therefore ordered, adjudged and decreed that Complainants,
Norah Kniep, Anna K. Joy, Ella K. Herring, Kirk H. Kniep, and Amelia
K. Godsey, are the owners in fee simple of the following described
c. g. c.
(1)

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: _____
Frances M. Underwood

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 _____
Amelia K. Godsey and Thomas Steele

as witnesses in behalf of _____ complainants _____ in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein _____
Norah Kniep, Anna K. Joy, Ella K. Herring, Kirk H. Kniep,
Amelia K. Godsey

_____, Complainant^s
and _____ Nicholas Cook, et al and certain lands

_____, Respondent

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

Witness _____ 6th day of February _____, 1952

W. J. Underwood
Register.

Commissioner's Fee, \$ 10.00

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Norah Kniep, Anna K. Joy, Ella K.

Herring, Kirk H. Kniep, Amelia

K. Godsey

Complainant-s

vs.

Nicholas Cook, et al and

certain lands

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Norah Kniep, Anna K. Joy, Ella K. Herring,
Kirk H. Kniep, Amelia K. Godsey

Complainant S

Vs.

Nicholas Cook, et al and certain lands

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 11th day of December, 19 51, in the Foley Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 5th day of December 1951 and _____

And it now further appearing to the Register Alice J. Duck, that the said

Nicholas Cook et al, and certain lands

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 respondents

This 6th day of February 19 52

Alice J. Duck Register.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Norah Kniep, Anna K. Joy,

Ella K. Herring, Kirk H.

Kniep, Amelia K. Godsey

Vs.

Nicholas Cook, et al and

certain lands

Decree Pro Confesso of Publication

Issued 2-5- 1922

Amie L. Herring
Register.

Recorded in _____ Record

Vol. _____ Page 1

Amie L. Herring
Register.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Amelia K. Godsey,
Nord Kniep, Anna K. Joy, Ella K. Herring, Kirk H. Kniep
Complainant^S

Vs.

Nicholas Cook, et al and certain lands
Defendant

Motion is hereby made for a Decree Pro Confesso against _____

the above named
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 6th day of February, 19⁵².

746 Code



Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

North Kniep, Anna K. Joy, Ella K.
Herring, Kirk H. Kniep, and
Amelia K. Godsey

Complainant S

Vs.

Nicholas Cook, et al and certain

lands

Defendant _____

Motion for Decree Pro Confesso
On Publication

Filed 2-8, 1952

W. C. H. H. H.
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

NORAH KNIEP, ANNA K. JOY,) (
ELLA K. HERRING, KIRK H.) (
KNIEP and AMELIA K. GODSEY,) (

Complainants,) (

-VS-) (

Starting at the East corner of) (
Block No. 5 of the Subdivision
of the John Cook Grant, Section) (
four (4), Township nine (9)

South, Range three (3) East, run) (thence N 61-30 W 1051 feet to

the point of beginning; run) (
thence S 89-25 W 710 feet to the

margin of Bay John; run thence) ()
N 15-30 E 251 feet. along and

with the margin of said Bay John) (or Bon Secour River: run thence

S 81-10 E 292.4 feet; run thence) (
S 61-30 E 401 feet to the point

of beginning, containing 2.43) (acres and being part of Block

acres, and being part of Block
No. 5 of the Subdivision of the) (
John Cook Grant in Section 4

John Cook Grant in Section 4,
Township 9 South, Range 3 East;) (
Beginning at the East corner of

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Block No. 5 of the Subdivision) (
of the John Cook Grant, Section

of the John Cook Grant, Section
four (4), Township nine (9)) (

South, Range three (3) East, run
thence S 42-30 E 460 feet; run) (

thence N 80-55 W 582 feet; run
thence N 33-30 E 328 feet; run) (

thence S 73-00 E 82 feet to the
point of beginning, containing) (

2.24 acres, and being part of
Blocks No's 5 and 6 of the Sub-

division of the John Cook Grant,
Section 4, Township 9 South.

