

GROVER T. WEEKLEY,

COMPLAINANT

VS

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; AND AGAINST EXBERT HENDERSON AND E. L. HENDERSON, IF LIVING, AND IF THEY OR EITHER OF THEM BE DEAD, THEN AGAINST THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH OF THEM AS ARE DECEASED; AND AGAINST ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO.

5727

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your complainant, Grover T. Weekley, and presents this his bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

The Northwest quarter of Section 13, Township 1 South, Range 4 East, Baldwin County, Alabama;

and Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then against the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased; and against any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part or parcel thereof and respectfully shows unto your Honor:

FIRST: That complainant is over the age of twenty-one years and a resident of Baldwin County, Alabama; that the defendants, Exbert Henderson and E. L. Henderson, if living, are each over the age of twenty one years, and their places of residence and post office addresses are unknown and cannot be ascertained upon diligent search

and inquiry; that the complainant has made diligent search and inquiry to ascertain the places of residence and post office addresses of the said Exbert Henderson and E. L. Henderson, and to ascertain whether or not they, or either of them are living, and upon such diligent search and inquiry has been unable to ascertain their places of residence and post office addresses and whether or not they or either of them are living, but he is informed and believes, that if living, they are non-residents of the State of Alabama, and upon such information and belief alleges that, if living they are non-residents of the State of Alabama, and their place of residence and post office addresses are unknown; that he has also made diligent search and inquiry to ascertain the names, ages and places of residence of the heirs, devisees, personal representatives and assigns of the said Exbert Henderson and E. L. Henderson, if dead, that he is informed and believes and upon such information and belief alleges that if the said Exbert Henderson and E. L. Henderson are dead, then their heirs, devisees, personal representatives and assigns are over the age of twenty-one years and are non-residents of the State of Alabama, and that their names, ages and places of residence are unknown and cannot be ascertained upon full diligent search and inquiry; complainant further says that in his search and inquiry to ascertain whether or not the said Exbert Henderson and E. L. Henderson are living, and if living, their places of residence and post office addresses, and to ascertain the names, ages and places of residence of the heirs of the said Exbert Henderson and E. L. Henderson, if they are dead, he has caused an abstract to be made of the said property, he has made inquiry at the Tax and Probate offices of Bay Minette, Alabama, and has made inquiry of people living in the vicinity of the said lands, and of many other persons resident in Baldwin County, Alabama.

SECOND: That your complainant is the owner of and in the actual possession of the lands in Baldwin County, Alabama, described as follows, to-wit:

The Northwest quarter of Section 13, Township
1 South, Range 4 East;

that the complainant has been in the continuous peaceable adverse possession of the said lands for more than ten years next preceding the filing of this complaint and that he has 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 exercise any possession over the said land or claimed any right to possession thereof or any title to, or interest in, claim, lien or encumbrance thereon, or to any part or parcel of the same.

THIRD: That no suit is pending to test complainant's title to, interest in, claim, lien or encumbrance on, or right of possession of said land.

FOURTH: That the title to said lands stands in the name of complainant on the records of Baldwin County, Alabama; that your complainant acquired title to the said lands by deed from A. A. Schrock and Lydia Schrock, his wife, and C. M. Amstutz and Lizzie Amstutz, his wife, dated May, 1946 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Judge of Probate of Baldwin County under a sale of the lands assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, who is the same person as Exbert Henderson, acquired title to the said lands from the United States Government by patent June 27, 1912; that for more than ten years next preceding the filing of this bill of complaint, not person other than this complainant has assessed or paid taxes thereon; that immediately upon his purchase of the said lands he went into actual possession of the said lands, under color of title, claiming to own the same, and remained in continuous possession thereof until this date; and he has occupied and used the same and cut and removed the timber therefrom, and that he has been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint; that

Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, claim or are reputed to claim, some title to, interest in, claim, or encumbrance upon the land, or some part or parcel thereof.

WHEREFORE, your complainant prays that this Honorable Court will take jurisdiction of the cause, made by this bill of complaint, and by appropriate process make Exbert Henderson and E. L. Henderson, if living, and if they or either of them are deceased, then their unknown heirs, devisees, personal representatives and assigns, any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part or parcel thereof, to-wit: The Northwest quarter of Section 13, Township 1 South, Range 4 East; 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 pains and penalties prescribed by law and the practice of this Honorable Court.

Your complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of liens, claims and encumbrances to the said lands, and each part and parcel thereof, is vested in your complainant, Grover T. Weekley, as against Exbert Henderson and E. L. Henderson, if living, and if they or any one of them be dead, against the unknown heirs, devisees, personal representatives and assigns of Exbert Henderson and E. L. Henderson, and as against any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance upon said lands or any part thereof, and that any and all doubts and disputes concerning the same be removed, and cleared up, and your complainant prays for such other, further or different relief as in equity and good conscience shall be meet and proper in the premises.

BEEBE & SWEARINGEN
BY W. C. Beebe
Solicitors for complainants

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared W. C. Beebe, who is known to me, and who, having been by me duly sworn, deposes and says that he is solicitor for the complainant in the above styled cause, and that the facts alleged 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 this the 17 day of

February, 1958.

Madeline S. Byars
Notary Public, State of Ala. at large.

FILED

FEB 17, 1958

ALICE J. DICK, CLERK
REGISTER

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Grover T. Weekley Complainant

VS.

