

FRED DUGGER

COMPLAINANT

VS.

CHARLES M. CARR, ET AL,

RESPONDENTS

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2846

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainant is the owner in fee simple of, is now and was at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that service was perfected upon Charles M. Carr by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 24th day of July, 1952; that service was perfected by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks beginning with its issue of July 24, 1952, against the unknown heirs, devisees, grantees, personal representatives and assigns of the Respondents herein and each of them, and any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land or any part or parcel thereof; that notice of the pendency of said suit was given by the filing of a lis pendens notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them having failed to appear and plead, answer or demur to the bill of complaint, as required by law, a decree pro confesso was entered against them and each of them; that Harry J. Wilters, Jr., a practicing attorney at law, in Bay Minette, Baldwin County, Alabama, was appointed as Guardian ad Litem to represent the Respondents whose names were unknown, and duly filed his appearance agreeing to act as Guardian ad Litem and filed answer denying all the material allegations of the complaint, and appeared and cross examined the witnesses for the Complainant; that the title of the Complainant has been

duly and legally established by legal and competent evidences, the court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Respondents, Charles M. Carr, the unknown heirs, devisees, grantees, personal representatives and assigns of Charles M. Carr, and also any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

Southwest quarter of Southwest quarter of Northwest quarter,
South half of Southeast quarter of Southwest quarter of
Northwest quarter of Section 34, Township 6 South, Range
4 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit;

Southwest quarter of Southwest quarter of Northwest quarter,
South half of Southeast quarter of Southwest quarter of
Northwest quarter of Section 34, Township 6 South, Range
4 East,

is vested absolutely in the Complainant, Fred Dugger.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the name of Charles M. Carr, and in the indirect index in the name of Fred Dugger.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Register shall within thirty days from the rendition of this decree file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama, and that the costs thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs of this cause for which execution may issue.

Dated at Bay Minette, Baldwin County, Alabama, this the 16th day of January, 1953.

Julian J. Marble
JUDGE

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FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

FINAL DECREE

Rec 191-135-7

FILED
JAN 19, 1953
ALICE L. RUCK, Register

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2846

It appearing to the court that some of the Respondents in the above styled cause are unknown, and that their names and addresses cannot be ascertained after a diligent search and inquiry.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Harry J. Wilters, a practicing attorney at Bay Minette, Alabama, Baldwin County, Alabama, be and he is hereby appointed guardian ad litem to represent and protect the interest of the respondents, in the above styled cause, whose names and addresses are unknown, and cannot be ascertained after a diligent search and inquiry.

IT IS FURTHER ORDERED that the said Harry J. Wilters Jr., be notified of his appointment, and of the time fixed to take testimony in the cause.

Dated this the 13 day of January, 1953.

Harry J. Wilters Jr.

I hereby consent to act as guardian ad litem in the above styled cause for all parties whose names and addresses are unknown and cannot be ascertained after a diligent search and inquiry. I, as guardian ad litem for the unknown respondents deny all the material allegations contained in the bill of complaint and demands strict proof of the same.

Dated this the 15 day of January, 1953.

Harry J. Wilters Jr.

RECORDED

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

APPOINTMENT OF GUARDIAN
AD LITEM, AND ACCEPTANCE

FILED

JAN 16 1953

ALICE J. DUCK, Registrar

FRED DUGGER
COMPLAINANT
VS
CHARLES M. CARR
RESPONDENT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2846

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the court that the order of publication heretofore made in this cause was published four consecutive weeks commencing on the 24th day of July, 1952, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in Baldwin County, Alabama, on the 24th day of July, 1952, and it now further appearing to the court that the said Charles M. Carr, the unknown heirs, devisees, grantees, personal representatives and assigns of Charles M. Carr, respondents have to this date failed to plead, answer or demur to this bill of complaint in this cause.

It is therefore on motion of the Complainant, ordered and decreed, by the court, that the said bill of complaint be and it is hereby, in all things, taken as confessed against the Respondents named in this cause.

Witness my hand this the 29 day of December, 1952.