Section 4, Township 9 South,
Range 3 East; NICHOLAS COOK;
JAMES MARTINEZ; JOSEPH MARTINEZ

JAMES MARTINEZ; JOSEPH MARTINEZ,)
and any and all unknown heirs,)
devisees or grantees of said)

devisees or grantees of said) (
 named defendants, and any other) (
 person, firm or corporation) (

person, firm or corporation) ()
claiming any interest in or right

or title to said lands,) (

Defendants.) (

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

Comes your complainants, Norah Kniep, Anna K. Joy, Ella K. Herring, Kirk H. Kniep and Amelia K. Godsey, and bring this their Bill of Complaint against the following described tract of land situated in the County of Baldwin, State of Alabama, to-wit:-

Starting at the East corner of Block No. 5 of the Subdivision of the John Cook Grant, Section four (4), Township nine (9) South, Range three (3) East, run thence N 61-30 W 1051 feet to the point of beginning; run thence S 89-25 W 710 feet to the margin of Bay John; run thence N 15-30 E 251 feet, along and with the margin of said Bay John or Bon Secour River;

run thence S 81-10 E 292.4 feet; run thence S 61-30 E 401 feet to the point of beginning, containing 2.43 acres, and being part of Block No. 5 of the Subdivision of the John Cook Grant in Section 4, Township 9 South, Range 3 East;

Beginning at the East corner of Block No. 5 of the Subdivision of the John Cook Grant, Section four (4), Township nine (9) South, Range three (3) East, run thence S 42-30 E 460 feet; run thence N 80-55 W 582 feet; run thence N 33-30 E 328 feet; run thence S 73-00 E 82 feet to the point of beginning, containing 2.24 acres, and being part of Blocks No's 5 and 6 of the Subdivision of the John Cook Grant, Section 4, Township 9 South, Range 3 East.

And complainants further bring this Bill of Complaint against any and all persons claiming any title to, interest in or lien or encumbrance upon said lands, or any part thereof, and especially against Nicholas Cook, James Martinez, Joseph Martinez, and any and all persons, firms or corporations claiming any interest in the above described lands, and complainants respectfully show unto your Honor as follows:-

FIRST:

That they are in the actual, peaceable, adverse possession of said tract of land heretofore mentioned, claiming to own the same in their own right in fee simple and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test complainants title to, interest in, or right to possession of the said land.

THIRD:

Complainants further show that they claim the entire fee simple title in and to said land as the only heirs at law and next of kin of Richard A. Kniep, deceased, the record owner thereof.

FOURTH:

Complainants further show that no one has paid any taxes on this property for over ten (10) years, except your complainants, Richard A. Kniep, H. W. Herring and O. D. Nelson, the persons last above named having been owners of a portion of the property, and from whom conveyances have been made.

FIFTH:

Complainants further show unto your Honor that they are in the actual, open, notorious, peaceable and adverse possession of said

land and have been in such possession since the date of the death of Richard A. Kniep, deceased, who was in the actual, open, notorious, peaceable and adverse possession of said land since the date of his purchase and that no other persons, firms or corporations have had any possession of said property for over a period of ten (10) years, except the complainants, Richard A. Kniep and those persons through whom they claim, namely, Harry W. Herring and O. D. Nelson, through whom Richard A. Kniep purchased that portion of the above described land located in Blocks five (5) and six (6) of the Subdivision of the John Cook Grant, and that no one is known to your complainants to claim this land or any part thereof, or any interest therein, except the complainants and the defendants to this proceeding, and complainants call upon the several persons, firms and corporations mentioned as defendants herein, or anyone else having any interest therein, to set forth and specify his, hers or its title to, claim, interest in or encumbrance upon said land and how and by what instrument or otherwise the same is derived or created.