Exbert Henderson, E. L. Henderson RespondentS
and certain lands

I, Doris B. Rieben

as Register and Commissioner

have called and caused to come before me Grover T. Weekley

witness named in the Requirement for Oral Examination, on the May day of 1958, at the office of Beebe & Swearingen in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Grover T. Weekley

doth depose and say as follows:

My name is Grover T. Weekley and I am over the age of 21 years and resident of Baldwin County, Alabama. I am the complainant in that certain suit pending in the Circuit Court of Baldwin County, Alabama, in equity, #4227, against the Northwest quarter of Section 13, Township 1 South, Range 4 East and against Exbert Henderson and others; that Exbert Henderson, if living, is over the age of 21 years and a non-resident of the State of Alabama; that E. L. Henderson, if living, is over the age of 21 years and a non-resident of the State of Alabama; their addresses are unknown. I have made diligent search and inquiry of officials at the courthouse and the persons living near the said lands and I have been unable to ascertain whether or not either of them are living or dead, and if dead, who their heirs and next of kin or devisees are but if they are living they are non-residents of the State of Alabama and if they are dead their heirs, devisees and assigns are non-residents of the State of Alabama.

I own the Northwest quarter of Section 13, Township 1 South, Range 4 East, of Baldwin County, Alabama, and I am in the actual possession of the same and have been in actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession the said lands for more than 10 years preceding the filing of this suit. I have annually assessed and paid taxes during the whole of the said period and that during such period of time no other person has assessed the said lands for taxes or paid taxes thereon, or attempted to exercise any possession over the said land or claimed any right to possession thereof or any title to, or interest in, claim, lien or encumbrance thereon, or to any part of the said lands. The title to the said lands stand on the record in the office of the Judge of Probate of Baldwin County, Alabama, in my name. I acquired title thereto from A. A. Schrock and Lydia Schrock and C. M. Amstutz and Lizzie Amstutz, in May, 1946 by deed recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Judge of Probate of Baldwin County under a sale of lands assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, is believed to be the same person as Exbert Henderson, who acquired title to the said lands from the United States Government by patent June 27, 1912;

Cross examination by Mr. Wilson Hayes, guardian ad litem;

At the time of my purchase of the said lands from Mr. Schrock, I went in possession of the same claiming to own the same. Immediately upon my purchase, in the year 1946, I cut the timber thereon and I fenced a portion of the land and plowed fire lanes around the same and remained in continuous possession keeping up the said fences and fire lanes to this day.

Grover T. Weekley

ORAL EXAMINATION.

I, Doris B. Rieben, 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 and read over to him and he signed the same in the presence of myself, F. G. Swearingen and Wilson Hayes at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom made before me of the identity of said witness; that I am not of counsel or 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 17 day of May, 1958.

Doris B. Rieben (L. S.)

Copy # 4227

NO. PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Oral Deposition

Filed 5-17, 1958

Cliff Levech, Register.
Recorded in

Vol. _____ Page _____
Record _____
Register _____

GROVER T. WEEKLEY,

COMPLAINANT

VS

EXBERT HENDERSON, E. L.
HENDERSON and certain lands,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns, and to Wilson Hayes, guardian ad litem, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: The Northwest quarter of Section 13, Township 1 South, Range 4 East;

Notice is hereby given that the complainant in the above styled cause has this day made application for the oral examination of Grover T. Weekley, witness for the complainant in the above styled cause and has suggested Doris B. Rieben as a suitable person to act as commissioner in the taking of the deposition of said witness.

Witness this the 9th day of May, 1958.

BEEBE & SWEARINGEN

BY T. B. Swearingen
Solicitors for complainant

Alice L. Rieken
Register

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, in equity, do hereby certify that the foregoing notice of the motion for oral examination of complainants' witness was filed and entered on the order book of the Register on the 9 day of May, 1958.

Alice J. Duck
Register

FILED
MAY 9 1958
CLERK OF DISTRICT COURT

[Faint handwritten notes on the left margin]

Order Book Copy

[Signature], 1928.

and entered on the order book of the Register on the 2nd day of
the month for oral examination of complainants, witness was filed
County, in which, do hereby certify that the foregoing notice of
I, Alice E. Duck, Register of the Circuit Court of Baldwin

Register
[Signature]
1928

FILED
MAY 9 1958
ALICE E. DUCK, Register

GROVER T. WEEKLEY,		IN THE CIRCUIT COURT OF
COMPLAINANT		
VS		
EXBERT HENDERSON, E.L.		BALDWIN COUNTY, ALABAMA,
HENDERSON and certain		
lands		
DEFENDANTS		IN EQUITY

TO: Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns, and to Wilson Hayes, guardian ad litem, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: The Northwest quarter of Section 13, Township 1 South, Range 4 East;

Notice is hereby given that the testimony of Grover T. Weekley, witness for the complainant in the above styled cause will be taken orally before Doris B. Rieben, commissioner heretofore duly appointed, at the office of Beebe & Swearingen, attorneys for complainant, at 8:30 o'clock a.m. on the 17th day of May, 1958.

This the 13th day of May, 1958.

Doris B. Rieben
Commissioner

Beebe & Swearingen

BY J. B. Swearingen
Solicitors for complainant

I, acknowledge copy of foregoing application of the complainants' witness, received this May 13, 1958.

Wilson Hayes
Guardian ad litem

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, in equity, do hereby certify that the foregoing notice of the time and place of taking deposition of complainants' witness was filed and entered on the order book of the Register on the 13 day of May, 1958.