Frederick Dugger
Register

RECORDED

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENT

DECREE PRO CONFESSO ON PUBLICATION

Filed 12-29-52

Alvin J. Lucke

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR

RESPONDENT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2846

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION


Now comes the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 18th day of July, 1952, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, in its issues of July 24, 1952, July 31, 1952, August 7, 1952 and August 14, 1952, and was directed to Charles M. Carr, the unknown heirs, devisees, personal representatives and assigns of Charles M. Carr, and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrances upon the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southwest quarter of Northwest quarter,
South half of Southeast quarter of Southwest quarter of
Northwest quarter of Section 34, Township 6 South, Range
4 East,

as Respondents, which required the said Respondents to answer or demur to the bill of complaint within thirty days after 24th day of August, 1952, which said respondents have to this day failed to do.

WHEREFORE, THE complainants move the court to grant a decree pro confesso against the said Respondents.

Dated this the 23 day of December, 1952.


Solicitor for the Complainant

RECORDED

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

MOTION FOR DECREE PRO CONVENIO
ON PUBLICATION

Filed 12-23-52
Archie French

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Fred Dugger Complainant

VS.

Charles M. Carr, et al Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Fred Dugger and C. A. Davison

witness^{es} named in the Requirement for Oral Examination, on the 13 day of January

1945, at the office of Hubert M. Hall

in Bay Minette, Alabama, and having first sworn said Witness es to speak the

truth, the whole truth, and nothing but the truth, the said Fred Dugger and C. A. Davison

doth depose and say as follows:

My name is Fred Dugger. I am a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age. I am the owner in fee simple and in the actual possession of the land described in the bill of complaint in this cause and being the Southwest quarter of Southwest quarter of Northwest quarter and South half of Southeast quarter of Southwest quarter of Northwest quarter of Section 34, Township 6 South, Range 1 East, in Baldwin County, Alabama. I acquired title to the said land by conveyance from the State Land Commissioner of Alabama, dated December 15, 1937, and of record in Deed Book 64 pages 30-3. The land stands upon the records of Baldwin County, Alabama, in my name and that of Charles M. Carr. I am the only one that has at any time within ten years next preceding the filing of the bill of complaint in this cause paid any taxes upon said lands.

There is no suit pending to test my title to or interest in the said land. I have caused to be made an abstract of title to the said land to determine anyone having any claim thereto, and find that Charles M. Carr is the only one. Charles M. Carr, if living, is a non-resident of the State of Alabama, and if dead, his heirs and assigns are also non-residents of the State of Alabama, and from all information all are over twenty-one years of age. I have also made inquiries in and around Summerdale in the vicinity of the lands and have not been able to find out any information as to Charles M. Carr or anyone else claiming any title to the said land. I am attaching hereto and filing herewith my deed to the said land.

Cross examination by guardian ad litem:

I immediately upon acquiring title to the said land in 1937 went into the actual possession thereof and have been continuously from that time to date. No person, firm or corporation has exercised or attempted to exercise any rights of possession or title or interest to said lands since 1937. I have tried to locate Charles M. Carr, but have not been able to find him.

Fred Dugger

I am personally acquainted with the land described in this cause. I know that Fred Dugger went into the actual possession of the said lands in 1937, and has been in the actual possession thereof since that time. I also know that no person, firm or corporation has exercised or attempted to exercise any rights or possession to, or title to the said land other than Fred Dugger. I have had occasion to see the lands from time to time and the facts herein stated are of my own personal knowledge. I also know that during the time Fred Dugger has owned the said land, neither Charles M. Carr nor any person claiming under him has made any claim thereto.

C. A. Davison

ORAL EXAMINATION.

