

2800

BOOK 183 PAGE 315

FINAL DECREE

ORPHIE PARKER,

Complainant,

VS.

LOTS 29 AND 29 IN BLOCK 16 VOLANTA, ALABAMA, ACCORDING TO THE MAP OF VOLANTA, ALABAMA, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, A SUB-DIVISION OF A PART OF SECTION 37, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF WALTER C. BARCLAY, DECEASED, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF MARIE MASK, DECEASED, AND WALTER MASK AND HIS HEIRS OR DEVISEES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS, AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS OR ANY PART THEREOF,

Defendants.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY
CASE NO. 2800.

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 the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said Bill of Complaint against the said lands and the named Defendants, the unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, and any and all persons, firms, associations, corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the Complainant is entitled to the relief as prayed for in her Bill of Complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said Complainant, ORPHIE PARKER, is over the age of twenty-one years and a resident of Baldwin County, Alabama; that at the time of the filing of the said Bill of Complaint and at the time of the submission of this cause for final decree, the Complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain tract of land

situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama.

That the Complainant obtained title to the said lands as follows: Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama, from Clayton C. Baldwin and Mildred L. Baldwin, his wife, February 28, 1942, by deed recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77NS, page 178, who acquired the same by an instrument dated the 2nd day of July, 1941, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75NS, page 598, who acquired the same from the State Land Commission of Alabama; the State of Alabama acquired title to said land by Tax sale from W. H. and Marie Mask by instrument dated the 1st day of September, 1933, recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Recorded Sales Book 10, page 173. The abstract of title to the said land shows no conveyances into nor out of W. H. and Marie Mask except the tax sale above referred to. Charles Barclay who acquired title to the above described land by instrument dated March 11, 1912, the same being recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 19NS, page 78, devised the same to his son, Walter C. Barclay, by his last will and testament, said will being admitted to probate on the 19th day of July, 1924, said will being recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Book "C" of Wills at page 213. There is no instrument of record conveying the captioned property out of Walter C. Barclay. The above said Charles Barclay acquired the said land by mesne conveyances from the United States; that the title to the said land and each 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 the Bill of Complaint no person other than those through whom she claims title to the said lands or any part thereof have assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said ORPHIE PARKER at the time of the filing of the Bill of Complaint in this cause and at this time

BOOK 188 PAGE 317

had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said Defendants, the unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, and any and all persons, firms, associations, corporations claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof.

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the Register of this Court, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 26th day of November,

1952.

Telfair J. Mashburn, Jr.
JUDGE

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 the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 26th day of November, 1952.

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

STATE OF ALABAMA, BALDWIN COUNTY
Filed 11-26-52 3:30 P.M.
Recorded ... book 188 page 315-17
W.R. Stewart
Judge of Probate

2-

Oryphia Parker

vs. J. A. 28+29; Black 16 Volants,

Ala. Act. et al

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, *Order*
directing service, Notice, Pray of publication, Motion for decree pro
confesso - decree pro confesso, Motion for oral examination of
witness - notice of motion - order granting motion - Appointment
of Commission, Commission, Notice of time & place of taking
testimony, testimony (including 3 exhibits for Complainant), Motion
for final decree.

and in behalf of Defendant upon *Appointment and Acceptance of Guardian*
ad Litem and Answer

Robert M. Brandy
Attorney for Complainant
W. J. ...

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Dyphia Parker

vs.

Decs 28, 29 in Block 16
Valencia, Ala - etc - et al

NOTE OF TESTIMONY

Filed in Open Court this *26th*

day of *Nov*, 194*5*

Arce J. Neuch
Register.

MOTION FOR DECREE PRO CONFESSO

ORPHIE PARKER,

I

Complainant,

X

VS.

I

LOTS 28 AND 29 IN BLOCK 16 VOLANTA,
ALABAMA, ACCORDING TO THE MAP OF
VOLANTA, ALABAMA, RECORDED IN THE
OFFICE OF THE JUDGE OF PROBATE,
BALDWIN COUNTY, ALABAMA, A SUB-
DIVISION OF A PART OF SECTION 37,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
BALDWIN COUNTY, ALABAMA, AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS
OF WALTER C. BARCLAY, DECEASED, AND
THE UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS OF
MARIE MASK, DECEASED, AND WALTER MASK
AND HIS HEIRS OR DEVISEES, IF DECEASED,
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,
AND CORPORATIONS, CLAIMING ANY TITLE TO,
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LANDS OR ANY PART THEREOF,

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Defendants.

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY
CASE NO. 2880.

Motion is hereby made for a Decree Pro Confesso against Walter Mask and any and all firms, associations, and corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, on the land involved in this suit, Respondent^s, in the annexed stated cause, on the ground that more than thirty (30) days has 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 the said, ^{Respondents} are non-residents of the State of Alabama and have failed to answer, plead or demur to the bill in this cause, to the date hereof.

This 5th day of November, 1952.


Solicitor for Complainant

FINAL DECREE

ORPHIE PARKER,

X

Complainant,

X

vs.

X

LOTS 29 AND 29 IN BLOCK 16 VOLANTA,
ALABAMA, ACCORDING TO THE MAP OF
VOLANTA, ALABAMA, RECORDED IN THE
OFFICE OF THE JUDGE OF PROBATE,
BALDWIN COUNTY, ALABAMA, A SUB-
DIVISION OF A PART OF SECTION 37,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
BALDWIN COUNTY, ALABAMA, AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS
OF WALTER C. BARCLAY, DECEASED, AND
THE UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS OF
MARIE MASK, DECEASED, AND WALTER MASK
AND HIS HEIRS OR DEVISEES, IF DECEASED,
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,
AND CORPORATIONS, CLAIMING ANY TITLE TO,
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LANDS OR ANY PART THEREOF,

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X

Defendants.

X

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

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 the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said Bill of Complaint against the said lands and the named Defendants, the unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, and any and all persons, firms, associations, corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the Complainant is entitled to the relief as prayed for in her Bill of Complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said Complainant, ORPHIE PARKER, is over the age of twenty-one years and a resident of Baldwin County, Alabama; that at the time of the filing of the said Bill of Complaint and at the time of the submission of this cause for final decree, the Complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain tract of land

situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama.