Register

12
The first of these is the fact that the
no action was taken by the
Secretary of the Board of
the Board of the Board of

FILED

MAY 13 1958

ALICE L. BUCK, Register

GROVER T. WEEKLEY,	∅	IN THE CIRCUIT COURT OF
COMPLAINANT	∅	
VS	∅	BALDWIN COUNTY, ALABAMA,
EXBERT HENDERSON, E. L.	∅	
HENDERSON and certain	∅	
lands,	∅	IN EQUITY
DEFENDANTS	∅	
	∅	

Complainant having on the 9th day of May, 1958, filed his motion and request for oral examination of Grover T. Weekley, witness for complainant, and due and proper notice thereof having been given as required by law on the order book of this court and to Wilson Hayes, guardian ad litem for the said unknown defendants, and Doris B. Rieben of the Town of Bay Minette, being a suitable person to act as commissioner to take the deposition of said witness;

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

And that Doris B. Rieben be and she is hereby appointed as commissioner to take the deposition of said witness.

Witness my hand this the 13th day of May, 1958.

Doris B. Rieben
Register

ALLEN J. EMMA, Registrar
 MAY 14 1968
 FILED

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GROVER T. WEEKLEY,

COMPLAINANT

VS

EXBERT HENDERSON, E.L.
HENDERSON and certain
lands

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns, and to Wilson Hayes, guardian ad litem, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: The Northwest quarter of Section 13, Township 1 South, Range 4 East;

Notice is hereby given that the testimony of Grover T. Weekley, witness for the complainant in the above styled cause will be taken orally before Doris B. Rieben, commissioner heretofore duly appointed, at the office of Beebe & Swearingen, attorneys for complainant, at

8:30 o'clock a.m. on the 17th day of May, 1958.

This the 17th day of May, 1958.

Doris B. Rieben
Commissioner

Beebe & Swearingen

BY E. B. Swearingen
Solicitors for complainant

I, acknowledge copy of foregoing application of the complainants' witness, received this May 13, 1958.

Guardian ad litem

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, in equity, do hereby certify that the foregoing notice of the time and place of taking deposition of complainants' witness was filed and entered on the order book of the Register on the 13 day of May, 1958.

Alice J. Duck
Register

RECEIVED
MAY 13 1958
BALDWIN COUNTY, GEORGIA

The day of April, 1958.

was filed and entered on the order book of the Register on the
the time and place of taking deposition of complainant, witness
County, in order, do hereby certify that the foregoing notice of
I, Alice J. Duck, Register of the Circuit Court of Baldwin

Register
Alice J. Duck

FILED
MAY 13 1958
CLERK

GROVER T. WEEKLEY,
COMPLAINANT

VS

EXBERT HENDERSON, E. L.
HENDERSON and certain lands,
DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns, and to Wilson Hayes, guardian ad litem, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: The Northwest quarter of Section 13, Township 1 South, Range 4 East;

Notice is hereby given that the complainant in the above styled cause has this day made application for the oral examination of Grover T. Weekley, witness for the complainant in the above styled cause and has suggested Doris B. Rieben as a suitable person to act as commissioner in the taking of the deposition of said witness.

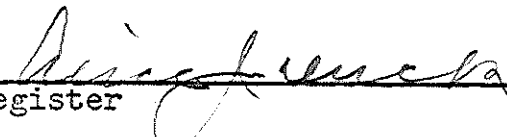
Witness this the 9th day of May, 1958.

BEEBE & SWEARINGEN

BY [Signature]
Solicitors for complainant

[Signature]
Register

I, Alice J. Duck, Register of the Circuit Court of Baldwin
County, in equity, do hereby certify that the foregoing notice of
the motion for oral examination of complainants' witness was filed
and entered on the order book of the Register on the 9 day of
May, 1958.



Register

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1504

FILED

MAY 9 1958

ALICE J. DICK, Register

GROVER T. WEEKLEY, | IN THE CIRCUIT COURT OF
 | COMPLAINANT |
 | VS | BALDWIN COUNTY, ALABAMA,
 | EXBERT HENDERSON, E. L. | IN EQUITY
 | HENDERSON and certain |
 | lands |
 | DEFENDANTS |

On motion of the complainant, due and proper notice thereof having been given the guardian ad litem, this cause is set down for final decree at 9 o'clock AM the 28 day of May, 1958.

Done this the 17 day of May, 1958.

Hubert M. Hall
Judge

Equity #4227

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GROVER T. WEEKLEY,		IN THE CIRCUIT COURT OF
COMPLAINANT		
VS		BALDWIN COUNTY, ALABAMA
EXBERT HENDERSON, E. L.		
HENDERSON and certain		IN EQUITY
lands		
DEFENDANTS		

This cause is submitted for final decree upon the bill of complaint, service by publication, decree pro confesso, appointment and acceptance of guardian ad litem, answer of guardian ad litem and deposition of Grover T. Weekley, and exhibits thereto attached, witness for complainant.

This the 28 day of May, 1958.

Register

BEEBE & SWEARINGEN

BY J. B. Swearingen

Archie Weekley
Register

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER
AND
BILL STEWART
PUBLISHERS

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

Legal Notice

In The Circuit Court Of
Baldwin County, Alabama
In Equity.

GROVER T. WEEKLEY,
Complainant.

vs.

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; AND AGAINST EXBERT HENDERSON AND E. L. HENDERSON, IF LIVING, AND IF THEY OR EITHER OF THEM BE DEAD, THEN AGAINST THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH OF THEM AS ARE DECEASED; AND AGAINST ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF,

Defendants.