SIXTH:

Complainants aver that they have made a diligent search and inquiry to ascertain the residences and addresses of all persons, firms or corporations heretofore named, and whether or not any of them be dead, and if dead, to ascertain the names and addresses of their heirs, devisees, successors, assigns and grantees; that in this investigation and inquiry have had an abstract of title of said real estate made from the records of Baldwin County, Alabama; that they have made diligent inquiry in the neighborhood of said lands as to the ownership of same, the possession of same, and the whereabouts of any and all persons who are, or may be, interested in or who claim any interest therein, and that in making said inquiry they have inquired of old settlers.

PRAYER FOR PROCESS

TO THE END THEREFORE, that equity may be had in the premises, complainants pray that your Honor will cause the usual writ of process to issue to the defendants named herein, and any and all other

(fourth page)

persons, firms or corporations claiming any interest in, right of title to said lands, in the usual form and according to the practices of this Honorable Court, requiring them or it, to plead, answer or demur to the same within the time required by law and the practices of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings 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; that your Honor will also order that notice be given of the filing of this Bill of Complaint to the aforesaid defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF

Complainants further pray that on a hearing of this cause, your Honor will establish complainants right and title to this land, and will decree the complainants are the owners in fee simple of the lands herein described and that no other persons, firms or corporations has any title to or interest in, or lien or encumbrance upon said land or any part thereof, and especially those persons hereinabove named as defendants, and that in said decree your Honor will cause a certified copy of the same to be filed in the Probate Office of Baldwin County, Alabama, and to be recorded therein, and that in said decree your Honor will direct in whose names it shall be indexed in the direct and indirect indexes to the records thereof in said Probate Court of Baldwin County, Alabama, and complainants further pray for such other, further, different and general relief as in equity may seem just and meet, as complainants will ever pray.


Solicitor for Complainants

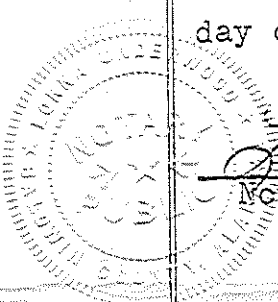
STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, Lorna Underwood, a Notary Public in and for said State and County, C. G. Chason, who, upon oath deposes and says that he is the agent of and the attorney for the complainants in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant as he is informed and believes, all the defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and, if living, non-residents of the State of Alabama, their places of residence being unknown to your affiant and that, if dead, their heirs at law and next of kin, being over the age of twenty-one years and being non-residents of the State of Alabama; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that all matters and facts stated in the foregoing Bill of Complaint upon knowledge are true; that he is informed as to facts stated upon information and belief and verily believes and so states that the same are true.



Sworn to and subscribed before me,
a Notary Public, on this the 5th
day of December, 1951.



Lorna Underwood
Notary Public, Baldwin County
State of Alabama

NORAH KNIEP, ANNA K. JOY,) (
ELLA K. HERRING, KIRK H.) (
KNIEP and AMELIA K. GODSEY,) (
Complainants,) (
-vs-) (
Starting at the East corner of) (
Block No. 5 of the Subdivision) (
of the John Cook Grant, Section) (
four (4), Township nine (9)) (
South, Range three (3) East, run) (
thence N 61-30 W 1051 feet to) (
the point of beginning; run) (
thence S 89-25 W 710 feet to the) (
margin of Bay John; run thence) (
N 15-30 E 251 feet; along and) (
with the margin of said Bay John) (
or Bon Secour River; run thence) (
S 81-10 E 292.4 feet; run thence) (
S 61-30 E 401 feet to the point) (
of beginning, containing 2.43) (
acres, and being part of Block) (
No. 5 of the Subdivision of the) (
John Cook Grant in Section 4,) (
Township 9 South, Range 3 East;) (
Beginning at the East corner of) (
Block No. 5 of the Subdivision) (
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four (4), Township nine (9)) (
South, Range three (3) East, run) (
thence S 42-30 E 460 feet; run) (
thence N 80-55 W 582 feet; run) (
thence N 33-30 E 328 feet; run) (
thence S 73-00 E 82 feet to the) (
point of beginning, containing) (
2.24 acres, and being part of) (
Blocks No's 5 and 6 of the Sub-) (
division of the John Cook Grant,) (
Section 4, Township 9 South,) (
Range 3 East; NICHOLAS COOK;) (
JAMES MARTINEZ; JOSEPH MARTINEZ,) (
and any and all unknown heirs,) (
devisees or grantees of said) (
named defendants, and any other) (
person, firm or corporation) (
claiming any interest in or right) (
or title to said lands,) (
Defendants.) (
It having been made to appear in the above styled cause by the
affidavit of C. G. Chason, the Solicitor of record for the com-
plainants in said cause, that the defendants in said suit or, if
dead, their heirs at law or next of kin, are non-residents of the
State of Alabama, their addresses and places of residence being un-
known.
Notice is hereby given to the persons, firms and corporations
named hereinabove as defendants and to any and all persons, firms
or corporations claiming any interest in, title to, or lien or
encumbrance upon the lands herein described, that on the 5th day of
) 1 (