That the Complainant obtained title to the said lands as follows: Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama, from Clayton C. Baldwin and Mildred L. Baldwin, his wife, February 28, 1942, by deed recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77NS, page 178, who acquired the same by an instrument dated the 2nd day of July, 1941, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75NS, page 598, who acquired the same from the State Land Commission of Alabama; the State of Alabama acquired title to said land by Tax sale from W. H. and Marie Mask by instrument dated the 1st day of September, 1933, recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Recorded Sales Book 10, page 173. The abstract of title to the said land shows no conveyances into nor out of W. H. and Marie Mask except the tax sale above referred to. Charles Barclay who acquired title to the above described land by instrument dated March 11, 1912, the same being recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 19NS, page 78, devised the same to his son, Walter C. Barclay, by his last will and testament, said will being admitted to probate on the 19th day of July, 1924, said will being recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Book "O" of Wills at page 213. There is no instrument of record conveying the captioned property out of Walter C. Barclay. The above said Charles Barclay acquired the said land by mesne conveyances from the United States; that the title to the said land and each 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 the Bill of Complaint no person other than those through whom she claims title to the said lands or any part thereof have assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said ORPHIE PARKER at the time of the filing of the Bill of Complaint in this cause and at this time

had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said Defendants, the unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, and any and all persons, firms, associations, corporations claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof.

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the Register of this Court, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding for which let execution issue.

Done at Bay Minette this the 26th day of November,

1952.

J. J. Markberry, Jr.
JUDGE

BILL TO QUIET TITLE

ORPHIE PARKER,

X

Complainant,

X

vs.

X

LOTS 28 AND 29 IN BLOCK 16 VOLANTA,
ALABAMA, ACCORDING TO THE MAP OF
VOLANTA, ALABAMA, RECORDED IN THE
OFFICE OF THE JUDGE OF PROBATE,
BALDWIN COUNTY, ALABAMA, A SUB-
DIVISION OF A PART OF SECTION 37,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
BALDWIN COUNTY, ALABAMA, AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS
OF WALTER C. BARCLAY, DECEASED, AND
THE UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS OF
MARIE MASK, DECEASED, AND WALTER MASK
AND HIS HEIRS OR DEVISEES, IF DECEASED,
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,
AND CORPORATIONS; CLAIMING ANY TITLE TO,
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LANDS OR ANY PART THEREOF,

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X

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

Defendants.

TO THE HONORABLE TELFAIR J. WASHBURN, JR., JUDGE OF THE TWENTY-EIGHTH JUDICIAL
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your Complainant, ORPHIE PARKER, and presents this, her Bill
of Complaint against the following described lands in Baldwin County, Alabama,
to-wit:

lots 28 and 29 in Block 16 Volanta, Alabama, according to
the Map of Volanta, Alabama, recorded in the Office of the
Judge of Probate, Baldwin County, Alabama, a Subdivision
of a part of Section 37, Township 6 South, Range 2 East,
Baldwin County, Alabama;

and against the unknown heirs, devisees, personal representatives, alienees and
assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal
representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask
and his heirs or devisees, if deceased, whose addresses and places of residences
are unknown, and any and all persons, firms, associations and corporations,
claiming any title to, interest in, claim, lien or encumbrance on said lands or
any part thereof and respectfully represents and shows unto your Honor and this
Honorable Court as follows:

F I R S T

That your Complainant is over the age of twenty-one years and a
resident of the County of Baldwin, State of Alabama, that Complainant has made
a diligent search to ascertain the names, ages and places of residence of the

unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the names, ages and places of residence of the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and the age and place of residence of Walter Mask and his heirs or devisees, if deceased, that she has inquired of numerous persons in the vicinity in which such land is situated and of persons at Bay Minette, including all of the officers, and has searched the Probate and tax records and from such search and inquiry has ascertained and alleges that the heirs and devisees of Walter C. Barclay, deceased, and the heirs and devisees of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, are over the age of twenty-one years and are non-residents of the State of Alabama, and if dead, their heirs, devisees, personal representatives, alienees, and assigns are over the age of twenty-one years and are non-residents of the State of Alabama, their place of residence being unknown to Complainant.

S E C O N D

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

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama;

and that she and those through whom she claims have been in the continuous peaceable adverse possession of the said lands for more than ten years next preceeding the filing of this Complaint and that she and those through whom she claims title to the said lands have for more than ten years next preceeding 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.

T H I R D

That no suit is pending to test Complainant's title to, interest in, lien, claims or encumbrances on, or rights of possession of said land.

F O U R T H

That the Complainant obtained title to the said lands described as follows:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama;

from Clayton C. Baldwin and Mildred L. Baldwin, his wife, February 28, 1942, by deed recorded in the Office of the Judge of Probate of Baldwin County, Alabama in Deed Book 77NS, page 178, who acquired the same by an instrument dated the 2nd day of July, 1941, recorded in the Office of the Judge of Probate of Baldwin County, Alabama in Deed Book 75NS, page 598, who acquired the same from the State Land Commission of Alabama; the State of Alabama acquired title to said land by Tax sale from W. H. and Marie Mask by instrument dated the 1st day of September, 1933, recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Recorded Sales Book 10, page 173. The abstract of title to the said land shows no conveyances into nor out of W. H. and Marie Mask except the tax sale above referred to.

Charles Barclay who acquired title to the above described land by instrument dated March 11, 1912, the same being recorded in the Office of the Probate Judge of Baldwin County, Alabama in Deed Book 19NS, page 78, devised the same to his son, Walter C. Barclay, by his last will and testament, said will being admitted to probate on the 19th day of July, 1924, said will being recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Book "C" of Wills at page 213. There is no instrument of record conveying the captioned property out of Walter C. Barkley.

The above said Charles Barclay acquired the said land by mesne conveyances from the United States; that the title to the said land and each parcel thereof stands in the name of the Complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceeding the filing of this Bill of Complaint no person other than those through whom she claims title to the said lands or any part thereof have assessed or paid taxes thereon and that she and those through whom she claims title have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceeding the filing of this Bill of Complaint and that she and those through

whom she claims, have actually occupied and used the said land in person or by tenant; that the heirs and devisees of Walter C. Barclay, deceased, and the heirs and devisees of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some portion 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 the said unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the said unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, and all other persons, firms, or corporations and associations claiming any title to, or interest in, claim, lien or encumbrance upon the said lands, to-wit: Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama, or any part or parcel thereof, to be made parties defendant to this Bill of Complaint and by appropriate process require them and each of them separately and severally to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your 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 land and each part or parcel thereof, is vested in your Complainant, ORPHIE PARKER, as against the heirs and devisees of Walter C. Barclay, deceased, and the heirs and devisees of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, and the unknown heirs, devisees, personal representatives, alienees, and assigns of the said named individuals and each of them, if they be dead, and as against any and all persons, firms, associations, corporations, claiming any title to, interest in, claim, lien, encumbrance upon said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your Complainant prays for such other, further, different and general relief as in equity and good conscience shall seem meet and proper.


Solicitor for Complainant

STATE OF ALABAMA

X

DALEWIN COUNTY

X

Before me, the undersigned authority in and for said County and State, personally appeared Tolbert M. Brantley, 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, and that the facts stated in the foregoing Bill of Complaint, from all information obtainable, are true, and from such information obtained he verily believes, and so states, the same to be true.