Notice is hereby given to Exbert Henderson and E. L. Henderson, if living and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and to any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: The Northwest quarter of Section 13, Township 1 South, Range 4 East, Baldwin County, Ala., that Grover T. Weekley has filed his bill of complaint on the 17 day of February, 1958, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own those certain lands, lying and being situated in the County of Baldwin, State of Alabama, described above; complainant alleges that he acquired title to the above described lands by deed from A. A. Schrock and Lydia Schrock, his wife, and C. M. Amstutz, and Lizzie Amstutz, his wife, dated May, 1946 and recorded in the office of the Judge of Probate of Baldwin County in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Judge of Probate of Baldwin County under a sale of the land for taxes assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, who is the same person as Exbert Henderson, acquired title to the said lands from the United States Government by patent June 27, 1912; that immediately upon his purchase of the said lands, he went into actual possession of the said land, under color of title, claiming to own the same, and has remained in continuous possession thereof until this date, and has from time to time cut timbers on said lands, and that he has been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint; that Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, claim or are reputed to claim, some title to, interest in, lien or encumbrance upon the said lands.

Complainant further alleges that he has annually assessed and paid taxes thereon and that during such period no other person has been in possession of the said lands or any part thereof or assessed or paid taxes thereon or any part thereof, and that the bill of complaint is filed for the purpose of establishing his title to and interest in the said lands

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Grover T. Weekley, Complainant

COST STATEMENT

825 WORDS @ 6 1/2 cents \$ 53.63
I hereby certify this is correct, due and unpaid (~~paid~~).

E. R. Morrisette Jr.
Editor.

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

Date of 1st publication Feb. 20, 1958 Vol. 70 No. 6

Date of 2nd publication Feb. 27, 1958 Vol. 70 No. 7

Date of 3rd publication March 6, 1958 Vol. 70 No. 8

Date of 4th publication March 13, 1958 Vol. 70 No. 8

Subscribed and sworn before the undersigned this 13 day of Mar, 1958

Dorothy Martin
Notary Public, Baldwin County.

E. R. Morrisette Jr.
Editor.

fied, that the places of residence and post office addresses of the said Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, the names, ages and places of resi-

dence of their heirs, devisees, personal representatives and assigns, are unknown, and cannot be ascertained upon diligent search and inquiry, and proof being made that diligent search and inquiry was made and their places of residence and post office addresses cannot be ascertained;

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

It is therefore ordered that the said Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the lands above described appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely the 21 day of April, 1958, at which time the said cause shall stand at issue.

Witness my hand this the 17 day of February, 1958.

ALICE J. DUCK,
Register, Circuit Court,
Baldwin County, Alabama,
in equity.

GROVER T. WEEKLEY

COMPLAINANT

VS

THE NORTHWEST QUARTER OF
SECTION 13, TOWNSHIP 1
SOUTH, RANGE 4 EAST, BALD-
WIN COUNTY, ALABAMA: AND
AGAINST EXBERT HENDERSON
AND E. L. HENDERSON, IF
LIVING, AND IF THEY OR
EITHER OF THEM BE DEAD, THEN
THEIR UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES AND
ASSIGNS OF SUCH OF THEM AS ARE
DECEASED: AND ANY AND ALL PERSONS,
FIRMS, ASSOCIATIONS OR CORPORATIONS,
CLAIMING ANY TITLE TO, INTEREST IN,
CLAIM, LIEN OR ENCUMBRANCE ON THE
SAID LAND OR ANY PART OR PARCEL
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 complainant upon the original bill of complaint, and upon publication of notice, decree pro confesso, appointment, acceptance and answer of guardian ad litem, 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 said defendants, Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns, and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part or parcel thereof, has been given in the manner and for the time required by law, and the complaint is entitled to the relief as prayed for in the bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainant, Grover T. Weekley,

was and is over the age of twenty-one years at the time of the filing of his bill of complaint and at the time of the submission of the same for final decree; that at the time of the filing of his bill of complaint, there was no suit pending to test the sufficiency or validity of the complainant's right, title and interest in and to the hereinafter described lands, or any part or parcel thereof; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession of the hereinafter described lands, claiming to own the same and each and every part and parcel thereof absolutely, and in fee simple, the said lands situated in the County of Baldwin, State of Alabama, being described as follows, to-wit:

The Northwest quarter of Section 13, Township 1 South, Range 4 East;

That the complainant acquired title to the said lands from A. A. Schrock and Lydia Schrock and C. M. Amstutz and Lizzie Amstutz, by deed dated May, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Probate Judge of Baldwin County, Alabama, under a sale of the lands assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, who is the same person as Exbert Henderson, acquired title to the said lands from the United States Government by patent June 27, 1912; and further that complainant now holds and has held title to the said lands by adverse possession of the said lands and each and every part and parcel thereof continuously for more than ten years next preceding the filing of the bill of complaint; that the title to the said lands and each and every part and parcel thereof stands in the name of the complainant 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 has assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Grover T. Weekley, at the time of the filing of the bill of complaint in this cause and at this time had and does have the fee simple title to the above described lands, and to each and every part and parcel thereto; that neither of the defendants, Exbert Henderson or E. L. Henderson, if living, or if they or either of them be dead, then none of the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, nor any and all other persons, firms, associations or corporations, have any right title, interest in, claim, lien or encumbrance upon the land, or any part or parcel thereof.

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

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

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

Done at Bay Minette, Alabama, this the 28 day of

May

, 1958.

Herbert M. Hall

Judge

FILED

MAY 24 1958

ALICE J. DECK, Register

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Doris B. Rieben

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 Grover T. Weekley

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Grover T. Weekley

_____, Complainant
and _____

Exbert Henderson, E. L. Henderson and certain Respondents
lands
on oath, to be by you administered, upon Oral examination
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 13 day of May, 1958

Doris B. Rieben
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 4227

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Oran J. Wesley

Complainant—

vs.