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

December, 1951, Norah Kniep, Anna K. Joy, Ella K. Herring, Kirk H. Kniep and Amelia K. Godsey filed in the equity side of the Circuit Court of Baldwin County, Alabama, their Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:-

Starting at the East corner of Block No. 5 of the Subdivision of the John Cook Grant, Section four (4), Township nine (9) South, Range three (3) East, run thence N 61-30 W 1051 feet to the point of beginning; run thence S 89-25 W 710 feet to the margin of Bay John; run thence N 15-30 E 251 feet, along and with the margin of said Bay John or Bon Secour River; run thence S 81-10 E 292.4 feet; run thence S 61-30 E 401 feet to the point of beginning, containing 2.43 acres, and being part of Block No. 5 of the Subdivision of the John Cook Grant in Section 4, Township 9 South, Range 3 East;

Beginning at the East corner of Block No. 5 of the Subdivision of the John Cook Grant, Section four (4), Township nine (9) South, Range three (3) East, run thence S 42-30 E 460 feet; run thence N 80-55 W 582 feet; run thence N 33-30 E 328 feet; run thence S 73-00 E 82 feet to the point of beginning, containing 2.24 acres, and being part of Blocks No's 5 and 6 of the Subdivision of the John Cook Grant, Section 4, Township 9 South, Range 3 East;

and against the defendants hereinabove named and any and all other persons, firms or corporations claiming any interest in or lien or encumbrance upon said lands, and you are hereby notified to appear and plead, answer or demur within thirty (30) days from the 3rd day of January, 1952, or a decree pro confesso will be rendered against you; that the title to said lands stand in the name of Richard A. Kniep, deceased, on the records in the office of the Judge of Probate of Baldwin County, Alabama, and that complainants are his only heirs at law and next of kin; that said Bill of Complaint was and is filed for the purpose of establishing the title of said complainants to said land and for the purpose of quieting their title thereto, and clearing up any disputes and doubts concerning the same; that complainants acquired title to said land by inheritance from Richard A. Kniep, and that he acquired title to that portion described as being in Block No. 5 of the Subdivision of the John Cook Grant by conveyance from J. D. Haggard and wife, Anna Doris Haggard, dated July 7, 1939, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 70NS, Pages 108-9, and that he acquired title to that land hereinabove described as being a part of Blocks numbered 5 and 6 of the Subdivision of the John Cook Grant by conveyance from H. W. Herring and Ella K. Herring, husband and wife, dated

February 2, 1947, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 118NS, Pages 139-40. Complainants further allege in their Bill of Complaint that they are in quiet and peaceable possession of said lands claiming to own the same absolutely and in fee simple, and that they and those through whom they claim by conveyances of record have been in possession for more than ten (10) years next preceding the filing of this Bill of Complaint and that no one except complainants and those through whom they claim have paid any taxes on said land for a period of over ten (10) years.

WITNESS my hand this 5th day of December, 1951.

