

Large Blazed Pine Blazed Gum.

Complements Ex A

Fairhope, AL
August 15,

Plat Showing Various
In the West Half of
Section 24, T.7S.-R.2E.

H. W. Graham



Keith - McKenzie - Henderson.
& Delchamp.

4154

JAMES E. KEITH, JR.,

Complainant,

-vs-

Lot 11, Block 21; Lots 6, 7, 8 9 and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscl. Book 1, Pages 230-231, and, ALSO, beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right-angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); Thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section Line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, H. H. MASCHMEYER, HERMAN H. MASCHMEYER, BERT KEARNEY, MARY E. KEARNEY, CLARA MASCHMEYER, FIRST NATIONAL BANK OF MOBILE, a corporation, FIRST NATIONAL BANK OF MOBILE, a corporation, as Trustee, SOUTH ALABAMA LAND COMPANY, SOUTH ALABAMA LAND COMPANY, INC., H. H. WEFEL, SR., HERMAN H. WEFEL, SR., H. H. WEFEL, JR., HERMAN H. WEFEL, JR., LOUIS JACKSON, HENRY H. HANSON, CELINA HANSON, H. H. HANSON, WILLIE EWING, MAE SMITH, RUBEN HANSON, H. T. CRUMPTON, BUTLER REALTY COMPANY, BUTLER REALTY COMPANY, INC., H. H. MIXON, RUDOLPH CROMARTIE, ORT. H. ERTZINGER, NATHANIEL McCARTY, E. W. WALTHALL, RALPH E. GRILLEY, E. E. GRILLEY, W. M. PARTRIDGE, CARRIE BROOKS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, JOHN McCOY, E. GAINES WILSON, JOHN R. COURTRIGHT, LEE R. COURTRIGHT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

W. Y. BRAME, JAMES R. GRIST, SARAH)
 A. FORBES, RHODA A. ROUSELLE, LULU)
 CHRISTIAN, AMANTA COURTRIGHT, BARK-)
 ULOO COURT RIGHT, VIOLA BODDEN, DAISEY A.)
 CONWAY, FLORENCE WILSON, MARIE S. MALAY,)
 J. H. WEBB, ADALIADÉ J. TORREY, JOHN)
 BOWEN, JUDY ANN DAVIS, ALLEN GRIST,)
 ZOPHER MILLS, E. R. SCHOWALTER, WILLIAM)
 Y. BRAME, JR., CYNTHIA BRAME DRAUGHON,)
 BHRISTINE BRAME LISTER, W. Y. BROME, and)
 their unknown heirs, devisees, executors,)
 administrators, stockholders, directors,)
 and any and all persons, firms or corp-)
 orations, claiming any interest in the)
 above described lands,)

Respondents.)

FINAL DECREE

This cause, coming on to be heard, was submitted on behalf of Complainant upon Bill of Complaint, Affidavit of non-residence of certain defendants, Order of Publication thereto, Personal Service on certain defendants, Motion for Decree Pro Confesso and Decree Pro Confesso against defendants not appearing, all as shown in Decree by the Register, Disclaimer of certain defendants, Answer and Cross-Bill of certain claimants, Petition for appointment of Guardian Ad Litem for unknown defendants, Appointment of Guardian Ad Litem for unknown defendants, Testimony by Depositions, with unknown defendants being represented by Guardian Ad Litem at the taking thereof, as noted by the Register, Testimony in open Court on contest by certain defendants, Oral Arguments to the Court, and submission of briefs by Solicitors for the Complainant and Solicitor for the defendants contesting, and on due consideration of all of the above, and all other instruments recorded in the file of said cause, it being made to appear to the satisfaction of the Court that the Complainant is entitled to the relief prayed for in said Bill of Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that the Complainant, James E. Keith, Jr., is the owner in fee simple to the following described lands in Baldwin County, Alabama, to-wit:-

Lot 11, Block 21; Lots 6, 7, 8, 9 and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat

thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages 230-231, and,

ALSO, beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersect, the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right-angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning,

and that no other person, firm, or corporation has any title to, interest in, lien or encumbrance upon said land, or any part thereof, and especially that Leah M. Shaw, L. M. Shaw, H. H. Maschmeyer, Herman H. Maschmeyer, Bert Kearney, Mary E. Kearney, Clara Maschmeyer, First National Bank of Mobile, a corporation, First National Bank of Mobile, a corporation, as Trustee, South Alabama Land Company, South Alabama Land Company, Inc., H. H. Wefel, Sr., Herman H. Wefel, Sr., H. H. Wefel, Jr., Herman H. Wefel, Jr., Louis Jackson, Henry H. Hanson, Celina Hanson, H. H. Hanson, Willie Ewing, Mae Smith, Ruben Hanson, H. T. Crumpton, Butler Realty Company, Butler Realty Company, Inc., H. H. Mixon, Rudolph Cromartie, Ort H. Ertzinger, Nathaniel McCarty, EW. Walthall, Ralph H. Grilley, E. E. Grilley, W. M. Partridge, Carrie Brooks, David Gordon, John Morton, Alexander Moston, John McCoy, E. Gaines Wilson, John R. Courtright, Lee. R. Courtright, W. Y. Brame, James R. Grist, Sarah A. Forbes, Rhoda A. Rouselle, Lulu Christian, Amanta Courtright, Barkuloo Courtright, Viola Bodden, Daisey A. Conway, Florence Wilson, Marie S. Malay, J. H. Webb, Adaliade J. Torrey, John Bowen, Judy Ann Davis, Allen Grist, Zopher Mills, E. R. Schowalter, William Y. Brame, Jr., Cynthia Brame Draughon, Christine Brame Lister, W. Y. Brome, and their unknown heirs or personal representatives, devisees or next of kin, have no right, title to, interest in, or lien or encumbrance upon said land, nor have Grover Clellan Herrod or Florence Herrod any right, title or interest thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Register shall, within thirty (30) days from the rendition of this Decree, file a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, showing title out of the Defendants above named, in the direct indexes of the records, and title into James E. Keith, Jr. in the indirect indexes to the records, and that the expenses thereof shall be taxed with the costs of this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that James E. Keith, Jr., the Complainant, pay the costs herein to be taxed, for which execution may issue.

DONE this the 18th day of February, 1960.

Hubert M. Hall
Hubert M. Hall, Judge of the Twenty-eighth Judicial Circuit, Sitting in Equity

FILED
FEB 22 1960
ALICE J. DUCK, CLERK
REGISTER

m

FINAL DECREE

JAMES E. KEITH, JR.,
Complainant,

-vs-

CERTAIN LANDS, LEAH M. SHAW,
et al,
Defendants.

((()))

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

((()))

[Faint, mostly illegible text from the reverse side of the page, including what appears to be a signature and other legal details.]