Robert Henderson,
E. L. Henderson and
Certain lands

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Louis B. Riehm

WITNESSES:

GROVER T. WEEKLEY,		IN THE CIRCUIT COURT OF
COMPLAINANT		
VS		
EXBERT HENDERSON, E. L.		BALDWIN COUNTY, ALABAMA,
HENDERSON and certain		
lands		
DEFENDANTS		IN EQUITY

Comes the complainant in the above styled cause and requests the oral examination of Grover T. Weekley, as witness for the complainant, who resides in Baldwin County, State of Alabama, and suggests Doris B. Rieben 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 9th day of May, 1958.

BEEBE & SWEARINGEN

BY *J. B. Swearingen*
Solicitors for complainant

I, acknowledge copy of foregoing application of the complainants' witness, received this May 9th, 1958.

W. L. Hays
Guardian ad litem

9

FILED

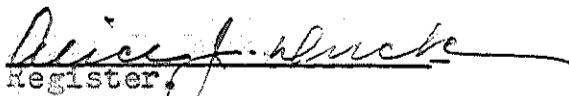
MAY 9 1958

ALICE J. RUCK, Register

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein Grover T. Weekley, is complainant and the lands described in the foregoing notice, and Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns of such of them as are deceased; and any and all persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the said land or any part or parcel thereof are defendants, as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 17th day of February, 1958, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of February 20, 1958, February 27, 1958, March 6, 1958 and March 13, 1958, and posted at the front door of the Court house of Baldwin County, Alabama, for thirty days commencing February 17, 1958.

And I do further certify that the foregoing notice was filed by me for record in the office of the Judge of Probate of Baldwin County, Alabama, recorded in the office of the Judge of Probate in Lis Pendens 4, pages 409-12 on the 17th day of February, 1958.

Witness my hand this the 14th day of March, 1958.


Register.

Register
Alice J. Duck

Witness my hand this the 17th day of March, 1928.

in His Honor's 4th pages 402-12 on the 17th day of February, 1928.
County, Alabama, recorded in the office of the Judge of Probate

by me for record in the office of the Judge of Probate of Baldwin
And I do further certify that the foregoing notice was filed
thirty days commencing February 17, 1928.

the front door of the Court house of Baldwin County, Alabama, for
February 27, 1928, March 6, 1928 and March 13, 1928, and posted as
the newspaper designated therein in its issues of February 20, 1928,
do further certify that the same was published in the Baldwin Times,
a newspaper in said county on the 17th day of February, 1928, and I
Baldwin County, Alabama, under and in pursuance of an order of this
to be published in the Baldwin Times, a newspaper published in
thereof are defendants, as the same was drawn by me and caused to
claim, lien or encumbrance on the said land or any part or parcel
associations or corporations, claiming any title to, interest in,
of such of them as are deceased; and any and all persons, firms,
their unknown heirs, devisees, personal representatives and assigns
Henderson, it living; and it may or either of them be dead, when
described in the foregoing notice, and Robert Henderson and E. L.
in equity, wherein Grover T. Keefley, is complainant and the lands
bill of complaint in the Circuit Court of Baldwin County, Alabama,
is a true and correct copy of the notice of the urgency of a
County, Alabama, in equity do hereby certify that the foregoing
I, Alice J. Duck, Register of the Circuit Court of Baldwin

Filed
2-17-28
Alice J. Duck
Reg

GROVER T. WEEKLEY,

COMPLAINANT

VS

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; AND AGAINST EXBERT HENDERSON AND E. L. HENDERSON, IF LIVING, AND IF THEY OR EITHER OF THEM BE DEAD, THEN AGAINST THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH OF THEM AS ARE DECEASED: AND AGAINST ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Notice is hereby given to Exbert Henderson and E. L. Henderson, if living and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and to any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: The Northwest quarter of Section 13, Township 1 South, Range 4 East, Baldwin County, Alabama, that Grover T. Weekley has filed his bill of complaint on the 17 day of February, 1958, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own those certain lands, lying and being situated in the County of Baldwin, State of Alabama, described above; complainant alleges that he acquired title to the above described lands by deed from A. A. Schrock and Lydia Schrock, his wife, and C. M. Amstutz, and Lizzie Amstutz, his wife, dated May, 1946 and recorded in the office of the Judge of Probate of Baldwin County in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Judge of Probate of Baldwin County under a sale of the land for taxes assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, who is the same person as Exbert Henderson, acquired title to the said lands

from the United States Government by patent June 27, 1912; that immediately upon his purchase of the said lands, he went into actual possession of the said land, under color of title, claiming to own the same, and has remained in continuous possession thereof until this date, and has from time to time cut timbers on said lands, and that he has been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint; that Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, claim or are reputed to claim, some title to, interest in, lien or encumbrance upon the said lands.

Complainant further alleges that he has annually assessed and paid taxes thereon and that during such period no other person has been in possession of the said lands or any part thereof or assessed or paid taxes thereon or any part thereof, and that the bill of complaint is filed for the purpose of establishing his title to and interest in the said lands and clearing up all doubts and disputes concerning the same;

And it appearing from said bill of complaint, the same being verified, that the places of residence and post office addresses of the said Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, the names, ages and places of residence of their heirs, devisees, personal representatives and assigns, are unknown, and cannot be ascertained upon diligent search and inquiry, and proof being made that diligent search and inquiry was made and their places of residence and post office addresses cannot be ascertained;

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

It is therefore ordered that the said Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead,

then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the lands above described appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely the 2/ day of April, 1958, at which time the said cause shall stand at issue.

Witness my hand this the 17 day of February 1958.

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

FILED

FEB 17 58

ALICE J. DUCK, CLERK
REGISTER

I, Alice J. Duck, register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Grover T. Weekley is complainant and Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then against the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and the lands described in the foregoing notice, are defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 17th day of February, 1958.

Witness my hand this the 17 day of February, 1958.