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

C. G. CHASON,
 Solicitor for Complainants.

STATE OF ALABAMA, BALDWIN COUNTY
 Filed 12-6-51 10:30 a.m.
 Recorded Dec. 6, 1951 2 364-6
W. R. Stewart
 Judge of Probate
2

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

February 7, 1952

Mrs. Alice J. Duck
Court House
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith are all papers necessary for closing the suit to quiet title on the Kniep property. The owners of this property will be in tomorrow, therefore, please call me collect and tell me the amount of the court cost.

If you have done so, please mail the Mary Mitchell divorce decree and the court bill.

Yours very truly,


Cecil G. Chason

CGC:fu

THE STATE OF ALABAMA
Baldwin County.Circuit Court of Baldwin County, Alabama
(In Equity)

Complainant

VS.

Respondent

I, Frances M. Underwood
as Register and Commissioner in Chancery
have called and caused to come before me Mrs. Amelia K. Godsey and Thomas Steele

witnesses named in the Requirement for Oral Examination, on the 5th day of February
1945, at the office of Cecil G. Chason
in Foley, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Mrs. Amelia K. Godsey and
Thomas Steele doth depose and say as follows:

TESTIMONY OF THOMAS STEELE

My name is Thomas Steele. I am over the age of twenty-one
years and a resident of Bon Secour in Baldwin County, Alabama. I
am familiar with the real estate in Baldwin County described as
follows:

Starting at the East corner of Block No. 5 of the Subdivision
of the John Cook Grant, Section four (4), Township nine (9)
South, Range three (3) East, run thence N 61-30 W 1051 feet to
the point of beginning; run thence S 89-25 W 710 feet to the
margin of Bay John; run thence N 15-30 E 251 feet, along and
with the margin of said Bay John or Bon Secour River; run thence
S 81-10 E 292.4 feet; run thence S 61-30 E 401 feet to the point
of beginning, containing 2.43 acres, and being part of Block No.
5 of the Subdivision of the John Cook Grant in Section 4,
Township 9 South, Range 3 East; Beginning at the East corner of
Block No. 5 of the Subdivision of the John Cook Grant, Section
four (4), Township nine (9) South, Range three (3) East, run
thence S 42-30 E 460 feet; run Thence N 80-55 W 582 feet; run
thence N 33-30 E 328 feet; run thence S 73-00 E 82 feet to the
point of beginning, containing 2.24 acres, and being part of
Blocks No's 5 and 6 of the Subdivision of the John Cook Grant,
Section 4, Township 9 South, Range 3 East.

I have been familiar with this tract of land and with the title of
this property for over sixty years. This property was a part of the
John Cook Spanish Grant. John Cook's heirs owned and occupied the
property until 1925 when it was bought by Walter B. Miller and O. D.
Nelson. Miller sold his part of the land to J. L. Fletcher and W. S.
Durham in 1926 and they conveyed it to J. D. Haggard in 1935 and he
conveyed it to R. Kniep in 1939. Nelson conveyed his portion to Harry
W. Herring in 1944 and I am informed that he conveyed to Richard Kniep
in 1947. Kniep is now dead and his heirs are in possession of the
property. No one has claimed the land adversely, nor exercised any

right of ownership other than the legal owners as shown above for over a period of twenty years. The people named above as owners were in the open, notorious, adverse, and peaceable possession of the property during the time it was owned by them and there has not been before that period of time any dispute as to ownership.

Thos A Steele

ORAL EXAMINATION.

I, Frances M. Underwood, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself Frances M. Underwood

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 5th day of February, 1942

Frances M. Underwood (L. S.)

2753

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 2-8, 1942

Lucie F. Underwood, Register.

Recorded in

Record

Vol. _____ Page _____

, Register.

THE STATE OF ALABAMA
Baldwin County.Circuit Court of Baldwin County, Alabama
(In Equity)

Complainant

VS.

Respondent

I, Frances M. Underwood
as Register and Commissioner in Chancery
have called and caused to come before me Mrs. Amelia K. Godsey and Thomas Steele

witness es named in the Requirement for Oral Examination, on the 5th day of February
1945, at the office of Cecil G. Chason
in Foley, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Mrs. Amelia K. Godsey and
Thomas Steele doth depose and say as follows:

TESTIMONY OF AMELIA K. GODSEY.