I, Evelyn Watts, 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 and Hubert M. Hall

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 13 day of January, 1945

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Fred Dugger

vs. Complainant

Charles M. Carr, et al

Respondent

Oral Deposition

Filed _____, 194

FILED

Register:

JAN 16 - 1953
Recorded in

ALICE J. DICK, Register
Record

Vol. _____ Page _____

Register:

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR

RESPONDENTS

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

NO. 2846

BOOK 002 PAGE 387

LIS PENDENS NOTICE

It having been made to appear in the above styled cause by proper affidavit, that Charles M. Carr is a non-resident of the State of Alabama, and over twenty-one years of age, or if dead, his heirs, devisees, grantees, personal representatives and assigns are unknown, and cannot be ascertained after a diligent search and inquiry and who are, from all information available, non-residents of the State of Alabama, and over twenty-one years of age; that Fred Dugger is over twenty-one years of age and a resident of Baldwin County, Alabama, and the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southwest quarter of Northwest quarter, South half of Southeast quarter of Southwest quarter of Northwest quarter of Section 34, Township 6 South, Range 4 East.

That your Complainant acquired title to said lands by the following conveyance; from State Land Commissioner of Alabama, dated December 15, 1937, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 64, pages 30-3; that your Complainant has been in the possession of and paying taxes upon and ever claiming to own the said land for more than ten years next preceding the filing of the bill of complaint; that no person is known to have paid any taxes on said land, or to have been in possession thereof, within ten years next preceding the filing of the bill of complaint excepting Fred Dugger.

It is therefore ordered and notice is hereby given that the said Charles M. Carr, the unknown heirs, devisees, personal representatives and assigns of Charles M. Carr, and any other persons, firms or corporations, claiming any title to, interest in, lien or encumbrances upon said lands, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before 24th day of August, 1952, or upon their having failed to do so, upon the

BOOK 002 PAGE 388

expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 18th day of July, 1952.

Alice J. Duck
Register

H. M. Hall
Solicitor for the Complainant

STATE OF ALABAMA
BALDWIN COUNTY

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, in the cause of Fred Dugger, Complainant vs Charles M. Carr, et al, Respondents, and filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said land lies, in accordance with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 18 day of July, 1952.

Alice J. Duck
Register



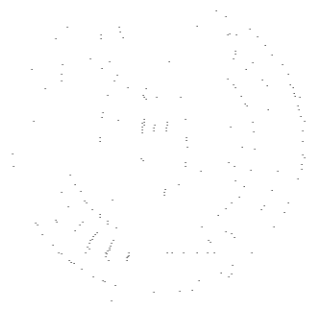
STATE OF ALABAMA, BALDWIN COUNTY
Filed 2-21-52 20
Recorded his fees book 2, page 287-8
W. R. Street
Judge of Probate

21

m 2846

7-18-52

Fred Rugges
 Complainant
 vs.
 Charles M. Carr
 Respondents



Lis Pendens Notice

2-387-8

R-1.25

Mrs. Duck

FILED

JUL 18 1952

ALICE J. DUCK, Register

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2846

REQUEST FOR APPOINTMENT OF COMMISSIONER

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

The Complainant wishes to take orally, on behalf of the Complainant,
the testimony of the following witnesses:

Fred Dugger

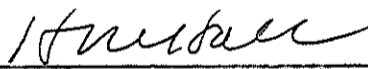
Summerdale, Alabama

C. A. Davison

Summerdale, Alabama

It is hereby requested that they be given proper and legal notice
and that Evelyn Watts be appointed as Special Commissioner, to take
testimony of said witnesses, and that due and legal notice be given as
required by law.

Dated this the 29 day of December, 1952.


Solicitor for the Complainant

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

REQUEST FOR APPOINTMENT
OF COMMISSIONER

Filed 12-29-52

W. J. French
By

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts

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 Fred Dugger and C. A. Davison

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Fred Dugger

Complainant,
and Charles M. Carr,

Respondent

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

Witness 13th day of Jan, 1953

Alvin J. ...
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Fred Dugger

Complainant—

vs.

Charles M. Carr,

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Evelyn Watts

WITNESSES:

Fred Dugger

C. A. Daviston

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2846

NOTICE OF TIME OF TAKING TESTIMONY

TO: Charles M. Carr.