Tolbert M. Brantley

Sworn to and subscribed before me on this the 27th day of August,

1952.

Alice J. Smith
~~NOTARY PUBLIC~~ clerk, circuit court.

APPOINTMENT OF GUARDIAN AD LITEM

ORPHIE PARKER,	X	
Complainant,	X	
VS.	X	
LOTS 28 AND 29 IN BLOCK 16 VOLANTA,	X	
ALABAMA, ACCORDING TO THE MAP OF	X	
VOLANTA, ALABAMA, RECORDED IN THE	X	
OFFICE OF THE JUDGE OF PROBATE,	X	IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, A SUB-	X	
DIVISION OF A PART OF SECTION 37,	X	BALDWIN COUNTY, ALABAMA.
TOWNSHIP 6 SOUTH, RANGE 2 EAST,	X	
BALDWIN COUNTY, ALABAMA, AND THE UNKNOWN	X	IN EQUITY
HEIRS, DEVISEES, PERSONAL REPRESENTATIVES,	X	
ALIENEES AND ASSIGNS OF WALTER C. BARCLAY,	X	CASE NO. _____.
DECEASED, AND THE UNKNOWN HEIRS, DEVISEES,	X	
PERSONAL REPRESENTATIVES, ALIENEES AND	X	
ASSIGNS OF MARIE MASK, DECEASED, AND	X	
WALTER MASK AND HIS HEIRS OR DEVISEES,	X	
IF DECEASED, AND ANY AND ALL PERSONS,	X	
FIRMS, ASSOCIATIONS, AND CORPORATIONS,	X	
CLAIMING ANY TITLE TO, INTEREST IN,	X	
CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS	X	
OR ANY PART THEREOF,	X	
Defendants.	X	

It appearing to the Register from the allegations of the Bill of Complaint filed in the above entitled cause and from the averments of the affidavit filed in support of such Bill of Complaint that some of the Respondents are non-residents of the State of Alabama and are unknown parties, it is therefore, by the Register ordered, adjudged and decreed:

That Harry W. Wilters be and he is hereby appointed as guardian ad litem for all the unknown parties, Respondents, in this cause, and that he be forthwith notified of such appointment, and upon his acceptance of the notice, that service be had in this cause by serving a copy of the original Bill of Complaint on him as guardian ad litem for all unknown parties Respondents.

Done this the 27th day of August, 1952.

Alice J. Wacker
REGISTER

CONSENT TO ACT

I, Harry ^{Jr} W. Wilters, hereby consent to act as guardian ad litem for the unknown parties Respondents in the above styled cause.

Witness my hand this the 28th day of August, 1952.

Harry J. Wilters Jr
Guardian ad Litem

acquired title to said lands from Clayton C. Baldwin and Mildred L. Baldwin, his wife, February 28, 1942, by deed recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77NS, page 178, who acquired the same by an instrument dated the 2nd day of July, 1941, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75NS, page 598, who acquired the same from the State Land Commission of Alabama; the State of Alabama acquired title to said land by Tax Sale from W. H. Marie Mask by instrument dated the 1st day of September, 1933, recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Recorded Sales Book 10, page 173. The Abstract of title to the said land shows no conveyance into nor out of W. H. and Marie Mask except the Tax Sale above referred to. Charles Barclay who acquired title to the above described land by instrument dated March 11, 1912, the same being recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 19NS, page 78, devised the same to his son, Walter C. Barclay, by his last will and testament, said will being admitted to probate on the 19th day of July, 1924, said will being recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Book "C" of Wills at page 213. There is no instrument of record conveying the captioned property out of Walter C. Barclay. The above said Charles Barclay acquired the said land by mesne conveyances from the United States; that the title to the said land and each 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 this Bill of Complaint no person other than those through whom she claims title to the said lands or any part thereof have assessed or paid taxes thereon and that she and those through whom she claims title have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceding the filing of this Bill of Complaint and that she and those through whom she claims, have actually occupied and used the said land in person or by tenant; that the heirs and devisees of Walter C. Barclay, deceased, and the heirs and devisees of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some portion or parcel thereof.

It appearing from said Bill of Complaint, that same being duly verified that the names, ages and places of residence and the post office addresses of said Defendant's are unknown and cannot be ascertained upon diligent inquiry; that

diligent inquiry was made and the names, ages and places of residence and address cannot be ascertained.

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

It is Therefore ORDERED that the said unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter mask, if living, and his heirs and devisees, if deceased, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance upon the said lands described as follows: Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama, appear and plead, answer or demur to the said Bill of Complaint within sixty (60) days after the first publication of this notice, namely, the 4th day of November, 1952, at which time the said cause shall stand at issue.

Witness my hand this the 27th day of Aug, 1952.

Arcif A. A. A.
Register, Circuit Court, Baldwin County, in Equity.

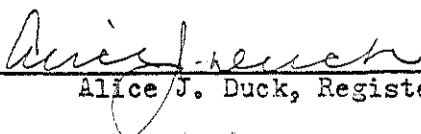
DECREE PRO CONFESSO

ORPHIE PARKER,	I	
Complainant,	I	
VS.	I	
LOTS 28 AND 29 IN BLOCK 16 VOLANTA,	I	
ALABAMA, ACCORDING TO THE MAP OF	I	
VOLANTA, ALABAMA, RECORDED IN THE	I	
OFFICE OF THE JUDGE OF PROBATE,	I	
BALDWIN COUNTY, ALABAMA, A SUB-	I	IN THE CIRCUIT COURT OF
DIVISION OF A PART OF SECTION 37,	I	
TOWNSHIP 6 SOUTH, RANGE 2 EAST,	I	BALDWIN COUNTY, ALABAMA.
BALDWIN COUNTY, ALABAMA, AND THE	I	
UNKNOWN HEIRS, DEVISEES, PERSONAL	I	IN EQUITY
REPRESENTATIVES, ALIENEES AND ASSIGNS	I	
OF WALTER C. BARCLAY, DECEASED, AND	I	CASE NO. 2880.
THE UNKNOWN HEIRS, DEVISEES, PERSONAL	I	
REPRESENTATIVES, ALIENEES AND ASSIGNS OF	I	
MARIE MASK, DECEASED, AND WALTER MASK	I	
AND HIS HEIRS OR DEVISEES, IF DECEASED,	I	
and any and ALL PERSONS, FIRMS, ASSOCIATIONS,	I	
AND CORPORATIONS, CLAIMING ANY TITLE TO,	I	
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE	I	
ON SAID LANDS OR ANY PART THEREOF,	I	
Defendants.	I	

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 4th day of Sept, 1952, in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, that a copy of said order was posted at the Court House door in Bay Minette, Baldwin County, on the 27th day of August, 1952.