My name is Amelia K. Godsey. I am over the age of twenty-one years and a daughter of Richard A. Kniep, deceased. Richard A. Kniep who was at the time of his death, a resident citizen of Baldwin County Alabama, died on November 11th, 1950, leaving no last will and testament. The only heirs at law and next of kin of Richard A. Kniep were Norah Kniep, his widow, Anna K. Joy, a divorced person, a daughter, Ella K. Herring, whose husband is Harry W. Herring, a daughter, Kirk H. Kniep, whose wife is Erma Kniep, a son, and Amelia K. Godsey, a divorcee person, a daughter. All of the heirs at law and next of kin are over the age of twenty-one years and all are of sound mind. There has been no administration of the estate of Richard A. Kniep and none is contemplated; All of his funeral expenses, medical expenses, claims and demands of every kind and nature have been paid in full. The persons above named as the heirs at law and next of kin of Richard A. Kniep have filed a bill of complaint in the courts of Baldwin County, Alabama, to quiet title on property owned by Richard A. Kniep at the time of his death. The property is accurately described in the complaint from a plat made by a licensed surveyor. We are in the actual, peaceable, adverse and notorious possession of this property claiming to own the same absolutely and in fee simple and using the same in every way that it is susceptible to use; no suit of any kind is pending to test our title or right of possession to this property; Richard A. Kniep purchased this property from Harry W. Herring and O. D. Nelson and no

ORAL EXAMINATION.

I, Frances M. Underwood, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself Frances M. Underwood

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 5th day of February, 1952

Frances M. Underwood (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 1952

Recorded in _____, Register.

Record

Vol. _____ Page _____

Register.

Amelia T. Hooley

erty for over ten years. one except these persons and ourselves have paid any taxes on this prop-

Nora Kniep, Anna K. Joy, Ella K.
Herring, Kirk H. Kniep, Amelia K.
Godsey

vs.

Nicholas Cook, et al and certain
lands

THE STATE OF ALABAMA
Baldwin County

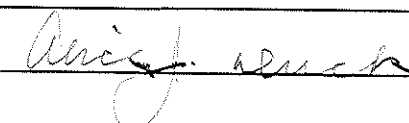
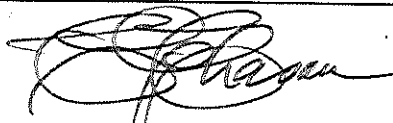
IN EQUITY
Circuit Court of Baldwin County

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

Affidavit of non-residents of defendants, service by publication,
motion for Decree Pro Confesso on service by publication, Decree

Pro Confesso on service by publication and testimony of Amelia K.
Godsey and Thomas Steele

and in behalf of Defendant upon _____



Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

North Kniep, Anna K. Joy, Ella K.

Herring, Kirk H. Kniep, and

Amelia K. Godsey

vs.

Nicholas Cook, et al and certain
lands

NOTE OF TESTIMONY

Filed in Open Court this 8th

day of Feb, 1942...

Reuben H. Hatcher
Register.