Notice is hereby given that the Complainant will on the 13 day of Jan, 1953, before Evelyn Watts, as Special Commissioner take the testimony of the following witnesses:

Fred Dugger

Summerdale, Alabama

C. A. Davison

Summerdale, Alabama

Dated this the 29 day of December, 1952.

H. Smith
Solicitor for the Complainant

Evelyn Watts
Special Commissioner

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

NOTICE OF TIME OF TAKING TESTIMONY

Filed 12-29-52

Alvin J. Hensch

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

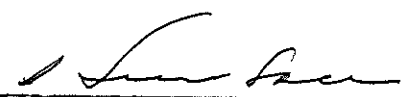
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2846


NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the following:

1. Original summons and complaint.
2. Lis Pendens notice filed for record in the Probate Office.
3. Proof of publication of notice in the Baldwin Times.
4. Decree pro confesso by publication.
5. Request for appointment of Commissioner.
6. Commission to take deposition.
7. Notice of time of taking testimony.
8. Appointment of guardian ad litem and acceptance.
9. Oral depositions of Fred Dugger and C. A. Davison, with exhibits attached.

Dated this the 16th day of Jan, 1958


Solicitor for the Complainant


Register

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FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

NOTE OF TESTIMONY

FILED

JAN 16 1953

ALICE J. DUCK, Register

Filed 1-19-53 2:45 P.M.

Recorded deed book 191 page 135-7

W.R. Stewart
Judge of Probate

BOOK 191 PAGE 135

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2846

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainant is the owner in fee simple of, is now and was at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that service was perfected upon Charles M. Carr by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 24th day of July, 1952; that service was perfected by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks beginning with its issue of July 24, 1952, against the unknown heirs, devisees, grantees, personal representatives and assigns of the Respondents herein and each of them, and any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land or any part or parcel thereof; that notice of the pendency of said suit was given by the filing of a lis pendens notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them having failed to appear and plead, answer or demur to the bill of complaint, as required by law, a decree pro confesso was entered against them and each of them; that Harry J. Wilters, Jr., a practicing attorney at law, in Bay Minette, Baldwin County, Alabama, was appointed as Guardian ad Litem to represent the Respondents whose names were unknown, and duly filed his appearance agreeing to act as Guardian ad Litem and filed answer denying all the material allegations of the complaint, and appeared and cross examined the witnesses for the Complainant; that the title of the Complainant has been

EX-101 PAGE 138

duly and legally established by legal and competent evidences, the court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Respondents, Charles M. Carr, the unknown heirs, devisees, grantees, personal representatives and assigns of Charles M. Carr, and also any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

Southwest quarter of Southwest quarter of Northwest quarter, South half of Southeast quarter of Southwest quarter of Northwest quarter of Section 34, Township 6 South, Range 4 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit;

Southwest quarter of Southwest quarter of Northwest quarter, South half of Southeast quarter of Southwest quarter of Northwest quarter of Section 34, Township 6 South, Range 4 East,

is vested absolutely in the Complainant, Fred Dugger.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the name of Charles M. Carr, and in the indirect index in the name of Fred Dugger.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Register shall within thirty days from the rendition of this decree file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama, and that the costs thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs of this cause for which execution may issue.

Dated at Bay Minette, Baldwin County, Alabama, this the 16th day of January, 1953.

Telfair J. Mashburn, Jr
JUDGE

BOOK 191 PAGE 137

STATE OF ALABAMA
BALDWIN COUNTY

I, ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing and attached is a full, true, correct and complete copy of the final decree in the matter of Fred Dugger, Complainant vs Charles M. Carr, et al, Respondents, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 19th day of January, 1953.