FILED

FEB 17

ALICE J. DUCK, CLERK
REGISTER

Alice J. Duck
Register

250

Eq. # 4227

[Faint, illegible text, likely bleed-through from the reverse side of the page]

FILED

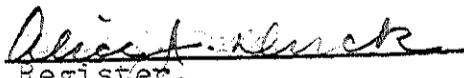
FEB 17 1958

ALICE J. BUCK, Register

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein Grover T. Weekley, is complainant and the lands described in the foregoing notice, and Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns of such of them as are deceased; and any and all persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the said land or any part or parcel thereof are defendants, as the same was drawn by me and caused to to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 17th day of February, 1958, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of February 20, 1958, February 27, 1958, March 6, 1958 and March 13, 1958, and posted at the front door of the Court house of Baldwin County, Alabama, for thirty days commencing February 17, 1958.

And I do further certify that the foregoing notice was filed by me for record in the office of the Judge of Probate of Baldwin County, Alabama, recorded in the office of the Judge of Probate in Lis Pendens 4, pages 409-12 on the 17th day of February, 1958.

Witness my hand this the 14th day of March, 1958.


Register.

FILED
FEB 17 1958
ALICE L. DUCK, CLERK
REGISTER

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Filed 2-17-58
Wise French
RM

GROVER T. WEEKLEY, | IN THE CIRCUIT COURT OF
COMPLAINANT |
VS |
EXBERT HENDERSON, E. | BALDWIN COUNTY, ALABAMA,
L. HENDERSON and certain |
lands, |
DEFENDANTS | IN EQUITY

It appearing that in the above styled cause, Exbert Henderson and E. L. Henderson, if living and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns, are parties defendant, and that due and proper notice of the pendency of the said action has been given in the manner and for the time required by law and that decree pro confesso has been taken against them and it is necessary and proper that a guardian ad litem be appointed to represent the said unknown heirs of Exbert Henderson and E. L. Henderson, if dead;

Now Therefore, it is ordered, adjudged and decreed that Wilton T. Payne, Esquire, who is learned in the law and a practicing lawyer at this bar, be and he is hereby appointed as guardian ad litem for and to represent the unknown heirs of Exbert Henderson and E. L. Henderson, if dead, in the said cause.

Done this the 8-day of May, 1958.

Robert M. Hall
Judge

GROVER T. WEEKLEY

COMPLAINANT

VS

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA: AND AGAINST EXBERT HENDERSON AND E. L. HENDERSON, IF LIVING, AND IF THEY OR EITHER OF THEM BE DEAD, THEN AGAINST THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH OF THEM AS ARE DECEASED; AND AGAINST ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Comes the complainant in the above styled cause, the said cause being at issue testimony having been taken, and move this Honorable Court to set the same down for final decree on to-wit: the 28th day of May, 1958.

This the 17th day of May, 1958.

BEEBE & SWEARINGEN

BY J. B. Swearingen
Solicitors for complainant

Notice of the above motion was this day served on the undersigned guardian ad litem in said cause.

This the 17th day of May, 1958.

Walter Hays
Guardian ad litem

Filed 5-17-58

Equity #4227

13

502



[Faint, mostly illegible text, possibly a list or description of items or measurements. Some words like 'lot' and 'area' are visible.]

[A large block of very faint, illegible text, likely a detailed report or list of data.]

Filed 5-17-58
 [Signature]
 [Signature]

W. R. STUART

No 1174

PROBATE JUDGE

Bay Minette, Ala., 5/29/58, 19

Received of

Alice J. Duck

No.	Deed Tax		Mortgage Tax		Recording Fees		Total	
	\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
Graven T. Weebly - US - Lands					225		225	

FOR RECORD

W. R. Stuart

TOTAL \$ 225

Judge of Probate.

Gill-Mobtle.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 5-29-58 3:10 P.M.
Recorded *deed* book 265 page 505-7
W. R. Stuart
Judge of Probate *HS*

GROVER T. WEEKLEY
COMPLAINANT

VS

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA: AND AGAINST EXBERT HENDERSON AND E. L. HENDERSON, IF LIVING, AND IF THEY OR EITHER OF THEM BE DEAD, THEN THEIR UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH OF THEM AS ARE DECEASED: AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY
No. 4227

This cause coming on to be heard is submitted for final decree upon behalf of the complainant upon the original bill of complaint, and upon publication of notice, decree pro confesso, appointment, acceptance and answer of guardian ad litem, 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 said defendants, Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns, and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part or parcel thereof, has been given in the manner and for the time required by law, and the complaint is entitled to the relief as prayed for in the bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainant, Grover T. Weekley,

was and is over the age of twenty-one years at the time of the filing of his bill of complaint and at the time of the submission of the same for final decree; that at the time of the filing of his bill of complaint, there was no suit pending to test the sufficiency or validity of the complainant's right, title and interest in and to the hereinafter described lands, or any part or parcel thereof; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession of the hereinafter described lands, claiming to own the same and each and every part and parcel thereof absolutely, and in fee simple, the said lands situated in the County of Baldwin, State of Alabama, being described as follows, to-wit:

The Northwest quarter of Section 13, Township 1 South, Range 4 East;

That the complainant acquired title to the said lands from A. A. Schrock and Lydia Schrock and C. M. Amstutz and Lizzie Amstutz, by deed dated May, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Probate Judge of Baldwin County, Alabama, under a sale of the lands assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, who is the same person as Exbert Henderson, acquired title to the said lands from the United States Government by patent June 27, 1912; and further that complainant now holds and has held title to the said lands by adverse possession of the said lands and each and every part and parcel thereof continuously for more than ten years next preceding the filing of the bill of complaint; that the title to the said lands and each and every part and parcel thereof stands in the name of the complainant 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 has assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Grover T. Weekley, at the time of the filing of the bill of complaint in this cause and at this time had and does have the fee simple title to the above described lands, and to each and every part and parcel thereto; that neither of the defendants, Exbert Henderson or E. L. Henderson, if living, or if they or either of them be dead, then none of the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, nor any and all other persons, firms, associations or corporations, have any right title, interest in, claim, lien or encumbrance upon the land, or any part or parcel thereof.