Printed By The Baldwin Times

NORAH KNIEP, ANNA K. JOY,) (
ELLA K. HERRING, KIRK H.) (
KNIEP and AMELIA K. GODSEY,) (
Complainants,) (
-vs-) (
Starting at the East corner of) (
Block No. 5 of the Subdivision) (
of the John Cook Grant, Section) (
four (4), Township nine (9)) (
South, Range three (3) East, run) (
thence N 61-30 W 1051 feet to) (
the point of beginning; run) (
thence S 89-25 W 710 feet to the) (
margin of Bay John; run thence) (
N 15-30 E 251 feet, along and) (
with the margin of said Bay John) (
or Bon Secour River; run thence) (
S 81-10 E 292.4 feet; run thence) (
S 61-30 E 401 feet to the point) (
of beginning, containing 2.43) (
acres, and being part of Block) (
No. 5 of the Subdivision of the) (
John Cook Grant in Section 4,) (
Township 9 South, Range 3 East;) (
Beginning at the East corner of) (
Block No. 5 of the Subdivision) (
of the John Cook Grant, Section) (
four (4), Township nine (9)) (
South, Range three (3) East, run) (
thence S 42-30 E 460 feet; run) (
thence N 80-55 W 582 feet; run) (
thence N 33-30 E 328 feet; run) (
thence S 73-00 E 82 feet to the) (
point of beginning, containing) (
2.24 acres, and being part of) (
Blocks No's 5 and 6 of the Sub-) (
division of the John Cook Grant,) (
Section 4, Township 9 South,) (
Range 3 East; NICHOLAS COOK;) (
JAMES MARTINEZ; JOSEPH MARTINEZ,) (
and any and all unknown heirs,) (
devisees or grantees of said) (
named defendants, and any other) (
person, firm or corporation) (
claiming any interest in or right) (
or title to said lands,) (
Defendants.) (
TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT) (
COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:-) (
Comes your complainants, Norah Kniep, Anna K. Joy, Ella K.) (
Herring, Kirk H. Kniep and Amelia K. Godsey, and bring this their) (
Bill of Complaint against the following described tract of land) (
situated in the County of Baldwin, State of Alabama, to-wit:-) (
Starting at the East corner of Block No. 5 of the Subdivision) (
of the John Cook Grant, Section four (4), Township nine (9)) (
South, Range three (3) East, run thence N 61-30 W 1051 feet) (
to the point of beginning; run thence S 89-25 W 710 feet to) (
the margin of Bay John; run thence N 15-30 E 251 feet, along) (
and with the margin of said Bay John or Bon Secour River;) (
(first page)

run thence S 81-10 E 292.4 feet; run thence S 61-30 E 401 feet to the point of beginning, containing 2.43 acres, and being part of Block No. 5 of the Subdivision of the John Cook Grant in Section 4, Township 9 South, Range 3 East;

Beginning at the East corner of Block No. 5 of the Subdivision of the John Cook Grant, Section four (4), Township nine (9) South, Range three (3) East, run thence S 42-30 E 460 feet; run thence N 80-55 W 582 feet; run thence N 33-30 E 328 feet; run thence S 73-00 E 82 feet to the point of beginning, containing 2.24 acres, and being part of Blocks No's 5 and 6 of the Subdivision of the John Cook Grant, Section 4, Township 9 South, Range 3 East.

And complainants further bring this Bill of Complaint against any and all persons claiming any title to, interest in or lien or encumbrance upon said lands, or any part thereof, and especially against Nicholas Cook, James Martinez, Joseph Martinez, and any and all persons, firms or corporations claiming any interest in the above described lands, and complainants respectfully show unto your Honor as follows:-

FIRST:

That they are in the actual, peaceable, adverse possession of said tract of land heretofore mentioned, claiming to own the same in their own right in fee simple and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test complainants title to, interest in, or right to possession of the said land.

THIRD:

Complainants further show that they claim the entire fee simple title in and to said land as the only heirs at law and next of kin of Richard A. Kniep, deceased, the record owner thereof.

FOURTH:

Complainants further show that no one has paid any taxes on this property for over ten (10) years, except your complainants, Richard A. Kniep, H. W. Herring and O. D. Nelson, the persons last above named having been owners of a portion of the property, and from whom conveyances have been made.

FIFTH:

Complainants further show unto your Honor that they are in the actual, open, notorious, peaceable and adverse possession of said

land and have been in such possession since the date of the death of Richard A. Kniep, deceased, who was in the actual, open, notorious, peaceable and adverse possession of said land since the date of his purchase and that no other persons, firms or corporations have had any possession of said property for over a period of ten (10) years, except the complainants, Richard A. Kniep and those persons through whom they claim, namely, Harry W. Herring and O. D. Nelson, through whom Richard A. Kniep purchased that portion of the above described land located in Blocks five (5) and six (6) of the Subdivision of the John Cook Grant, and that no one is known to your complainants to claim this land or any part thereof, or any interest therein, except the complainants and the defendants to this proceeding, and complainants call upon the several persons, firms and corporations mentioned as defendants herein, or anyone else having any interest therein, to set forth and specify his, hers or its title to, claim, interest in or encumbrance upon said land and how and by what instrument or otherwise the same is derived or created.