JAMES E. KEITH, JR.,

Complainant,

-vs-

Lot 11, Block 21; Lots 6, 7, 8, 9 and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages 230-231, and, ALSO, beginning at the point where the West line of Section twenty-four, Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right-angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, H. H. MASCHMEYER, HERMAN H. MASCHMEYER, BERT KEARNEY, MARY E. KEARNEY, CLARA MASCHMEYER, FIRST NATIONAL BANK OF MOBILE, a corporation, FIRST NATIONAL BANK OF MOBILE, a corporation, as Trustee, SOUTH ALABAMA LAND COMPANY, SOUTH ALABAMA LAND COMPANY, INC., H. H. WEFEL, SR., HERMAN H. WEFEL, SR., H. H. WEFEL, JR., HERMAN H. WEFEL, JR., LOUIS JACKSON, HENRY H. HANSON, CELINA HANSON, H. H. HANSON, WILLIE EWING, MAE SMITH, RUBEN HANSON, H. T. CRUMPTON, BUTLER REALTY COMPANY, BUTLER REALTY COMPANY, INC., H. H. MIXON, RUDOLPH CROMARTIE, ORT H. ERTZINGER, NATHANIEL McCARTY, E. W. WALTHALL, RALPH H. GRILLEY, E. E. GRILLEY, W. M. PARTRIDGE, CARRIE BROOKS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, JOHN McCOY, E. GAINES WILSON, JOHN R. COURTRIGHT, LEE R. COURTRIGHT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

W. Y. BRAME,
 JAMES R. GRIST, SARAH A. FORBES,)
 RHODA A. ROUSSELLE, LULU CHRISTIAN,)
 AMANTA COURTRIGHT, BARKULOO COURT-)
 RIGHT, VIOLA BODDEN, DAISEY A.)
 CONWAY, FLORENCE WILSON, MARIE S.)
 MALAY, J. H. WEBB, ADALIADE J.)
 TORREY, JOHN BOWEN, JUDY ANN DAVIS,)
 ALEN GRIST, ZOPHER MILLS, E. R.)
 SCHOWALTER, WILLIAM Y. BRAME, JR.,)
 CYNTHIA BRAME DRAUGHON, CHRISTINE)
 BRAME LISTER, W. Y. BROME, and their)
 unknown heirs, devisees, executors,)
 administrators, stockholders, dir-)
 ectors, and any and all persons,)
 firms or corporations, claiming)
 any interest in the above descri-)
 bed lands,)

 Respondents.)

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes James E. Keith, Jr., the Complainant in the above styled cause, and shows unto this Honorable Court the Following:-

1. Your Complainant, James E. Keith, Jr., is a bona fide resident citizen of Baldwin County, Alabama, and is over the age of twenty-one years. The real estate hereinabove described is located in Baldwin County, Alabama, and many of the respondents are deceased, many are unknown to your Complainant, many who are deceased left heirs at law, next of kin, or personal representative who are unknown to your Complainant. Some are corporations, whose stockholders, officers or directors are unknown to your Complainant. Some may be unincorporated associations or partnerships, whose members are unknown to your Complainant. Some are known to your Complainant and are residents of the State of Alabama. Some are non-residents of Alabama, whose last known addresses only are known to your Complainant. Their condition, ages, etc., as known to your Complainant are as follows:-

Leah M. Shaw and L. M. Shaw, who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

H. H. Maschmeyer, whom your Complainant believes to be the same person as Herman H. Maschmeyer, and is a citizen of Mobile, Mobile County, Alabama.

Bert Kearney and Mary E. Kearney are both unknown to your Complainant, nor does he know whether they are living or deceased, nor does he know any heirs at law, next of kin, devisees or personal representatives, but believes and so

asserts that if living, they are non-residents of the State of Alabama.

Clara Maschmeyer is believed to be a citizen of Mobile, Mobile County, Alabama.

The First National Bank of Mobile, and the First National Bank of Mobile, as Trustee, is believed to be a national banking corporation of Mobile, Mobile County, Alabama.

South Alabama Land Company, and/or South Alabama Land Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners if unincorporated, and its officers, directors or stockholders if incorporated, are all unknown.

Sr.

H. H. Wefel and Herman H. Wefel, Sr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

H. H. Wefel, Jr., and Herman H. Wefel, Jr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Louis Jackson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Henry H. Hanson and H. H. Hanson, who are believed by your Complainant to be one and the same person, and Celina Hanson, who is believed by your Complainant to be deceased, left surviving as the only heirs at law and next of kin, who are known to your Complainant, Willie Ewing, Orange Beach, Alabama, who is a daughter, Mae Smith, whose address is Pinto Pass Reservation, Mobile, Alabama, who is a daughter, and Ruben Hanson, who is a son, and whose address is unknown to your Complainant, but whom Complainant believes to be a non-resident of the State of Alabama, which Complainant therefore asserts. Complainant knows of no other heirs at law, next of kin, or any personal representative of Henry H. Hanson, H. H. Hanson or Celina Hanson.

H. T. Crumpton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Butler Realty Company, and/or Butler Realty Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners is unincorporated, and its officers, directors or stockholders if incorporated, are all unknown.

H. H. Mixon is believed by your Complainant to have been a resident of Bay Minette, Alabama, and is believed by Complainant to be deceased, and if so, his heirs at law and next of kin and personal representatives are unknown to your Complainant.

Rudolph Cromartie and Ort H. Ertzinger, are believed to be resident citizens of Baldwin County, Bay Minette, Alabama.

Nathaniel McCarty is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. W. Walthall is believed by your Complainant to be a resident citizen of Pensacola, Florida, whose last known address was to your Complainant, 1524 East Wright Street.

Ralph H. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. E. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Carrie Brooks is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

W. M. Partridge is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

David Gordon is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Alexander Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John McCoy is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. Gaines Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John R. Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lee R. Courtright is believed by your Complainant to be deceased, and he known of no heirs, at law, next of kin, devisees or personal representatives, but believes and

so asserts that all are non-residents of the State of Alabama.

Barkuloo Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees and personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Rhoda A. Rouselle is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lulu Christain is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Viola Bodden is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Daisey A. Conway is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Florence Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

J. H. Webb is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Adalaide J. Torrey, as administratrix of the estate of John Bodden, Deceased, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Marie S. Malay is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Bowen is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Judy Ann Davis is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Allen Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

James R. Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Zopher Mills is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. R. Schowalter is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

W. Y. Brame and W. Y. Brome are believed by your Complainant to be the same person, who is believed by your Complainant to be deceased; that Wm. Y. Brame, Jr., is believed to be a resident of Meridian, Mississippi.

Cynthia Brame Draughon is believed by your Complainant to be a resident of Jackson, Mississippi.

Christine Brame Lister is believed by your Complainant to be a resident of Richland County, Illinois, no other addresses being known.

Sarah A. Forbes is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Amanta Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Complainant believes that all of the persons whose names are known to him as above set out are over the age of twenty-one years and of sound mind, but has no knowledge of the heirs at law, next of kin, etc., who are unknown to him. Complainant further avers that those whose residences are not known and identified above, are all believed to be non-residents of the State of Alabama.

Complainant further avers that he has made numerous inquiries in the vicinity of the properties hereinabove described and has exercised reasonable diligence in an effort to locate the whereabouts of those persons hereinabove listed who are unknown to him, and has been unable to locate their whereabouts, or to ascertain with certainty whether they are alive or dead, and if dead, has been unable to ascertain the names of the next of kin, heirs at law, devisees or personal representatives, all of whom are unknown to your Complainant, unless hereinabove other-

wise set out.

Complainant further shows that he does not know of any persons, firms or corporations who claim said property, or any part thereof, or any title thereto, interest therein, or lien or encumbrance thereon, except those persons above named.

Complainant further shows that he has obtained from the Fairhope Title and Survey Company abstracts of title which shows therein the above named persons as being the only possible claimants to the real estate hereinabove described.

2. Complainant further shows unto the Court that the land involved in this controversy is all situated in Baldwin County, Alabama, being hereinafter described as Parcels for convenience, to-wit:-

Parcel 1: Lots 6, 7, 8, 9, Block 19;
Lot 11 of Block 21.

Parcel 2: Lot 10, Block 19; Lots 19
and 20, Block 23.

Parcel 3: Lots 21 and 22, Block 53.

Parcel 4: Lots 23 and 24, Block 53.

Parcel 5: Lot 2, Block 68.

Parcel 6: Lots 1 and 2, Block 50.

Parcel 7: Lot 5, Block 57,

the above described real estate all being in Park City, according to Plat #1 thereof, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, Pages 230-231.