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

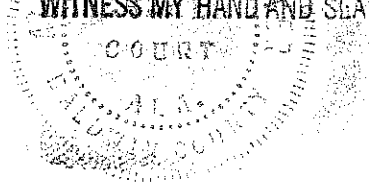
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the register of this court, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which county the said land lies, within thirty days from the date of this decree, and that the cost thereof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

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

Done at Bay Minette, Alabama, this the 28th day of May, 1958.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and enrolled in my office.

WITNESS MY HAND AND SEAL THIS THE 28 day of May, 1958



Alice J. Duck
Register of Circuit Court, in Equity

Hubert M. Hall

572-397-17

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Walter T. Weekley

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Register of Circuit Court in Edina

[Handwritten signature]

I, Miss J. Dick, Register of the Circuit Court of Edina County,
 do hereby certify that the foregoing is a correct copy of the
 original record as shown to me by the Clerk of the Circuit Court in
 Edina, Minnesota, on this 11th day of November, 1911.
 Witness my hand and seal this 11th day of November, 1911.

1911
 11th day of November
 Edina, Minnesota

GROVER T. WEEKLEY,

COMPLAINANT

VS

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; AND AGAINST EXBERT HENDERSON AND E. L. HENDERSON, IF LIVING, AND IF THEY OR EITHER OF THEM BE DEAD, THEN AGAINST THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH OF THEM AS ARE DECEASED; AND AGAINST ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

BOOK
004
PAGE 409

Notice is hereby given to Exbert Henderson and E. L. Henderson, if living and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and to any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: The Northwest quarter of Section 13, Township 1 South, Range 4 East, Baldwin County, Alabama, that Grover T. Weekley has filed his bill of complaint on the 17 day of February, 1958, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own those certain lands, lying and being situated in the County of Baldwin, State of Alabama, described above; complainant alleges that he acquired title to the above described lands by deed from A. A. Schrock and Lydia Schrock, his wife, and C. M. Amstutz, and Lizzie Amstutz, his wife, dated May, 1946 and recorded in the office of the Judge of Probate of Baldwin County in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Judge of Probate of Baldwin County under a sale of the land for taxes assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, who is the same person as Exbert Henderson, acquired title to the said lands

from the United States Government by patent June 27, 1912; that immediately upon his purchase of the said lands, he went into actual possession of the said land, under color of title, claiming to own the same, and has remained in continuous possession thereof until this date, and has from time to time cut timbers on said lands, and that he has been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint; that Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, claim or are reputed to claim, some title to, interest in, lien or encumbrance upon the said lands.

Complainant further alleges that he has annually assessed and paid taxes thereon and that during such period no other person has been in possession of the said lands or any part thereof or assessed or paid taxes thereon or any part thereof, and that the bill of complaint is filed for the purpose of establishing his title to and interest in the said lands and clearing up all doubts and disputes concerning the same;

And it appearing from said bill of complaint, the same being verified, that the places of residence and post office addresses of the said Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, the names, ages and places of residence of their heirs, devisees, personal representatives and assigns, are unknown, and cannot be ascertained upon diligent search and inquiry, and proof being made that diligent search and inquiry was made and their places of residence and post office addresses cannot be ascertained;

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

It is therefore ordered that the said Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead,

then the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the lands above described appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely the 21 day of April, 1958, at which time the said cause shall stand at issue.

Witness my hand this the 17 day of February, 1958.

Alvin F. Duck
Register, Circuit Court, Baldwin
County, Alabama, in equity.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 2-18-58 3 P. M

Recorded Lis Pend book 4 page 409-12

MR. Stewart
Judge of Probate

2

BOOK 004 PAGE 411

I, Alice J. Duck, register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Grover T. Weekley is complainant and Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then against the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, and the lands described in the foregoing notice, are defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 17th day of February, 1958.

Witness my hand this the 17 day of February, 1958.

Alice J. Duck
Register

RECORDED

SEP 17 1958

FILED

W. H. HAY

Handwritten notes

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Handwritten notes

BOOK 004 PAGE 412

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Grover T. Weekley _____ Complainant

Vs.

Certain lands and Exbert Henderson and E. L. Henderson Defendant^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 20th February 1958 in the Baldwin Times, a newspaper published

in Baldwin County, on the 17th day of February 1958 and Les Pendens filed February 18, 1958 and recorded in Les Pendens Book 4, page 409-12, in the office of the Judge of Probate of Baldwin County, Alabama.

And it now further appearing to the Register Alice J. Duck that the said Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then their unknown heirs, devisees, personal representatives and assigns of such of them as are deceased; and any and all persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the said land or any part or parcel thereof,

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said above named defendants and each of them.

This 8 day of May 1958

Alice J. Duck Register.

6 Equity #4227

Copy

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Vs.

Decree Pro Confesso of Publication

Issued _____ 19 _____

Register.

Recorded in _____ Record _____

Vol. _____ Page _____

Register.

GROVER T. WEEKLEY,
COMPLAINANT

VS

EXBERT HENDERSON, E. L.
HENDERSON and certain lands
DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: Wilson Hayes Esquire.