ALICE J. DUCK

Alice J. Duck
Register

ALICE J. DUCK

COMPLAINANT

CHARLES M. CARR, et al

RESPONDENTS

JAN 19 1953



1-16-53

2846

14

FRED DUGGER

25' COMPLAINANT

VS

Direct

CHARLES M. CARR, ET AL,

41 RESPONDENTS

FINAL DECREE

[Handwritten signature]
Registrar

191-136-7

R185
Mrs. Duck

In on file in my office.
Complaints as Charles M. Carr, et al, Respondents, the original of which
correct and complete copy of the final decree in the matter of Fred Dugger,
Complainant, versus Charles M. Carr, et al, the Respondents, and attached in a copy, same,
in which I, Dick, Registrar of the Circuit Court of Bergham County,

BERGHAM COUNTY
CIRCUIT COURT

BOOK

100

100

bill of complaint excepting Fred Dugger.
It is therefore ordered and notice is hereby given that the said Charles M. Carr, the unknown heirs, devisees, personal representatives and assigns of Charles M. Carr, and any other persons, firms or corporations, claiming any title to, interest in, lien or encumbrances upon said lands, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before 24th day of August, 1952, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause, shall be at issue.
IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.
IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 18th day of July, 1952.
ALICE J. DUCK, Register.

BALDWIN TIMES BEST NEWSPAPER ALABAMA

daughter of Mr. and Mrs. Langford (nee Mae Rpperson) of Montgomery spent several days here as the guest of Miss Shirley Keuler. While here Miss Keuler entertained for her with a Canasta party on Saturday evening. Those attending this affair were Mary Olive Schuch, Mrs. Donna Keuler, the honoree, Joy Langford, Thomas Canaan, Thomas I. Reding, Elmo Hammer, Dale Baker and the hostess, Shirley Keuler.
Mr. and Mrs. John Russell, Jr. and daughter from Tennessee have been visiting the Ed Strauss

AFFIDAVIT OF PUBLICATION

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Fred Dugger

vs.

Charles M. Carr

COST STATEMENT

486 WORDS @ 6 1/2 cents --- \$ 31 59

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

Jimmy Faulkner
Publisher.

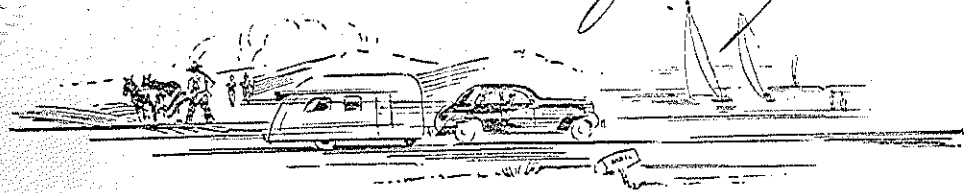
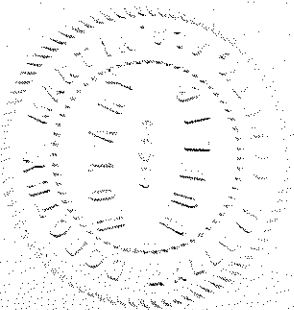
Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication	<u>July 24</u>	195 <u>2</u>	Vol. <u>63</u>	No. <u>27</u>
Date of 2nd publication	<u>July 31</u>	195 <u>2</u>	Vol. <u>63</u>	No. <u>28</u>
Date of 3rd publication	<u>Aug. 7</u>	195 <u>2</u>	Vol. <u>63</u>	No. <u>29</u>
Date of 4th publication	<u>Aug. 14</u>	195 <u>2</u>	Vol. <u>63</u>	No. <u>30</u>

Subscribed and sworn before the undersigned this 5 day of Dec, 1952.

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons CHARLES M. CARR, the unknown heirs, devisees, grantees, personal representatives and assigns of Charles M. Carr, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by FRED DUGGER, as Complainant and against Charles M. Carr, as Respondents.

WITNESS my hand this the 18th day of July, 1952.

Alvin J. Rucker
Register

FRED DUGGER

COMPLAINANT

VS

CHARLES M. CARR

RESPONDENT

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

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

Your Complainant, Fred Dugger, presents this his bill of complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southwest quarter of Northwest quarter,
South half of Southeast quarter of Southwest quarter of
Northwest quarter of Section 34, Township 6 South, Range
4 East.

and also against Charles M. Carr, if he be living and if dead, against his and each of his heirs, devisees, administrators, assigns and personal representatives, and also against any other person, firm or corporation claiming any right, title to, interest in, or encumbrance against said land or any part thereof, and respectfully represents and shows unto Your Honor as Follows:

1.