Parcel 8: Beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning.

Complainant claims in his own right to own an undivided and entire fee simple interest in said land. Complainant further avers that he is in the actual, peaceable, notorious and adverse possession of all of said property, and has been in such possession since the date of purchase of the various parcels as hereinafter shown.

3. Complainant avers that he became the purchaser of the property described as Parcel 1 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Leah M. Shaw, and that no one has paid any taxes thereon for over ten (10) years, except that certain taxes have been paid since the year 1950, by H. H. Maschmeyer and R. C. Keeney; that he became the purchaser of Parcel 2 at a Tax Sale of the State of Alabama on the 12th day of October, 1954, said property having been sold on June 15, 1950, listed as last known owner "Clara Maschmeyer and First National Bank of Mobile", and that no one has paid any taxes thereon since the date of his purchase, other than Clara Maschmeyer, First National Bank of Mobile and South Alabama Land Company; that he became the purchaser of the property described as Parcel 3 on the 27th day of May, 1937, by Tax Deed from the State of Alabama, the property being sold in the name of H. H. Hanson, and that no one has paid any taxes thereon for the past ten (10) years other than the Complainant; that he became the purchaser of Lot 24 of Parcel 4 by Quit Claim Deed from H. T. Crumpton in 1945, and of Lot 23 of Parcel 4 by Statutory Warranty Deed from J. L. Kessler, on February 9, 1944, and that no one has paid any taxes thereon other than the Complainant for more than ten (10) years; that he became the purchaser of Parcel 5 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Nathan T. McCarty, and that no one has paid any taxes thereon for over ten (10) years, other than the Complainant; that he became the purchaser of the property described as Parcel 6 from the State of Alabama by Tax Deed dated September 18, 1946, said property having been sold in the name of Carrie Brooks, and that no one has paid any taxes thereon for more than ten (10) years, other than the Complainant, and the First National Bank of Mobile; that he became

the purchaser of the property described as Parcel 7 in 1937, by Tax Deed from the State of Alabama, said property having been sold in the name of H. H. Hanson, and that no one has paid any taxes other than the Complainant and the First National Bank of Mobile, for more than ten (10) years; that he became the purchaser of the property described as Parcel 8 by conveyances from Minnie D. Brame, William Y. Brame, Jr., Cynthia Brame Draughon, and Christine Brame Lister, by Quit Claim Deed dated October 31, 1952, and from Minnie D. Brame by Quit Claim Deed dated September 9, 1953, which conveyances cover all of Parcel 8, except that small portion located in the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section twenty-four (24), Township seven (7) South, Range two (2) East, which was purchased by Complainant from William Brown and Agnes Brown in 1918, and that no one other than the Complainant and W. Y. Brame, or W. Y. Brome, have paid any taxes thereon for over ten (10) years.

4. Complainant further avers that the title to all of said land as above described stands ^{in his name} upon the records in the office of the Judge of Probate of Baldwin County, Alabama, and that no one except the Complainant and the persons above shown, have paid any taxes thereon for more than ten (10) years immediately preceding the filing of this Bill of Complaint.

5. Complainant further avers that no suit or action of any kind is pending to test his interest in, title to, or possession of said lands.


THE PREMISES CONSIDERED, Complainant herewith files this his verified Bill of Complaint against the Respondents above named, against all of their heirs at la, next of kin, devisees or personal representatives, against officers, directors and stockholders of corporations, or associations, and against said property itself, and against any and all other persons, firms or corporations claiming any title to, interest therein, or lien or encumbrance upon said lands, or any part thereof, said Bill being filed for the purpose of establishing Complainant's right and title to said properties, and to clear up any and all doubts or disputes concerning his ownership of the same, and Complainant therefore prays that the parties above named be made parties

respondent; that those shown as residents of the State of Alabama be served by Personal Service; that those who are non-residents of the State of Alabama, but whose last known address is shown, be served by Registered Mail, and that service by Publication be made on the remainder, all in accordance with the Laws and Statutes of this State, and the rules of this Court, in actions of this nature, and the Complainant further prays that the Court will order all respondents to plead, answer or demur within the time prescribed by law, or that a Decree Pro Confesso may be entered against them. Complainant further prays that a Guardian Ad Litem be appointed for those persons who are unknown, and who might have an interest in said property, or for those persons who might be minors, or who might be, through law, for some reason not competent to receive service and to defend.

Complainant further prays, therefore, that this Honorable Court will find and establish all the rights, interests, and ownership of all of the parties hereto, to the property hereinabove described, and will make and enter all Orders, Judgments and Decrees that may be meet and proper in the premises, and that upon a final hearing hereof, will find, decide and decree that the Complainant has an entire, undivided and fee simple interest, free of all liens and encumbrances, in and to all of the property hereinabove described.

Complainant further prays that if he be mistaken in the relief prayed for, that this Court will grant him such other, further, additional, different or general relief to which he may be entitled and as in duty bound, he will ever pray.


C. G. Chason


Telfair J. Mashburn, Jr.
Solicitors for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, C. G. Chason, a Notary Public, in and for said County in said State, personally appeared JAMES E. KEITH, JR., who, being by me first duly and legally sworn, deposes and says under oath as follows:- That he is the Complainant in the foregoing Bill of Complaint; that he has read and understands the same, and has knowledge of the facts stated therein, and that the facts so stated are, to the best of his knowledge, information and belief, true.

James E. Keith Jr.

Sworn to and subscribed before me,
a Notary Public, on this the 30th
day of October, 1957.

C. G. Chason

Notary Public, Baldwin County
State of Alabama

(affix Seal)

filed Oct 31, 1957
Alice J. Luck,
Register

JAMES E. KEITH, JR.,
Complainant,

-vs-

Lot 11, Block 21; Lots 6, 7, 8 9
and 10, Block 19; Lots 19 and 20,
Block 23; Lots 21 and 22, Block
53; Lots 23 and 24, Block 53; Lot 2,
Block 68; Lots 1 and 2, Block 50;
Lot 5, Block 57, All in Park City,
Baldwin County, Alabama, according
to a map or plat thereof recorded in
the office of the Judge of Probate
of Baldwin County, Alabama, in Misc.
Book 1, Pages 230-231, and,
ALSO, beginning at the point where
the West line of Section twenty-
four (24), Township seven (7) South,
Range two (2) East, intersects the
North line of the right-of-way of
Alabama Highway #89; thence run
East along the right-of-way line
a distance of 405 feet, if measured
at right-angles; thence run North
116 feet, to a pipe; thence run East
915 feet, more or less, to the East
Boundary of the Southwest Quarter
(SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$)
of said Section twenty-four (24);
Thence run North to Turkey Branch
a distance of 2,890 feet, more or
less; thence run Westwardly and
Southwardly along Turkey Branch,
regardless of its meanderings, to
the Northeast corner of the Dorgan property
property, which is a distance of
405 feet East of the West Section
line of Section twenty-four (24),
if measured at right angles; thence
run South 1,015 feet, more or less,
to the Southeast corner of the Dorgan
property; thence run West 405 feet, more
or less, to the West line of Section
twenty-four (24); thence run South
to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, R. H.
MASCHMEYER, HERMAN H. MASCHMEYER,
BERT KEARNEY, MARY E. KEARNEY,
CLARA MASCHMEYER, FIRST NATIONAL
BANK OF MOBILE, a corporation,
FIRST NATIONAL BANK OF MOBILE,
a corporation, as Trustee,
SOUTH ALABAMA LAND COMPANY,
SOUTH ALABAMA LAND COMPANY, INC.,
H. H. WEFEL, SR., HERMAN H. WEFEL,
SR., H. H. WEFEL, JR., HERMAN H.
WEFEL, JR., LOUIS JACKSON, HENRY
H. HANSON, CELINA HANSON, H. H.
HANSON, WILLIE EWING, MAE SMITH,
RUBEN HANSON, H. T. CRUMPTON,
BUTLER REALTY COMPANY, BUTLER
REALTY COMPANY, INC., H. H.
MIKON, RUDOLPH CROMARTIE, ORT.
K. ERTZINGER, NATHANIEL McCARTY,
B. W. WALTHALL, RALPH E. GRILLEY,
E. E. GRILLEY, W. M. PARTRIDGE,
CARRIE BROOKS, DAVID GORDON, JOHN
MORTON, ALEXANDER MORTON, JOHN
McCOY, E. GAINES WILSON, JOHN R.
COUNTRIGHT, LEE R. COUNTRIGHT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