And it now further appearing to the Register, Alice J. Duck, that the said Walter Mask and any and all firms, associations, and corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands involved 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 that the Bill of Complaint in this cause be, and it hereby is ⁱⁿ all things taken as confessed against the said Walter Mask and any and all firms, associations, and corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands involved.

This 10th day of November, 1952.



Alice J. Duck, Register

ORDER DIRECTING SERVICE

ORPHIE PARKER,	X	
Complainant,	X	
VS.	X	
LOTS 28 AND 29 IN BLOCK 16 VOLANTA,	X	
ALABAMA, ACCORDING TO THE MAP OF	X	
VOLANTA, ALABAMA, RECORDED IN THE	X	
OFFICE OF THE JUDGE OF PROBATE,	X	
BALDWIN COUNTY, ALABAMA, A SUB-	X	IN THE CIRCUIT COURT OF
DIVISION OF A PART OF SECTION 37,	X	BALDWIN COUNTY, ALABAMA.
TOWNSHIP 6 SOUTH, RANGE 2 EAST,	X	IN EQUITY
BALDWIN COUNTY, ALABAMA, AND THE	X	CASE NO. <u>2880</u> .
UNKNOWN HEIRS, DEVISEES, PERSONAL	X	
REPRESENTATIVES, ALIENEES AND ASSIGNS	X	
OF WALTER C. BARCLAY, DECEASED, AND	X	
THE UNKNOWN HEIRS, DEVISEES, PERSONAL	X	
REPRESENTATIVES, ALIENEES AND ASSIGNS OF	X	
MARIE MASK, DECEASED, AND WALTER MASK	X	
AND HIS HEIRS OR DEVISEES, IF DECEASED,	X	
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,	X	
AND CORPORATIONS, CLAIMING ANY TITLE TO,	X	
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE	X	
ON SAID LANDS OR ANY PART THEREOF,	X	
Defendants.	X	

Whereas, ORPHIE PARKER has filed her Bill of Complaint on the 27th day of August, 1952, in this Court in the Equity Side, claiming to be in actual peaceable possession, owning and claiming to own these certain parcels or lots of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama;

Complainant avers in her Bill of Complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in her, ORPHIE PARKER'S, name; that she acquired the title to said lands described as follows:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama;

from Clayton C. Baldwin and Mildred L. Baldwin, his wife, February 28, 1942, by deed recorded in the Office of the Judge of Probate of Baldwin County, Alabama in Deed Book 77NS, page 178, who acquired the same by an instrument dated the 2nd day of July, 1941, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75NS, page 598, who acquired the same from the State Land

Commission of Alabama; the State of Alabama acquired title to said land by Tax Sale from W. H. and Marie Mask by instrument dated the 1st day of September, 1933, recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Recorded Sales Book 10, page 173. The abstract of title to the said land shows no conveyances into nor out of W. H. and Marie Mask except the tax sale above referred to. Charles Barclay who acquired title to the above described land by instrument dated March 11, 1912, the same being recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 1988, page 78, devised the same to his son, Walter C. Barclay, by his last will and testament, said will being admitted to probate on the 19th day of July, 1924, said will being recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Book "C" of Wills at page 213. There is no instrument of record conveying the captioned property out of Walter C. Barclay. The above said Charles Barclay acquired the said land by mesne conveyances from the United States; that the title to the said land and each 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 this Bill of Complaint no person other than those through whom she claims title to the said lands or any part thereof have assessed or paid taxes thereon and that she and those through whom she claims title have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceding the filing of this Bill of Complaint and that she and those through whom she claims, have actually occupied and used the said land in person or by tenant; that the heirs and devisees of Walter C. Barclay, deceased, and the heirs and devisees of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some portion or parcel thereof."

It appearing from said Bill of Complaint, the same being duly verified, that the names, ages and places of residence and the post office addresses of said Defendant's are unknown and cannot be ascertained upon diligent inquiry; that diligent inquiry was made and the names, ages and places of residence and address cannot be ascertained.

It is Therefore ORDERED, ADJUDGED and DECREED that notice of pendency of said suit be given by publication for four weeks, consecutively, in the Baldwin

Times, a newspaper published in Bay Minette, Baldwin County, Alabama.

Witness my hand and seal this 27th day of August, 1952.

Alice J. Leuck
REGISTER

L. L. Parker

NOTICE

ORPHIE PARKER,

Complainant,

VS.

LOTS 28 AND 29 IN BLOCK 16 VOLANTA, ALABAMA, ACCORDING TO THE MAP OF VOLANTA, ALABAMA, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, A SUB-DIVISION OF A PART OF SECTION 37, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF WALTER C. BARCLAY, DECEASED, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF MARIE MASK, DECEASED, AND WALTER MASK AND HIS HEIRS OR DEVISEES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS, AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS OR ANY PART THEREOF,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY
CASE NO. 2880.

Notice is hereby given to the unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask, if living, and his heirs and devisees, if deceased, and any and all persons, firms, associations, and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described lands:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama;

That ORPHIE PARKER has filed her Bill of Complaint on the 27th day of August, 1952, in this Court on the Equity Side claiming to be in actual peaceable possession, owning and claiming to own these parcels or lots of land lying and being situated in the County of Baldwin, State of Alabama, described as follows:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama.

Complainant avers in her Bill of Complaint that the title to said lands stands on the records of the Probate Court of Baldwin County in her name; that she

002 PAGE 410
BOOK

acquired title to said lands from Clayton C. Baldwin and Mildred L. Baldwin, his wife, February 28, 1942, by deed recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77NS, page 178, who acquired the same by an instrument dated the 2nd day of July, 1941, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75NS, page 598, who acquired the same from the State Land Commission of Alabama; the State of Alabama acquired title to said land by Tax Sale from W. H. Marie Mask by instrument dated the 1st day of September, 1933, recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Recorded Sales Book 10, page 173. The Abstract of title to the said land shows no conveyance into nor out of W. H. and Marie Mask except the Tax Sale above referred to. Charles Barclay who acquired title to the above described land by instrument dated March 11, 1912, the same being recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 19NS, page 78, devised the same to his son, Walter C. Barclay, by his last will and testament, said will being admitted to probate on the 19th day of July, 1924, said will being recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Book "C" of Wills at page 213. There is no instrument of record conveying the captioned property out of Walter C. Barclay. The above said Charles Barclay acquired the said land by mesne conveyances from the United States; that the title to the said land and each 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 this Bill of Complaint no person other than those through whom she claims title to the said lands or any part thereof have assessed or paid taxes thereon and that she and those through whom she claims title have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceding the filing of this Bill of Complaint and that she and those through whom she claims, have actually occupied and used the said land in person or by tenant; that the heirs and devisees of Walter C. Barclay, deceased, and the heirs and devisees of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some portion or parcel thereof.