That your Complainant is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama.

2.

That Charles M. Carr is over twenty-one years of age and a non-resident of the State of Alabama, if living, or if dead, his heirs, assigns, executors, administrators and personal representatives are non-residents of the State of Alabama, and over twenty-one years of age, and their addresses cannot be ascertained after a diligent search and inquiry.

3.

That your Complainant is the owner in fee simple and in the actual possession of the lands herein described in Baldwin County, Alabama, and being as follows:

Southwest quarter of Southwest quarter of Northwest quarter,
South half of Southeast quarter of Southwest quarter of
Northwest quarter of Section 34, Township 6 South, Range
4 East.

4.

That no suit is pending to test the Complainant's title to, interest in or rights of possession to said land; that the Complainant therefore calls upon the Respondents and each of them to set forth and specify what right, title, interest in, lien or encumbrances they have upon said lands or any part or parcel thereof and by what instrument or instruments the same is derived and/or created.

5.

That your Complainant acquired title to the said land by conveyance from State Land Commissioner of Alabama dated December 15, 1937, and of record in Deed Book 64, pages 30-3;

6.

That the title to said lands claimed by your Complainant stands upon the records of the Probate Court of Baldwin County, Alabama, in the names of Fred Dugger and Charles M. Carr.

7.

That no one has at any time within ten years next preceding the filing of the bill of complaint in this cause, paid any taxes upon said lands other than your Complainant, Fred Dugger.

8.

That the only person shown by the records of Baldwin County, Alabama, to claim said land or any part thereof, or any interest therein are your Complainant and Charles M. Carr.

9.

That your Complainant has made and caused to be made a diligent search and inquiry, having the records searched at Bay Minette, Alabama, and also inquiring of various parties in and around Summerdale, where the land is located to ascertain the whereabouts of the Respondent, if living or if dead, his heirs, devisees, grantees and personal representatives, but after such diligent search the information is unknown.

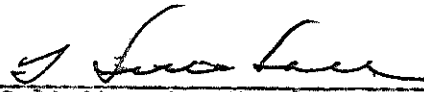
WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Charles M. Carr, the unknown heirs, devisees, personal representatives, grantees, and assigns of Charles M. Carr, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon the said land in Baldwin County, Alabama, to-wit:

Southwest quarter of Southwest quarter of Northwest quarter,
South half of Southeast quarter of Southwest quarter of
Northwest quarter of Section 34, Township 6 South, Range
4 East,

or any part thereof, parties respondent to this bill of complaint, and require them, and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

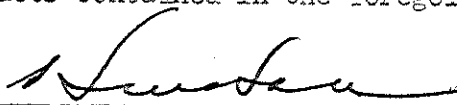
Complainant further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances to the lands herein described, and to each and every part and parcel thereof, is vested in your Complainant, Fred Dugger; and that neither Charles M. Carr, the unknown heirs, devisees, personal representatives, grantees, and assigns of Charles M. Carr, nor any other person, firm or corporation has any right, title to, interest in, or encumbrance upon the said land, or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.


Solicitor for the Complainant

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared H. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says that he is Solicitor for the Complainant in the above styled cause, is authorized to make this affidavit; that from all information obtainable the facts contained in the foregoing bill of complaint are true and correct.


Notary Public, Baldwin County, Alabama.

Sworn to and subscribed before me on this the 18 day of July, 1952.



RECORDED

NO 2644

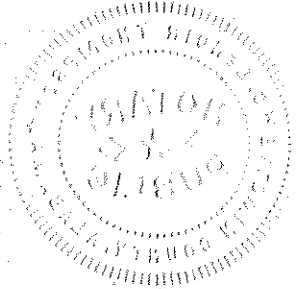
Fred Dugger
Complainant

VS.

Charles M. Carr
Respondents

2846

Bill of Complaint



FILED

JUL 18 1952

ALICE J. DUCK, Register