STATE OF ALABAMA, BALDWIN COUNTY
filed 2-26-60 11:00 AM
299
105-888-301
Judge of Probate

W. Y. BRAME, JAMES A. CRIST, SARAH
 A. FORBES, ANOLA A. ROUSSELL, LULU
 CHRISTIAN, AMANTA COUNTRYMIGHT, BARK-
 OLOO COURT RIGHT, VIOLA BODDEN, DAISEY A.
 CONWAY, FLORENCE WILSON, MARIE S. MALAY,
 J. H. WEBB, ADALIADE J. TORREY, JOHN
 BOWEN, JUDY ANN DAVIS, ALLEN CRIST,
 ZOPHER MILLS, E. R. SCHOWALTER, WILLIAM
 Y. BRAME, JR., CYNTHIA BRAME DRAUGRON,
 BRISTINE BRAME LISTEN, W. Y. BRAME, and
 their unknown heirs, devisees, executors,
 administrators, stockholders, directors,
 and any and all persons, firms or corp-
 orations, claiming any interest in the
 above described lands,

Respondents.

FINAL DECREE

This cause, coming on to be heard, was submitted on behalf of Complainant upon Bill of Complaint, Affidavit of non-residence of certain defendants, Order of Publication thereto, Personal Service on certain defendants, Motion for Decree Pro Confesso and Decree Pro Confesso against defendants not appearing, all as shown in Decree by the Register, Disclaimer of certain defendants, Answer and Cross-Bill of certain Claimants, of Cer/, Petition for appointment of Guardian Ad Litem for unknown defendants, Appointment of Guardian Ad Litem for unknown defendants, Testimony by Depositions, with unknown defendants being represented by Guardian Ad Litem at the taking thereof, as noted by the Register, Testimony in open Court on contest by certain defendants, Oral Arguments to the Court, and submission of briefs by Solicitors for the Complainant and Solicitor for the defendants contesting, and on due consideration of all of the above, and all other instruments recorded in the file of said cause, it being made to appear to the satisfaction of the Court that the Complainant is entitled to the relief prayed for in said Bill of Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that the Complainant, James E. Keith, Jr., is the owner in fee simple to the following described lands in Baldwin County, Alabama, to-wit:-

Lot 11, Block 21; Lots 6, 7, 8, 9 and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat

thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages 230-231, and,

ALSO, beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersect, the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right-angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning,

and that no other person, firm, or corporation has any title to, interest in, lien or encumbrance upon said land, or any part thereof, and especially that Leah M. Shaw, L. M. Shaw, H. H. Maschmeyer, Herman H. Maschmeyer, Bert Kearney, Mary E. Kearney, Clara Maschmeyer, First National Bank of Mobile, a corporation, First National Bank of Mobile, a corporation, as Trustee, South Alabama Land Company, South Alabama Land Company, Inc., H. H. Wefel, Sr., Herman H. Wefel, Sr., H. H. Wefel, Jr., Herman H. Wefel, Jr., Louis Jackson, Henry H. Hanson, Celina Hanson, H. H. Hanson, Willie Ewing, Mae Smith, Ruben Hanson, H. T. Crumpton, Butler Realty Company, Butler Realty Company, Inc., H. H. Nixon, Rudolph Cromartie, Ort H. Ertzinger, Nathaniel McCarty, E. W. Walthall, Ralph H. Grilley, E. E. Grilley, W. M. Partridge, Carrie Brooks, David Gordon, John Morton, Alexander Merton, John McCoy, E. Gaines Wilson, John R. Courtright, Lee. R. Courtright, W. Y. Brame, James R. Grist, Sarah A. Forbes, Rhoda A. Rouselle, Lulu Christian, Amanta Courtright, Barkuloo Courtright, Viola Bodden, Daisey A. Conway, Florence Wilson, Marie S. Malay, J. H. Webb, Adaliade J. Torrey, John Bowen, Judy Ann Davis, Allen Grist, Zopher Mills, E. R. Schowalter, William Y. Brame, Jr., Cynthia Brame Draughon, Christine Brame Lister, W. Y. Brome, and their unknown heirs or personal representatives, devisees or next of kin, have no right, title to, interest in, or lien or encumbrance upon said land, nor have Grover Clellan Herrod or Florence P. Herrod any right, title or interest thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Register shall, within thirty (30) days from the rendition of this Decree, file a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, showing title out of the Defendants above named, in the direct indexes of the records, and title into James E. Keith, Jr. in the indirect indexes to the records, and that the expenses thereof shall be taxed with the costs of this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that James E. Keith, Jr., the Complainant, pay the costs herein to be taxed, for which execution may issue.

DONE this the 18 day of February, 1960.

Hubert M. Hall

Hubert M. Hall, Judge of the Twenty-eighth Judicial Circuit, Sitting in Equity

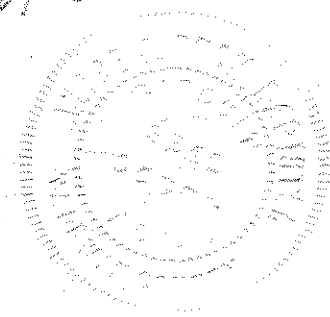
I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original Decree rendered by the Judge of the Circuit Court in the above styled cause, which said Decree is on file and enrolled in my office.

WITNESS my hand and seal on this the 22 day

Feb 22, 1960

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

Handwritten notes:
Duck
A J



Vertical stamp: BY ALICE J. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

Vertical stamp: FEB 22 1960
Vertical stamp: JUDGE HUBERT M. HALL
Vertical stamp: CLERK JAMES E. KEITH, JR.

JAMES E. KEITH, JR.,

Complainant,

-vs-

Lot 11, Block 21; Lots 6, 7, 8, 9, and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages, 230-231, and, Also, beginning at the point where the West line of Section twenty-four, Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right-angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, H. H. MASCHMEYER, HERMAN H. MASCHMEYER, BERT KEARNEY, MARY E. KEARNEY, CLARA MASCHMEYER, FIRST NATIONAL BANK OF MOBILE, a corporation, FIRST NATIONAL BANK OF MOBILE, a corporation, as Trustee, SOUTH ALABAMA LAND COMPANY, SOUTH ALABAMA LAND COMPANY, INC., H. H. WEFEL, SR. HERMAN H. WEFEL, SR., H. H. WEFEL, JR., HERMAN H. WEFEL, JR., LOUIS JACKSON, HENRY H. HANSON, CELINA HANSON, H. H. HANSON, WILLIE EWING, MAE SMITH, RUBEN HANSON, H. T. CRUMPTON, BUTLER REALTY COMPANY, BUTLER REALTY COMPANY, INC., H. H. NIXON, RUDOLPH CROMARTIE, ORT H. ERTZINGER, NATHANIEL McCARTY, E. W. WALTHALL, RALPH H. GRILLEY, E. B. GRILLEY, W. M. PARTRIDGE, CARRIE BROOKS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, JOHN MCCOY, E. GAINES WILSON, JOHN R. COURTRIGHT, LEE R. COURTRIGHT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

W. Y. BRAME,
JAMES R. CRIST, SARAH A. FORBES,
RHODA A. ROUSSELLE, LULU CHRISTIAN,
AMANTA COURTRIGHT, BARKULOO COURT-
RIGHT, VIOLA BOB DEN, DAISEY A.
CONWAY, FLORENCE WILSON, MARIE S.
MALAY, J. H. WEBB, ADALIADE J.
TORREY, JOHN BOWEN, JUDY ANN DAVIS,
ALLEN CRIST, ZOPHER MILLS, E. R.
SCHOWALTER, WILLIAM Y. BRAME, JR.,
CYNTHIA BRAME DRAUGHON, CHRISTINE
BRAME LISTER, W. Y. BROME, and their
unknown heirs, devisees, executors,
administrators, stockholders, dir-
ectors, and any and all persons,
firms, or corporations, claiming
any interest in the above descri-
bed lands,

Respondents.