It appearing from said Bill of Complaint, that same being duly verified that the names, ages and places of residence and the post office addresses of said Defendant's are unknown and cannot be ascertained upon diligent inquiry; that

BOOK 002 PAGE 411

diligent inquiry was made and the names, ages and places of residence and address cannot be ascertained.

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

It is therefore ORDERED that the said unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask, if living, and his heirs and devisees, if deceased, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance upon the said lands described as follows: Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama, appear and plead, answer or demur to the said Bill of Complaint within sixty (60) days after the first publication of this notice, namely, the 4th day of November, 1952, at which time the said cause shall stand at issue.

Witness my hand this the 27th day of August, 1952.

Richard J. ...
Register, Circuit Court, Baldwin County, in Equity.

LIS PENDENS

BOOK 002 PAGE 412

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 ORPHIE PARKER, is Complainant and the unknown heirs, devisees, personal representatives, alinees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alinees and assigns of Marie Mask, deceased, and Walter Mask, if living, and his heirs and devisees, if deceased, and the following described lands, to-wit: Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama; and any and all persons, firms, or corporations claiming title to, interest in, claim, lien or encumbrance upon the said lands 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 27th day of August, 1952, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of _____, _____, _____, and _____.

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 by the said Judge of Probate in _____, page _____, on the 27th day of August, 1952.

Witness my hand this the 27th day of August, 1952.

Alice J. Duck
REGISTER

STATE OF ALABAMA, BALDWIN COUNTY
 Filed 8-28-52 10.21.52
 Recorded Lis Pend. book 2 page 407-12
W. B. Street
 Judge of Probate
2.

MOTION FOR ORAL EXAMINATION OF WITNESSES

ORPHIE PARKER,

Y

Complainant,

Y

* VS.

Y

LOTS 28 AND 29 IN BLOCK 16 VOLANTA,

Y

ALABAMA, ACCORDING TO THE MAP OF

Y

VOLANTA, ALABAMA, RECORDED IN THE

OFFICE OF THE JUDGE OF PROBATE,

BALDWIN COUNTY, ALABAMA, A SUB-

Y

DIVISION OF A PART OF SECTION 37,

TOWNSHIP 6 SOUTH, RANGE 2 EAST,

Y

BALDWIN COUNTY, ALABAMA, AND THE

UNKNOWN HEIRS, DEVISEES, PERSONAL

REPRESENTATIVES, ALIENEES AND ASSIGNS

OF WALTER C. BARCLAY, DECEASED, AND

Y

THE UNKNOWN HEIRS, DEVISEES, PERSONAL

REPRESENTATIVES, ALIENEES AND ASSIGNS OF

Y

MARIE MASK, DECEASED, AND WALTER MASK

AND HIS HEIRS OR DEVISEES, IF DECEASED,

Y

AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,

AND CORPORATIONS, CLAIMING ANY TITLE TO,

Y

INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE

ON SAID LANDS OR ANY PART THEREOF,

Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. _____.

Defendants.

Y

Comes the Complainant in the above styled cause and requests that oral examination of ORPHIE PARKER, as witness for the Complainant, who resides in

Baldwin County, State of Alabama, and suggests

Mary J. Bratten

of the Town of

Bay Minette, Ala

, as a suitable person to act as

Commissioner to take the deposition of said witness.

Witness my hand this the 10th day of Mar, 1952.

Robert M. Brantley
Attorney for the Complainant

Comes now Harry J. Wilters, Jr., as guardian ad litem for the unknown parties respondents in the above styled cause and accepts service of this motion for oral examination of witnesses and waives any further service or notice of this said motion.

Harry J. Wilters, Jr.
Harry J. Wilters, Jr., guardian ad litem for unknown parties Respondents.

NOTICE OF MOTION FOR ORAL EXAMINATION

ORPHIE PARKER,	X	
	X	
Complainant,	X	
	X	
VS.	X	
	X	
LOTS 28 AND 29 IN BLOCK 16 VOLANTA,	X	
ALABAMA, ACCORDING TO THE MAP OF	X	
VOLANTA, ALABAMA, RECORDED IN THE	X	
OFFICE OF THE JUDGE OF PROBATE,	X	IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, A SUB-	X	
DIVISION OF A PART OF SECTION 37,	X	BALDWIN COUNTY, ALABAMA.
TOWNSHIP 6 SOUTH, RANGE 2 EAST,	X	
BALDWIN COUNTY, ALABAMA, AND THE	X	IN EQUITY
UNKNOWN HEIRS, DEVISEES, PERSONAL	X	
REPRESENTATIVES, ALIENEES AND ASSIGNS	X	CASE NO. _____.
OF WALTER C. BARCLAY, DECEASED, AND	X	
THE UNKNOWN HEIRS, DEVISEES, PERSONAL	X	
REPRESENTATIVES, ALIENEES AND ASSIGNS OF	X	
MARIE MASK, DECEASED, AND WALTER MASK	X	
AND HIS HEIRS OR DEVISEES, IF DECEASED,	X	
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,	X	
and CORPORATIONS, CLAIMING ANY TITLE TO,	X	
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE	X	
ON SAID LANDS OR ANY PART THEREOF,	X	
	X	
Defendants.	X	

To the unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask and his heirs or devisees, if deceased, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described lands, to-wit: Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama, or some parcel or part thereof.

Notice is hereby given that the Complainant in the above styled cause has this day made application for the oral examination of ORPHIE PARKER, witness for the Complainant in the above styled cause and has suggested Mary J. Brantley as a suitable person to act as Commissioner in the taking of the deposition of said witness.

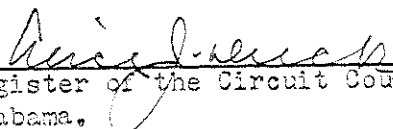
Witness this 10th day of November, 1952.

Robert M. Brantley
Solicitor for Complainant

W. J. Duck
Register, Circuit Court of
Baldwin County, Alabama.

C E R T I F I C A T E

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the Complainant for oral examination of the said ORPHIE PARKER, witness for Complainant and that notice of said motion was given to the Defendants by entry on the Order Book of the Register, said entry having been made on the 10 day of Nov, 1952.



Register of the Circuit Court of Baldwin County,
Alabama.

ORDER GRANTING MOTION FOR ORAL EXAMINATION AND APPOINTMENT OF A COMMISSIONER

ORPHIE PARKER,

X

Complainant,

X

VS.