SIXTH:

Complainants aver that they have made a diligent search and inquiry to ascertain the residences and addresses of all persons, firms or corporations heretofore named, and whether or not any of them be dead, and if dead, to ascertain the names and addresses of their heirs, devisees, successors, assigns and grantees; that in this investigation and inquiry have had an abstract of title of said real estate made from the records of Baldwin County, Alabama; that they have made diligent inquiry in the neighborhood of said lands as to the ownership of same, the possession of same, and the whereabouts of any and all persons who are, or may be, interested in or who claim any interest therein, and that in making said inquiry they have inquired of old settlers.

PRAYER FOR PROCESS

TO THE END THEREFORE, that equity may be had in the premises, complainants pray that your Honor will cause the usual writ of process to issue to the defendants named herein, and any and all other

(fourth page)

persons, firms or corporations claiming any interest in, right of title to said lands, in the usual form and according to the practices of this Honorable Court, requiring them or it, to plead, answer or demur to the same within the time required by law and the practices of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings 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; that your Honor will also order that notice be given of the filing of this Bill of Complaint to the aforesaid defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF

Complainants further pray that on a hearing of this cause, your Honor will establish complainants right and title to this land, and will decree the complainants are the owners in fee simple of the lands herein described and that no other persons, firms or corporations has any title to or interest in, or lien or encumbrance upon said land or any part thereof, and especially those persons hereinabove named as defendants, and that in said decree your Honor will cause a certified copy of the same to be filed in the Probate Office of Baldwin County, Alabama, and to be recorded therein, and that in said decree your Honor will direct in whose names it shall be indexed in the direct and indirect indexes to the records thereof in said Probate Court of Baldwin County, Alabama, and complainants further pray for such other, further, different and general relief as in equity may seem just and meet, as complainants will ever pray.


Solicitor for Complainants


STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, Lorna Underwood, a Notary Public in and for said State and County, C. G. Chason, who, upon oath deposes and says that he is the agent of and the attorney for the complainants in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant as he is informed and believes, all the defendants named in the foregoing Bill of Complaint are over the age of twenty-one years ~~and~~, if living, non-residents of the State of Alabama, their places of residence being unknown to your affiant and that, if dead, their heirs at law and next of kin, being over the age of twenty-one years and being non-residents of the State of Alabama; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that all matters and facts stated in the foregoing Bill of Complaint upon knowledge are true; that he is informed as to facts stated upon information and belief and verily believes and so states that the same are true.



Sworn to and subscribed before me,
a Notary Public, on this the 5th
day of December, 1951.


Notary Public, Baldwin County
State of Alabama



MARY H. MITCHELL,

) (

Complainant,) (

IN THE CIRCUIT COURT OF

-vs-

) (

BALDWIN COUNTY, ALABAMA

BENNIE MITCHELL,

) (

IN EQUITY

Respondent.) (

In this cause it being made to appear to the Clerk of this Court by the affidavit of Mary H. Mitchell, the complainant, that the defendant, Bennie Mitchell, is a non-resident of the State of Alabama and that his post office address is unknown and cannot be ascertained; it being further shown by said affidavit that the defendant is over the age of twenty-one years; it is therefore ordered that publication be made in the Foley Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Bennie Mitchell to plead, answer or demur to the Bill of Complaint filed in this cause by the 3rd day of January, 1952, or after thirty (30) days thereafter a decree pro confesso may be taken against him.

Alice J. Duck

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

C. G. Chason,
Attorney for Complainant.

Received of Alice J. Duck, Register, ten dollars
commissioner's fee in case of Kniep vs. other lands.

Cecil Y. Chason

by F. H.