Under and by virtue of an order of the Honorable H. M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, rendered in the above styled cause on the 8 day of May, 1958, you are hereby appointed as guardian ad litem for and to represent the unknown heirs, devisees, personal representatives and assigns of Exbert Henderson and E. L. Henderson, if dead, defendants in the above styled cause.

Witness, this the 6 day of May, 1958.

Alice H. Black
Register

I hereby accept the foregoing appointment as guardian ad litem for the unknown heirs, devisees, personal representatives and assigns of Exbert Henderson and E. L. Henderson, and do hereby file this denial of the allegations made in the bill of complaint in the said cause and demand strict proof of the same.

This the 8 day of May, 1958.

Wilson Hayes
Guardian ad litem

8

Equity # 4227

I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the above mentioned account. I am sorry to hear that you are unable to pay the same at this time. I have no objection to your making a partial payment of the same, and I will be glad to accept of such payment as you may be able to make. I will be glad to accept of such payment as you may be able to make. I will be glad to accept of such payment as you may be able to make.

I am, Sir, very respectfully,
 Yours truly,
 J. W. [Name]

In addition to the above mentioned account, I have also the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the above mentioned account. I am sorry to hear that you are unable to pay the same at this time. I have no objection to your making a partial payment of the same, and I will be glad to accept of such payment as you may be able to make. I will be glad to accept of such payment as you may be able to make. I will be glad to accept of such payment as you may be able to make.

I am, Sir, very respectfully,
 Yours truly,
 J. W. [Name]

I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the above mentioned account. I am sorry to hear that you are unable to pay the same at this time. I have no objection to your making a partial payment of the same, and I will be glad to accept of such payment as you may be able to make. I will be glad to accept of such payment as you may be able to make. I will be glad to accept of such payment as you may be able to make.

1875

GROVER T. WEEKLEY

COMPLAINANT

VS

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA: AND AGAINST EXBERT HENDERSON AND E. L. HENDERSON, IF LIVING, AND IF THEY OR EITHER OF THEM BE DEAD, THEN AGAINST THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH OF THEM AS ARE DECEASED; AND AGAINST ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Whereas, Grover T. Weekley has filed his bill of complaint on the 17 day of February, 1958, in this court on the equity side, claiming to be in actual peaceable possession, owning and claiming to own those certain lands, lying and being situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

The Northwest quarter of Section 13, Township 1 South, Range 4 East;

Complainant alleges in his bill of complaint that he holds title to the said lands by deed from A. A. Schrock and Lydia Schrock, his wife, and C. M. Amstutz and Lizzie Amstutz, his wife, dated May 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 110 at pages 285-6; that A. A. Schrock acquired title to the said land by deed from the Judge of Probate of Baldwin County under a sale of the lands assessed to J. H. Jones, administrator of the estate of E. L. Henderson; that E. L. Henderson, who is the same person as Exbert Henderson, acquired title to the said lands from the United States Government by patent June 27, 1912; that the title to the said lands stands on the records of the Probate Court of Baldwin County, in his, Grover T. Weekley's name; that Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then the unknown heirs, devisees, personal representatives, and assigns of such of them as are deceased, claim or are reputed to

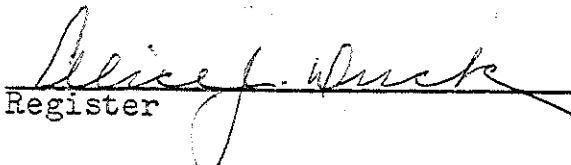
claim some title to, interest in, claim, lien or encumbrance upon the aforesaid lands, or some portion thereof.

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

And it appearing from the said bill of complaint, the same being duly verified, that Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then the names, ages and places of residence and post office addresses of the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased, are unknown and cannot be ascertained upon diligent search and inquiry, and proof being made that diligent search and inquiry was made and the names, ages and places of residence and post office 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 consecutive weeks in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama.

WITNESS, my hand and seal this the 17 day of February, 1958.


Register

FILED

FEB 17 1958

ALICE J. DUCK, Register

G. #4027

I, the undersigned, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of the County of [] State of [] this 17th day of February, 1958.

My commission expires on the 17th day of February, 1960.

ALICE J. DUCK, Register

GROVER T. WEEKLEY,

COMPLAINANT

VS

THE NORTHWEST QUARTER OF
SECTION 13, TOWNSHIP 1
SOUTH, RANGE 4 EAST, BALD-
WIN COUNTY, ALABAMA: AND
AGAINST EXBERT HENDERSON
AND E. L. HENDERSON, IF
LIVING, AND IF THEY OR
EITHER OF THEM BE DEAD, THEN
AGAINST THE UNKNOWN HEIRS,
DEVISEES, PERSONAL REPRESENT-
ATIVES AND ASSIGNS OF SUCH OF
THEM AS ARE DECEASED; AND
AGAINST ANY AND ALL PERSONS,
FIRMS, ASSOCIATIONS OR CORP-
ORATIONS, CLAIMING ANY TITLE TO,
INTEREST IN, CLAIM, LIEN OR
ENCUMBRANCE ON THE SAID LAND
OR ANY PART OR PART OR PARCEL
THEREOF,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

DEFENDANTS

Motion is hereby made for a Decree Pro Confesso against Exbert Henderson and E. L. Henderson, if living, and if they or either of them be dead, then against the unknown heirs, devisees, personal representatives and assigns of such of them as are deceased; and against any and all persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the said land or any part or parcel thereof, defendants 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 Defendants have failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 8th day of May, 1958.

BEEBE & SWEARINGEN

By

J. L. Swearingen
Solicitor for complainant

Equity # 4227

1958

FILED
MAY 7 1958
MAICE J. DUCK, Register

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