X

LOTS 28 AND 29 IN BLOCK 16 VOLANTA,
ALABAMA, ACCORDING TO THE MAP OF
VOLANTA, ALABAMA, RECORDED IN THE
OFFICE OF THE JUDGE OF PROBATE,
BALDWIN COUNTY, ALABAMA, A SUB-
DIVISION OF A PART OF SECTION 37,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
BALDWIN COUNTY, ALABAMA, AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS
OF WALTER C. BARCLAY, DECEASED, AND
THE UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENEES AND ASSIGNS OF
MARIE MASK, DECEASED, AND WALTER MASK
AND HIS HEIRS OR DEVISEES, IF DECEASED,
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,
AND CORPORATIONS, CLAIMING ANY TITLE TO,
INTEREST IN, CLAIM, LIEN or ENCUMBRANCE
ON SAID LANDS OR ANY PART THEREOF,

X

X

X

X

X

X

X

X

X

X

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

Defendants.

X

Complainant having on the 10th day of Nov, 1952, filed her
motion and request for oral examination of ORPHIE PARKER, witness for Complainant
and due and proper notice thereof having been given as required by law on the Order
Book of this Court and Mary J Brantley of the Town of Bay Minette, Ala.
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 ORPHIE PARKER, witness for Complainant, be and is hereby granted.

And that Mary J Brantley be and she is hereby appointed as
Commissioner to take the deposition of said witness.

Witness my hand this the 13th day of Nov, 1952.

Bessie J. ...
REGISTRAR

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Mary J. Branley - Bay Minette, Ala

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 Dyphie Parker

as witnesses in behalf of the Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Dyphie Parker is

and Feb 28 & 29 in Block 16 Valencia Ala et al as Complainant

Respondent S
on oath, to be by you administered, upon Dyphie Parker

to take and certify the deposition S of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 13th day of Nov, 195 2.

Mary J. Branley
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

NOTICE OF TIME AND PLACE OF TAKING TESTIMONY

ORPHIE PARKER,

Complainant,

vs.

LOTS 28 AND 29 IN BLOCK 16 VOLANTA, ALABAMA, ACCORDING TO THE MAP OF VOLANTA, ALABAMA, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, A SUB-DIVISION OF A PART OF SECTION 37, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF WALTER C. BARCLAY, DECEASED, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF MARIE MASK, DECEASED, AND WALTER MASK AND HIS HEIRS OR DEVISEES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS, AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS OR ANY PART THEREOF,

Defendants.

X
X
X
X
X — IN THE CIRCUIT COURT OF
X BALDWIN COUNTY, ALABAMA.
X IN EQUITY
X CASE NO. _____
X
X
X
X
X
X
X

Metic

The Solicitor for Complainant in the above styled cause hereby gives to the above named persons, firms, associations and corporations that the deposition of ORPHIE PARKER, witness for the Complainant, will be taken before

Mary J. Brantley, Commissioner heretofore named by this Honorable Court, on the 22nd day of Nov, 1952, at the office of J.M. Brantley in Bay Minette, Ala.

Witness my hand this the 13rd day of Nov, 1952.

Albert M. Brantley
Solicitor for Complainant

atly for
I, Harry J. Walters, Jr., unknown parties respondents, hereby accept service of the foregoing notice.

Harry J. Walters, Jr.
atly

REGISTER'S CERTIFICATE

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 Complainant's witness was filed and entered on the
Order Book of the Register on the 13th day of May, 1952.

Alice J. Duck
Register

MOTION FOR FINAL DECREE

ORPHIE PARKER,

X

Complainant,

X

VS.

X

LOTS 28 AND 29 IN BLOCK 16 VOLANTA,
ALABAMA, ACCORDING TO THE MAP OF
VOLANTA, ALABAMA, RECORDED IN THE
OFFICE OF THE JUDGE OF PROBATE,
BALDWIN COUNTY, ALABAMA, A SUB-
DIVISION OF A PART OF SECTION 37,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
BALDWIN COUNTY, ALABAMA, AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENNEES AND ASSIGNS
OF WALTER C. BARCLAY, DECEASED, AND
THE UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, ALIENNEES AND ASSIGNS OF
MARIE MASK, DECEASED, AND WALTER MASK
AND HIS HEIRS OR DEVISEES, IF DECEASED,
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,
AND CORPORATIONS, CLAIMING ANY TITLE TO,
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LANDS OR ANY PART THEREOF,

X

X

X

X

X

X

X

X

X

X

Defendants.

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. _____.

Testimony having been taken in this cause and the same being ready for
final decree, motion is hereby made that the said cause be set down for final

decree this the 26th day of November, 1952.

Robert M. Brantley
Solicitor for Complainant

COMPLAINANT'S EXHIBIT "A"

DISTRICT OF COLUMBIA ; ss

I, Charles R. Pierce, of Washington, D C of the firm of Copp, Lockett, and Pierce, of the same city and attorney duly qualified to practice before the Department of Interior do hereby certify that by act of June 1, 1858, 11 Statutes at large 537, provides:

"That Laurent Millaudon be and he is hereby confirmed in his title to two certain tracts of land lying on the East side of Mobile Bay, in the State of Alabama, being the two tracts of land known as the De Feriet claims, as surveyed in the year Eighteen Hundred and Thirty and approved of by the surveyor-General, in the year Eighteen Hundred and Thirty Five, with the exception of so much off of the North End thereof as has heretofore been surveyed and confirmed to William Patterson, and included within what is known as the Patterson Claim as now located; Provided, that this act shall only be construed as a relinquishment of any title that the United States may have to said lands; and provided further that this confirmation shall enure to the benefit of any other persons, if such there be, as may be entitled to any part of said De Feriet claims, under conveyances from him."

I do hereby certify that said relinquishment of said lands known as the De Feriet claims is on the records in the General Land office known as Section 37, Township 6 South, Ranges 1 and 2 East, I further certify that there is on file in the Office of the Commissioner of the General Land office a Plat of fractional Township 6 South, Ranges 1 and 2 East, showing said Section 37, which plat bears a certificate dated September 23, 1858, and signed by the acting Commissioner of the General Land Office as ex-officio Surveyor General for Alabama, wherein it is stated that said plat correctly exhibits the survey referred to and confirmed by the said act of June 1, 1858, 11 Statutes at Large 537.

I further certify that by decisions of the Supreme Court of the United States and of the Secretary of the Interior there is no necessity of a patent where a grant is made by Congress and the identity of such grant is clear. 1 L. D. 492, 2 Wheat. 195, 97 U. S. 491.

I further certify that from a consideration of the grant or relinquishment and from the clear designation of the land affected that the title to land can no longer be considered to be in the United States but to have passed from the United States absolutely and that the officials of the General Land Office so consider it to have passed from the United States as absolutely as if patent has been issued.

Charles R. Pierce.

Subscribed and sworn to before me this 3rd day of August

1910

(SEAL)

Herbert L. Franc, Notary Public, D C

Filed for Record Aug. 12th, 1910, Recorded August 19th.