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes James E. Keith, Jr., the Complainant in the above
styled cause, and shows unto this Honorable Court the following:-

1. Your Complainant, James E. Keith, Jr., is a bona fide
resident citizen of Baldwin County, Alabama, and is over the age
of twenty-one years. The real estate hereinabove described is
located in Baldwin County, Alabama, and many of the respondents
are deceased, many are unknown to your Complainant, many who are
deceased left heirs at law, next of kin, or personal representatives
who are unknown to your Complainant. Some are corporations, whose
stockholders, officers or directors are unknown to your Complain-
ant. Some may be unincorporated associations or partnerships,
whose members are unknown to your Complainant. Some are known to
your Complainant and are residents of the State of Alabama. Some
are non-residents of Alabama, whose last known addresses only are
known to your Complainant. Their condition, ages, etc., as known
to your Complainant are as follows:-

Leah M. Shaw and L. M. Shaw, who are believed by your
Complainant to be one and the same person, is believed
by your Complainant to be deceased, and he knows of no
heirs at law, next of kin, devisees or personal repre-
sentatives, but believes and so asserts that all are
non-residents of the State of Alabama.

H. H. Maschmeyer, whom your Complainant believes to be
the same person as Herman H. Maschmeyer, and is a citi-
zen of Mobile, Mobile County, Alabama.

Bert Kearney and Mary E. Kearney are both unknown to your
Complainant, nor does he know whether they are living or
deceased, nor does he know of any heirs at law, next of kin,
devisees or personal representatives, but believes and so

asserts that if living, they are non-residents of the State of Alabama.

Clara Maschneyer is believed to be a citizen of Mobile, Mobile County, Alabama.

The First National Bank of Mobile, and the First National Bank of Mobile, as Trustee, is believed to be a national banking corporation of Mobile, Mobile County, Alabama.

South Alabama Land Company, and/or South Alabama Land Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners if unincorporated, and its officers, directors or stockholders if incorporated, all all unknown.

H. H. Wefel, Sr., and Herman H. Wefel, Sr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

H. H. Wefel, Jr., and Herman H. Wefel, Jr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Louis Jackson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Henry H. Hanson and H. H. Hanson, who are believed by your Complainant to be one and the same person, and Celina Hanson, who is believed by your Complainant to be deceased, left surviving as the only heirs at law and next of kin, who are known to your Complainant, Willie Ewing, Orange Beach, Alabama, who is a daughter, Mae Smith, whose address is Pinto Pass Reservation, Mobile, Alabama, who is a daughter, and Ruben Hanson, who is a son, and whose address is unknown to your Complainant, but whom Complainant believes to be a non-resident of the State of Alabama, which Complainant therefore asserts. Complainant knows of no other heirs at law, next of kin, or any personal representative of Henry H. Hanson, H. H. Hanson or Celina Hanson.

H. F. Crampton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Butler Realty Company, and/or Butler Realty Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners is unincorporated, and its officers, directors or stockholders if incorporated, are all unknown.

H. E. Nixon is believed by your Complainant to have been a resident of Bay Minette, Alabama, and is believed by Complainant to be deceased, and if so, his heirs at law and next of kin and personal representatives are unknown to your Complainant.

Rudolph Cromartie and Ort H. Ertzinger, are believed to be resident citizens of Baldwin County, Bay Minette, Alabama.

Nathaniel McCarty is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. W. Walthall is believed by your Complainant to be a resident citizen of Pensacola, Florida, whose last known address was to your Complainant, 1524 East Wright Street.

Ralph H. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. E. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Carrie Brooks is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

W. M. Bartridge is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

David Gordon is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Alexander Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John McCoy is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. Gaines Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John R. Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lee R. Courtright is believed by your Complainant to be deceased, and he knows of no heirs, at law, next of kin, devisees or personal representatives, but believes and

so asserts that all are non-residents of the State of Alabama.

Barkuloo Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Rhoda A. Rouselle is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lulu Christain is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Viola Bodden is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Daisey A. Conway is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Florence Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

J. H. Webb is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Adalaide J. Torrey, as administratrix of the estate of John Bodden, Deceased, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Marie S. Malay is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Bowen is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Judy Ann Davis is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Allen Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

James R. Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Zopher Mills is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. R. Schowalter is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

W. Y. Brame and W. Y. Brome are believed by your Complainant to be the same person, who is believed by your Complainant to be deceased; that Wm. Y. Brame, Jr., is believed to be a resident of Meridian, Mississippi.

Cynthia Brame Draughon is believed by your Complainant to be a resident of Jackson, Mississippi.

Christine Brame Lister is believed by your Complainant to be a resident of Richland County, Illinois, no other addresses being known.

Sarah A. Forbes is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Amanta Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Complainant believes that all of the persons whose names are known to him as above set out are over the age of twenty-one years and of sound mind, but has no knowledge of the heirs at law, next of kin, etc., who are unknown to him. Complainant further avers that those whose residences are not known and identified above, are all believed to be non-residents of the State of Alabama.

Complainant further avers that he has made numerous inquiries in the vicinity of the properties hereinabove described and has exercised reasonable diligence in an effort to locate the whereabouts of those persons hereinabove listed who are unknown to him, and has been unable to locate their whereabouts, or to ascertain with certainty whether they are alive or dead, and if dead, has been unable to ascertain the names of the next of kin, heirs at law, devisees or personal representatives, all of whom are unknown to your Complainant, unless hereinabove other-

wise set out.

Complainant further shows that he does not know of any persons, firms or corporations who claim said property, or any part thereof, or any title thereto, interest therein, or lien or encumbrance thereon, except those persons above named.

Complainant further shows that he has obtained from the Fairhope Title and Survey Company abstracts of title which shows therein the above named persons as being the only possible claimants to the real estate hereinabove described.

2. Complainant further shows unto the Court that the land involved in this controversy is all situated in Baldwin County, Alabama, being hereinafter described as Parcels for convenience, to-wit:-

Parcel 1: Lots 6, 7, 8, 9, Block 19;
Lot 11 of Block 21.

Parcel 2: Lot 10, Block 19; Lots 19
and 20, Block 23.

Parcel 3: Lots 21 and 22, Block 53.

Parcel 4: Lots 23 and 24, Block 53.

Parcel 5: Lot 2, Block 68.

Parcel 6: Lots 1 and 2, Block 50.

Parcel 7: Lot 5, Block 57;

the above described real estate all being in Park City, according to Plat #1, thereof, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, Pages 230-231.

PARCEL 8: Beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning.