J. H H Smith, Judge of Probate

STATE OF ALABAMA

BALDWIN COUNTY

I, W. R. Stuart, Judge of Probate Court in and for said State and County, hereby certify that the within and foregoing Two (2) pages contain a full, true and complete copy of the Certificate as the same appears in my office in Deed Book No. 16 N. S. page 289.

Given under my hand and seal of Office, this 24th day of November, 1952.



W. R. Stuart

Judge of Probate
By: Lila J. Glauer, Chief Clerk

TESTIMONY TAKEN BEFORE COMMISSIONER ON ORAL

EXAMINATION.

ORPHIE PARKER,	I	
Complainant,	I	
VS.	I	
Lots 28 AND 29 IN BLOCK 16 VOLANTA,	I	
ALABAMA, ACCORDING TO THE MAP OF	I	
VOLANTA, ALABAMA, RECORDED IN THE	I	
OFFICE OF THE JUDGE OF PROBATE,	I	IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, A SUB-	I	
DIVISION OF A PART OF SECTION 37,	I	BALDWIN COUNTY, ALABAMA.
TOWNSHIP 6 SOUTH, RANGE 2 EAST,	I	
BALDWIN COUNTY, ALABAMA, AND THE	I	IN EQUITY
UNKNOWN HEIRS, DEVISEES, PERSONAL	I	
REPRESENTATIVES, ALIENEES AND ASSIGNS	I	CASE NO. 2880.
OF WALTER C. BARCLAY, DECEASED, AND	I	
THE UNKNOWN HEIRS, DEVISEES, PERSONAL	I	
REPRESENTATIVES, ALIENEES AND ASSIGNS OF	I	
MARIE MASK, DECEASED, AND WALTER MASK	I	
AND HIS HEIRS OR DEVISEES, IF DECEASED,	I	
AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS,	I	
AND CORPORATIONS, CLAIMING ANY TITLE TO,	I	
INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE	I	
ON SAID LANDS OR ANY PART THEREOF,	I	
Defendants.	I	

This day, before me, appeared ORPHIE PARKER, a witness for the Complainant in the above styled cause, Tolbert M. Brantley, attorney for the Complainant in the above styled cause and Harry J. Wilters, Jr., Guardian ad Litem for the unknown parties Respondents in the above styled cause.

ORPHIE PARKER then being duly sworn, by me, to speak the truth, the whole truth and nothing but the truth was examined first by the attorney for the Complainant and then cross examined by the attorney for unknown parties Respondents testified as follows:

NOTE: This testimony was taken down by me in shorthand at the time it was taken and transcribed and reduced to narrative form.

My name is ORPHIE PARKER, I am the Complainant in this suit, I am over twenty-one years old and live in Baldwin County, Alabama. I have been unable to discover any of the heirs or next of kin of Walter C. Barclay, Marie Mask and Walter Mask. I have made a diligent effort to discover this by inquiring in and around Fairhope and by having an abstract made of the title to the piece of land that I am now quieting title on. I own the following described piece of land and am now in possession of it:

Lots Twenty-eight (28) and Twenty-nine (29) in Block Sixteen (16) Volanta, Alabama, all being according to the Map of Volanta, Alabama recorded in Miscellaneous Book No. One (1) at page Three Hundred Forty-One (341) as signed by Theo. Widell, Surveyor, April 27th, 1914, Land is situated in Section 37, Baron De Feriet Grant, Township Six (6) South, Range Two (2) East, Baldwin County, Alabama.

I have been in peaceable, adverse possession of this land since the time it was sold to me, that being in February, 1942. I started paying taxes on this land in 1943 and have paid taxes on it each year since that time. The tax was paid on my land in 1942 by Clayton C. Baldwin, the person from whom I purchased this land. No one else has assessed this land for tax nor claimed any title to it during the last ten years.

There is no suit against this land questioning any right of ownership. My abstract of title shows a transfer out of the Government and a continuous chain of title from the Government's grantee to Charles Barclay. It shows a will of this property from Charles Barclay to his son, Walter C. Barclay. There is no conveyance of this property out of Walter C. Barclay. The abstract shows that this land was sold to the State of Alabama by a Tax Sale, which transferred the property from W. H. Mask and Marie Mask to the State of Alabama. It shows no other conveyances into nor out of W. H. and Marie Mask. The State Land Commissioner sold this land to Clayton C. Baldwin in July 1941. As stated before I purchased this land in February, 1942, from Clayton C. Baldwin and wife, Mildred L. Baldwin.

Orphie A. Parker
Orphie Parker

I, Mary J. Brantley, as Commissioner hereby certify that the foregoing testimony was taken down by me in writing in the words of the witness on the 22 day of November, 1952, in the office of Tolbert M. Brantley; that I have personal knowledge of the personal identity of said witness; that I am not of counsel nor of kin to any of the parties to said cause; or in any manner interested in the result thereof.

Given under my hand and seal this the 22 day of November, 1952.

Mary J. Brantley
Mary J. Brantley, Commissioner.

I, Tolbert M. Brantley, attorney for the Complainant in the above styled cause, hereby certify that I have read the foregoing transcript of the testimony of ORPHIE PARKER, which was taken before the above named commissioner and hereby certify that it is a true and correct transcript of her testimony.

Tolbert M. Brantley
Tolbert M. Brantley, solicitor for
Complainant.

I, Harry J. Wilters, Jr., attorney for the unknown parties Respondents in the above styled cause, hereby certify that I have read the foregoing transcript of the testimony of ORPHIE PARKER, which was taken before the above named commissioner and hereby certify that is a true and correct transcript of her testimony.



Harry J. Wilters, Jr., Guardian ad Litem for the unknown parties Respondents.

STATUTORY WARRANTY DEED.

STATE OF ALABAMA

COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS, That We, Clayton C. Baldwin and Mildred L. Baldwin, husband and wife, for and in consideration of the sum of Five Dollars, to Us in hand paid by Orphie A. Parker, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and convey unto the said Orphie A. Parker, all the following described real property situated in the County of Baldwin, State of Alabama, to-wit:-

Lots Twenty- eight and Twenty-nine in Block Sixteen, all being according to the map of Volanta, Alabama, recorded in Miscellaneous Book No. 1, Page 341, signed by Theo. Widell, Surveyor, April 27th, 1914. Land is situated in Section 37, Barron De Ferriet, Grant, Yownship Six South, Range Two East,

TOGETHER WITH ALL AND SINGULAR THE rights, members, privileges, tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Orphie A. Parker, her heirs or assigns forever.

IN WITNESS WHEREOF, We have hereunto set our hands and seals on this the 28th day of February A. D., 1942.

Clayton C. Baldwin L. S.
Mildred L. Baldwin L. S.