Complainant claims in his own right to own an undivided and entire fee simple interest in said land. Complainant further avers that he is in the actual, peaceable, notorious and adverse possession of all of said property, and has been in such possession since the date of purchase of the various parcels as hereinafter shown.

3. Complainant avers that he became the purchaser of the property described as Parcel 1 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Leah M. Shaw, and that no one has paid any taxes thereon for over ten (10) years, except that certain taxes have been paid since the year 1950 by H. H. Maschmeyer and R. C. Keeney; that he became the purchaser of Parcel 2 at a Tax Sale of the State of Alabama on the 12th day of October, 1954, said property having been sold on June 15, 1950, listed as last known owner "Clara Maschmeyer and First National Bank of Mobile", and that no one has paid any taxes thereon since the date of his purchase, other than Clara Maschmeyer, First National Bank of Mobile and South Alabama Land Company; that he became the purchaser of the property described as Parcel 3 on the 27th day of May, 1937, by Tax Deed from the State of Alabama, the property being sold in the name of H. H. Hanson, and that no one has paid any taxes thereon for the past ten (10) years other than the Complainant; that he became the purchaser of Lot 24 of Parcel 4 by Quit Claim Deed from H. T. Crumpton in 1945, and of Lot 23 of Parcel 4 by Statutory Warranty Deed from J. L. Kessler, on February 9, 1944, and that no one has paid any taxes thereon other than the Complainant for more than ten (10) years; that he became the purchaser of Parcel 5 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Nathan T. McCarty, and that no one has paid any taxes thereon for over ten (10) years, other than the Complainant; that he became the purchaser of the property described as Parcel 6 from the State of Alabama by Tax Deed dated September 18, 1946, said property having been sold in the name of Carrie Brooks, and that no one has paid any taxes thereon for more than ten (10) years, other than the Complainant, and the First National Bank of Mobile; that he became

the purchaser of the property described as Parcel 7 in 1937, by Tax Deed from the State of Alabama, said property having been sold in the name of H. H. Hanson, and that no one has paid any taxes other than the Complainant and the First National Bank of Mobile, for more than ten (10) years; that he became the purchaser of the property described as Parcel 8 by conveyances from Minnie B. Brame, William Y. Brame, Jr., Cynthia Brame Draughon, and Christine Brame Lister, by Quit Claim Deed dated October 31, 1952, and from Minnie D. Brame by Quit Claim Deed dated September 9, 1953, which conveyances cover all of Parcel 8, except that small portion located in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section twenty-four (24), Township seven (7) South, Range two (2) East, which was purchased by Complainant from William Brown and Agnes Brown in 1918, and that no one other than the Complainant and W. Y. Brame, or W. Y. Brome, have paid any taxes thereon for over ten (10) years.

4. Complainant further avers that the title to all of said land as above described stands in his name upon the records of the office of the Judge of Probate of Baldwin County, Alabama, and that no one except the Complainant and the persons above shown, have paid any taxes thereon for more than ten (10) years immediately preceding the filing of this Bill of Complaint.

5. Complainant further avers that no suit or action of any kind is pending to test his interest in, title to, or possession of said lands.

THE PREMISES CONSIDERED, Complainant herewith files this his verified Bill of Complaint against the Respondents above named, against all of their heirs at law, next of kin, devisees or personal representatives, against officers, directors and stockholders of corporations, or associations, and against said property itself, and against any and all other persons, firms or corporations claiming any title to, interest therein, or lien or encumbrance upon said lands, or any part thereof, said Bill being filed for the purpose of establishing Complainant's right and title to said properties, and to clear up any and all doubts or disputes concerning his ownership of the same, and Complainant therefore prays that the parties above named be made parties

respondent; that those shown as residents of the State of Alabama be served by Personal Service; that those who are non-residents of the State of Alabama, but whose last known address is shown, be served by Registered Mail, and that service by Publication be made on the remainder, all in accordance with the Laws and Statutes of this State, and the rules of this Court, in actions of this nature, and the Complainant further prays that the Court will order all respondents to plead, answer or demur within the time prescribed by law, or that a Decree Pro Confesso may be entered against them. Complainant further prays that a Guardian Ad Litem be appointed for those persons who are unknown, and who might have an interest in said property, or for those persons who might be minors, or who might be, through law, for some reason not competent to receive service and to defend.

Complainant further prays, therefore, that this Honorable Court will find and establish all the rights, interests, and ownership of all of the parties hereto, to the property hereinabove described, and will make and enter all Orders, Judgments and Decrees that may be meet and proper in the premises, and that upon a final hearing hereof, will find, decide and decree that the Complainant has an entire, undivided and fee simple interest, free of all liens and encumbrances, in and to all of the property hereinabove described.

Complainant further prays that if he be mistaken in the relief prayed for, that this Court will grant him such other, further, additional, different and general relief to which he may be entitled and as in duty bound, he will ever pray.


C. G. Chason


Telfair J. Mashburn, Jr.
Solicitors for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, C. G. CHASON, a Notary Public in and for said County in said State, personally appeared JAMES E. KRITH, JR., who, being by me first duly and legally sworn, deposes and says under oath as follows:- That he is the Complainant in the foregoing Bill of Complaint; that he has read and understands the same, and has knowledge of the facts stated therein, and that the facts so stated are, to the best of his knowledge, information and belief, true.

FILED

OCT 31 1957

FILED

IN EQUITY
BY JAMES E. KRITH, JR.
THE COMPLAINT
IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA

Read before me

JAMES E. KRITH, JR.

Complainant

JAMES E. KRITH, JR.

BILL OF COMPLAINT

Sworn to and subscribed before me,
a Notary Public, on this the 30th
day of October, 1957.

Notary Public

-2-

C. G. Chason

Notary Public, Baldwin County
State of Alabama

(affix Seal)

BILL OF COMPLAINT

JAMES E. KEITH, JR.,
Complainant,

-VS-

Certain lands, LEAH M. SHAW,
et al,
Respondents.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

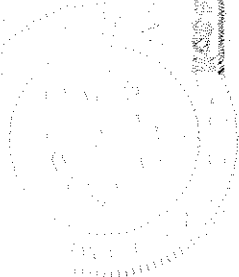
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FILED

OCT 31 1957

ALICE J. SUCK, Clerk

(Lose 11/1/57)



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JAMES E. KEITH, JR.,

Complainant,

-vs-

Lot 11, Block 21; Lots 6, 7, 8, 9 and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages 230-231, and; ALSO, beginning at the point where the West line of Section twenty-four, Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right-angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less; to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the North-east corner of the Borgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Borgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, H. H. MASCHMEYER, HERMAN H. MASCHMEYER, BERT KEARNEY, MARY E. KEARNEY, CLARA MASCHMEYER, FIRST NATIONAL BANK OF MOBILE, a corporation, FIRST NATIONAL BANK OF MOBILE, a corporation, as Trustee, SOUTH ALABAMA LAND COMPANY, SOUTH ALABAMA LAND COMPANY, INC., H. H. WEFEL, SR., HERMAN H. WEFEL, SR., H. H. WEFEL, JR., HERMAN H. WEFEL, JR., LOUIS JACKSON, HENRY H. HANSON, CELINA HANSON, H. H. HANSON, WILLIE EWING, MAE SMITH, RUBEN HANSON, H. T. CRUMPTON, BUTLER REALTY COMPANY, BUTLER REALTY COMPANY, INC., H. H. NIXON, RUDOLPH CROWARTIE, ORT H. BRIZINGER, NATHANIEL McCARTY, E. W. WALTHALL, RALPH H. GRILLEY, E. E. GRILLEY, W. M. PARTRIDGE, CARRIE BROOKS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, JOHN MCCOY, E. GAINES WILSON, JOHN R. COURTRIGHT, LEE R. COURTRIGHT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

W. Y. BRAME,
 JAMES R. CRIST, SARAH A. FORBES,
 RHODA A. ROUSELLE, LULU CHRISTIAN,
 AMANTA COURTRIGHT, BARKULOC COURT-
 RIGHT, VIOLA BODDEN, DAISY A.
 CONWAY, FLORENCE WILSON, MARIE S.
 MALAY, J. H. WEBB, ADALIADE J.
 TORREY, JOHN BOWEN, JUDY ANN DAVIS,
 ALLEN CRIST, ZOPHER MILLS, E. R.
 SCHOWALTER, WILLIAM Y. BRAME, JR.,
 CYNTHIA BRAME DRAUGHON, CHRISTINE
 BRAME LISTER, W. Y. BRAME, and their
 unknown heirs, devisees, executors,
 administrators, stockholders, dir-
 ectors, and any and all persons,
 firms or corporations, claiming
 any interest in the above descri-
 bed lands,
 Respondents.