THE STATE OF ALABAMA

COUNTY OF BALDWIN

I, Elliott G. Rickarby, a Notary Public, in and for said State and County, do hereby certify that Clayton C. Baldwin and Mildred L. Baldwin, husband and wife, whose names are signed to the foregoing conveyance, and who are known to me acknowledged before me, on this day that being informed of the contents of the said conveyance, they executed the same voluntarily on the day the same bears date, and I do further certify that on the 28th day of February, A. D., 1942, came before me the within named Mildred L. Baldwin, known to me to be the wife of the within named Clayton C. Baldwin, who being examined separate and apart from her husband in reference to her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

In witness whereof, I hereunto set my hand, and official seal, this 28th day of February, A. D., 1942.

Elliott G. Rickarby
Notary Public, Baldwin County, Alabama.
My Commission expires: February 13, 1946

\$.55 S. I. R. Stamp Attached
Cancelled C. C. B. 2/25/42. (SEAL)

STATE OF ALABAMA

BALDWIN COUNTY

Filed Apr 14 1942 1:30 PM Recorded Deed book 77 page 178-9 and I certify that \$.50 Deed Tax has been paid as required by law.

G. W. ROBERTSON, JUDGE OF PROBATE

THE STATE OF ALABAMA

{

PROBATE COURT

BALDWIN COUNTY

{

I, W. R. Stuart, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing Two (2) pages contain a full, true and complete copy of the Statutory Warranty Deed as the same appears of record in my office in Deed Book No. 77, Pages 178-9.

Given under my hand and seal of office, this 24th day of November, 1952.

W. R. Stuart

Judge of Probate.

By: Lila S. Glavin, Chief Clerk



ORIGINAL

No. 6411

THE STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on 31st day of July, A. D. 1933, the Probate Court of Baldwin County rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from W. H. & Marie L. Maske the owner of said lands, and for the payment of the fees, cost, and expenses of land under said decree, and the sale had in execution thereof.

AND WHEREAS, thereafter, to-wit, on the 1st day of September, 1933, under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County for said taxes, fees, costs and expenses, and no person having bid a sufficient sum for said lands to pay the same, said lands were bid in for the State for the sum of said taxes, fees, costs, and expenses.

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama, with the approval of the Governor, has fixed the price of said land, and ascertained that the sum of Thirty-eight and No/100 (\$38.00) Dollars is sufficient to cover and satisfy all claims of the State and County against said lands for or on account of taxes, interest, fees, and costs, and officers' fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by Clayton C. Baldwin to purchase said lands, and said sum of Thirty-eight and No/100 (\$38.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Clayton C. Baldwin, without warranty or covenant of any kind on the

part of the State, express or implied, all right and title of the State of Alabama in and to said lands, described as follows:

Lots 8 and 9 Blk 7; Lots 28 and 29, Blk 16 Volanta

\$.55 USIR Stamp
Cancelled CCB
7/29/41

lying and being situate in said County and State, to have and to hold the same, the said right and title of the State in the lands aforesaid, unto Clayton C. Baldwin and his heirs and assigns forever.

In testimony whereof I have hereunto set my hand and seal this the 2nd day of July, 1941.

Approved
FRANK M. DIXON
GOVERNOR

STATE LAND COMMISSIONER OF ALABAMA
BY John C. CURRY
State Land Commissioner.

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

I, Julia Klinge, a Notary Public in and for said County, in said State, hereby certify that John C. Curry, whose name is signed to the foregoing conveyance as State Land Commissioner, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance as State Land Commissioner, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he, in his capacity as such State Land Commissioner, executed the same voluntarily on the day the same bears date.

Given under my hand this the 2nd day of July, 1941.

JULIA KLINGE, Notary Public

STATE OF ALABAMA *¶*

PROBATE COURT

BALDWIN COUNTY. *¶*

Filed September 15, 1941, at 9:55 A. M. Recorded in Deed Book No 75 N. S. at page 598-9; and I certify that Fifty Cents Deed tax has been paid as required by law.

~~C. W. ROBERTSON, Judge of Probate.~~

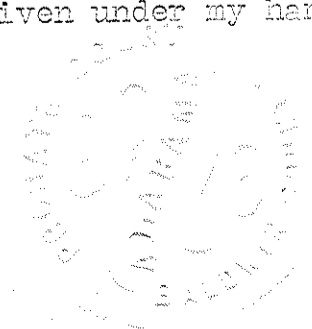
STATE OF ALABAMA
BALDWIN COUNTY

I, W. R. Stuart, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing Two (2) pages contain a full, true and complete copy of the Original Tax Deed as the same appears in my office in Deed Book No. 75 N. S. Pages 598-9.

Given under my hand and seal of office, this 24th day of November, 1952.

W. R. Stuart
Judge of Probate

By: Lila S. Glou, Chief Clerk



Legal Notice

NOTICE

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

Case No. 2880 ORPHIE PARKER, Complainant Vs.

LOT 28 AND 29 IN BLOCK 16 VOLANTA, ALABAMA, ACCORDING TO THE MAP OF VOLANTA, ALABAMA, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA, A SUBDIVISION OF A PART OF SECTION 37, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF WALTER C. BARCLAY, DECEASED, AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, ALIENEES AND ASSIGNS OF MARIE MASK, DECEASED, AND WALTER MASK AND HIS HEIRS OR DEVISEES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS AND CORPORATIONS, CLAIMING ANY TITLE TO INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS OR ANY PART THEREOF, Defendants.

Notice is hereby given to the unknown heirs, devisees, personal representatives, alienees and assigns of Walter C. Barclay, deceased, and the unknown heirs, devisees, personal representatives, alienees and assigns of Marie Mask, deceased, and Walter Mask, if living, and his heirs and devisees, if deceased, and any and all persons, firms, associations, and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described lands:

Lots 28 and 29 in Block 16 Volanta, Alabama, according to the Map of Volanta, Alabama, recorded in the Office of the Judge of Probate, Baldwin County, Alabama, a Subdivision of a part of Section 37, Township 6 South, Range 2 East, Baldwin County, Alabama.

sealed and returned to the sender today. Any duty payable by the sender should be paid to the Alabama Secretary of State, Montgomery, Alabama.

100



JIMMY FAULKNER EDITOR AND PUBLISHER

The BALDWIN TIMES

BALDWIN COUNTY'S - BEST NEWSPAPER

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, BALDWIN COUNTY.

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

Orphie Parker vs. Certain Lands

COST STATEMENT

1092 WORDS @ 6 1/2 cents --- \$ 70 98 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 Sept. 4, 1952 Vol. 63 No. 33
Date of 2nd publication Sept. 11, 1952 Vol. 63 No. 34
Date of 3rd publication Sept. 18, 1952 Vol. 63 No. 35
Date of 4th publication Sept. 25, 1952 Vol. 63 No. 36

Subscribed and sworn before the undersigned this 25 day of Sept, 1952

Dorothy Martin Notary Public, Baldwin County.

Jimmy Faulkner Publisher.