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes James E. Keith, Jr., the Complainant in the above
 styled cause, and shows unto this Honorable Court the Following:-

1. Your Complainant, James E. Keith, Jr., is a bona fide
 resident citizen of Baldwin County, Alabama, and is over the age
 of twenty-one years. The real estate hereinabove described is
 located in Baldwin County, Alabama, and many of the respondents
 are deceased, many are unknown to your Complainant, many who are
 deceased left heirs at law, next of kin, or personal representatives
 who are unknown to your Complainant. Some are corporations, whose
 stockholders, officers or directors are unknown to your Complain-
 ant. Some may be unincorporated associations or partnerships,
 whose members are unknown to your Complainant. Some are known to
 your Complainant and are residents of the State of Alabama. Some
 are non-residents of Alabama, whose last known addresses only are
 known to your Complainant. Their condition, ages, etc., as known
 to your Complainant are as follows:-

Leah M. Shaw and L. M. Shaw, who are believed by your
 Complainant to be one and the same person, is believed
 by your Complainant to be deceased, and he knows of no
 heirs at law, next of kin, devisees or personal repre-
 sentatives, but believes and so asserts that all are
 non-residents of the State of Alabama.

H. H. Maschmeyer, whom your Complainant believes to be
 the same person as Herman H. Maschmeyer, and is a citi-
 zen of Mobile, Mobile County, Alabama.

Bert Kearney and Mary E. Kearney are both unknown to your
 Complainant, nor does he know whether they are living or
 deceased, nor does he know any heirs at law, next of kin,
 devisees or personal representatives, but believes and so

asserts that if living, they are non-residents of the State of Alabama.

Clara Maschmeyer is believed to be a citizen of Mobile, Mobile County, Alabama.

The First National Bank of Mobile, and the First National Bank of Mobile, as Trustee, is believed to be a national banking corporation of Mobile, Mobile County, Alabama.

South Alabama Land Company, and/or South Alabama Land Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners if unincorporated, and its officers, directors or stockholders if incorporated, are all unknown.

Sr.

H. H. Wefel/and Herman H. Wefel, Sr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

H. H. Wefel, Jr., and Herman H. Wefel, Jr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Louis Jackson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Henry H. Hanson and H. H. Hanson, who are believed by your Complainant to be one and the same person, and Celina Hanson, who is believed by your Complainant to be deceased, left surviving as the only heirs at law and next of kin, who are known to your Complainant, Willie Ewing, Orange Beach, Alabama, who is a daughter, Mae Smith, whose address is Pinto Pass Reservation, Mobile, Alabama, who is a daughter, and Ruben Hanson, who is a son, and whose address is unknown to your Complainant, but whom Complainant believes to be a non-resident of the State of Alabama, which Complainant therefore asserts. Complainant knows of no other heirs at law, next of kin, or any personal representative of Henry H. Hanson, H. H. Hanson or Celina Hanson.

H. T. Crumpton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Butler Realty Company, and/or Butler Realty Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners is unincorporated, and its officers, directors or stockholders if incorporated, are all unknown.

H. H. Nixon is believed by your Complainant to have been a resident of Bay Minette, Alabama, and is believed by Complainant to be deceased, and if so, his heirs at law and next of kin and personal representatives are unknown to your Complainant.

Rudolph Cromartie and Ort H. Ertzinger, are believed to be resident citizens of Baldwin County, Bay Minette, Alabama.

Nathaniel McCarty is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. W. Walthall is believed by your Complainant to be a resident citizen of Pensacola, Florida, whose last known address was to your Complainant, 1524 East Wright Street.

Ralph H. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. E. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Carrie Brooks is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

W. M. Partridge is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

David Gordon is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Alexander Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John McCoy is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. Gaines Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John R. Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lee R. Courtright is believed by your Complainant to be deceased, and he known of no heirs, at law, next of kin, devisees or personal representatives, but believes and

so asserts that all are non-residents of the State of Alabama.

Barkuloo Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees and personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Rhoda A. Rouselle is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lulu Christain is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Viola Bodden is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Daisey A. Conway is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Florence Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

J. H. Webb is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Adelaide J. Torrey, as administratrix of the estate of John Bodden, Deceased, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Marie S. Malay is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Bowen is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Judy Ann Davis is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Allen Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

James R. Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Zopher Mills is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. R. Schowalter is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

W. Y. Brame and W. Y. Brome are believed by your Complainant to be the same person, who is believed by your Complainant to be deceased; that Wm. Y. Brame, Jr., is believed to be a resident of Meridian, Mississippi.

Cynthia Brame Braughon is believed by your Complainant to be a resident of Jackson, Mississippi.

Christine Brame Lister is believed by your Complainant to be a resident of Richland County, Illinois, no other addresses being known.

Sarah A. Forbes is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Amantan Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Complainant believes that all of the persons whose names are known to him as above set out are over the age of twenty-one years and of sound mind, but has no knowledge of the heirs at law, next of kin, etc., who are unknown to him. Complainant further avers that those whose residences are not known and identified above, are all believed to be non-residents of the State of Alabama.

Complainant further avers that he has made numerous inquiries in the vicinity of the properties hereinabove described and has exercised reasonable diligence in an effort to locate the whereabouts of those persons hereinabove listed who are unknown to him, and has been unable to locate their whereabouts, or to ascertain with certainty whether they are alive or dead, and if dead, has been unable to ascertain the names of the next of kin, heirs at law, devisees or personal representatives, all of whom are unknown to your Complainant, unless hereinabove other-

wise set out.

Complainant further shows that he does not know of any persons, firms or corporations who claim said property, or any part thereof, or any title thereto, interest therein, or lien or encumbrance thereon, except those persons above named.

Complainant further shows that he has obtained from the Fairhope Title and Survey Company abstracts of title which shows therein the above named persons as being the only possible claimants to the real estate hereinabove described.

2. Complainant further shows unto the Court that the land involved in this controversy is all situated in Baldwin County, Alabama, being hereinafter described as Parcels for convenience, to-wit:-

Parcel 1: Lots 6, 7, 8, 9, Block 19;
Lot 11 of Block 21.

Parcel 2: Lot 10, Block 19; Lots 19
and 20, Block 23.

Parcel 3: Lots 21 and 22, Block 53.

Parcel 4: Lots 23 and 24, Block 53.

Parcel 5: Lot 2, Block 68.

Parcel 6: Lots 1 and 2, Block 50.

Parcel 7: Lot 5, Block 57,

the above described real estate all being in Park City, according to Plat #1 thereof, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, Pages 230-231.

Parcel 8: Beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Borgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Borgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning.

Complainant claims in his own right to own an undivided and entire fee simple interest in said land. Complainant further avers that he is in the actual, peaceable, notorious and adverse possession of all of said property, and has been in such possession since the date of purchase of the various parcels as hereinafter shown.

3. Complainant avers that he became the purchaser of the property described as Parcel 1 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Leah M. Shaw, and that no one has paid any taxes thereon for over ten (10) years, except that certain taxes have been paid since the year 1950, by H. H. Maschmeyer and R. C. Keeney; that he became the purchaser of Parcel 2 at a Tax Sale of the State of Alabama on the 12th day of October, 1954, said property having been sold on June 15, 1950, listed as last known owner "Clara Maschmeyer and First National Bank of Mobile", and that no one has paid any taxes thereon since the date of his purchase, other than Clara Maschmeyer, First National Bank of Mobile and South Alabama Land Company; that he became the purchaser of the property described as Parcel 3 on the 27th day of May, 1937, by Tax Deed from the State of Alabama, the property being sold in the name of H. H. Manson, and that no one has paid any taxes thereon for the past ten (10) years other than the Complainant; that he became the purchaser of Lot 24 of Parcel 4 by Quit Claim Deed from H. T. Crumpton in 1945, and of Lot 23 of Parcel 4 by Statutory Warranty Deed from J. L. Kessler, on February 9, 1944, and that no one has paid any taxes thereon other than the Complainant for more than ten (10) years; that he became the purchaser of Parcel 5 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Nathan T. McCarty, and that no one has paid any taxes thereon for over ten (10) years, other than the Complainant; that he became the purchaser of the property described as Parcel 6 from the State of Alabama by Tax Deed dated September 18, 1946, said property having been sold in the name of Carrie Brooks, and that no one has paid any taxes thereon for more than ten (10) years, other than the Complainant, and the First National Bank of Mobile; that he became

the purchaser of the property described as Parcel 7 in 1937, by Tax Deed from the State of Alabama, said property having been sold in the name of H. H. Hanson, and that no one has paid any taxes other than the Complainant and the First National Bank of Mobile, for more than ten (10) years; that he became the purchaser of the property described as Parcel 8 by conveyances from Minnie D. Brame, William Y. Brame, Jr., Cynthia Brame Draughon, and Christine Brame Lister, by Quit Claim Deed dated October 31, 1952, and from Minnie D. Brame by Quit Claim Deed dated September 9, 1953, which conveyances cover all of Parcel 8, except that small portion located in the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section twenty-four (24), Township seven (7) South, Range two (2) East, which was purchased by Complainant from William Brown and Agnes Brown in 1918, and that no one other than the Complainant and W. Y. Brame, or W. Y. Brome, have paid any taxes thereon for over ten (10) years.

4. Complainant further avers that the title to all of said land as above described stands/^{in his name}upon the records in the office of the Judge of Probate of Baldwin County, Alabama, and that no one except the Complainant and the persons above shown, have paid any taxes thereon for more than ten (10) years immediately preceding the filing of this Bill of Complaint.

5. Complainant further avers that no suit or action of any kind is pending to test his interest in, title to, or possession of said lands.

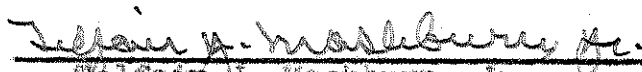
THE PREMISES CONSIDERED, Complainant herewith files this his verified Bill of Complaint against the Respondents above named, against all of their heirs at la, next of kin, devisees or personal representatives, against officers, directors and stockholders of corporations, or associations, and against said property itself, and against any and all other persons, firms or corporations claiming any title to, interest therein, or lien or encumbrance upon said lands, or any part thereof, said Bill being filed for the purpose of establishing Complainant's right and title to said properties, and to clear up any and all doubts or disputes concerning his ownership of the same, and Complainant therefore prays that the parties above named be made parties

respondent; that those shown as residents of the State of Alabama be served by Personal Service; that those who are non-residents of the State of Alabama, but whose last known address is shown, be served by Registered Mail, and that service by Publication be made on the remainder, all in accordance with the laws and Statutes of this State, and the rules of this Court, in actions of this nature, and the Complainant further prays that the Court will order all respondents to plead, answer or demur within the time prescribed by law, or that a Decree Pro Confesso may be entered against them. Complainant further prays that a Guardian Ad Litem be appointed for those persons who are unknown, and who might have an interest in said property, or for those persons who might be minors, or who might be, through law, for some reason not competent to receive service and to defend.

Complainant further prays, therefore, that this Honorable Court will find and establish all the rights, interests, and ownership of all of the parties hereto, to the property hereinabove described, and will make and enter all Orders, Judgments and Decrees that may be meet and proper in the premises, and that upon a final hearing hereof, will find, decide and decree that the Complainant has an entire, undivided and fee simple interest, free of all liens and encumbrances, in and to all of the property hereinabove described.

Complainant further prays that if he be mistaken in the relief prayed for, that this Court will grant him such other, further, additional, different or general relief to which he may be entitled and as in duty bound, he will ever pray.


C. C. Chason


Telfair N. Mashburn, Jr.
Solicitors for Complainant

NOV 11 1957

BILL OF COMPLAINT

STATE OF ALABAMA
BALDWIN COUNTY

C. G. Chason

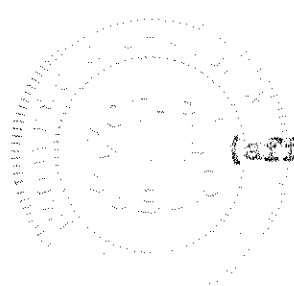
a Notary Public

in and for said County in said State, personally appeared
E. KEITH JR., who, being duly and legally sworn,
deposes and says under oath as follows: - That he is the complain-
ant in the foregoing Bill of Complaint; that he has read and
understands the same, and has knowledge of the facts stated
therein, and that the facts so stated are, to the best of his
knowledge, information and belief, true.

James E. Keith Jr

Sworn to and subscribed before me,
a Notary Public, on this the 30th
day of October, 1957.

C. G. Chason
Notary Public, Baldwin County
State of Alabama



(affix Seal)

no. 4154

BILL OF COMPLAINT

JAMES E. KEITH, JR.,

Complainant,

-vs-

Certain Lands, and LEAH M. SHAW,
et al,

Respondents.

((()))

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

((()))

FILED

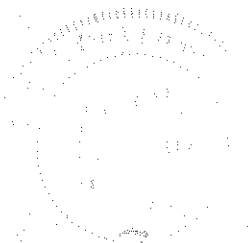
OCT 31 1957

ALICE J. DECK, Register

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(Seal of Court)

JAMES B. KEITH, JR.,

Complainant,

-vs-

Lot 11, Block 21; Lots 6, 7, 8, 9, and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages, 230-231, and, ALSO, beginning at the point where the West line of Section twenty-four, Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #59; thence run East along the right-of-way line a distance of 405 feet, if measured at right-angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, H. H. MASCHMEYER, HERMAN H. MASCHMEYER, BERT KEARNEY, MARY E. KEARNEY, CLARA MASCHMEYER, FIRST NATIONAL BANK OF MOBILE, a corporation, FIRST NATIONAL BANK OF MOBILE, a corporation, as Trustee, SOUTH ALABAMA LAND COMPANY, SOUTH ALABAMA LAND COMPANY, INC., H. H. WEFEL, SR. HERMAN H. WEFEL, SR., H. H. WEFEL, JR., HERMAN H. WEFEL, JR., LOUIS JACKSON, HENRY H. HANSON, CELINA HANSON, H. H. HANSON, WILLIE EWING, MAE SMITH, RUBEN HANSON, H. T. CRUMPTON, BUTLER REALTY COMPANY, BUTLER REALTY COMPANY, INC., H. M. MIXON, RUDOLPH CROMARTIE, ORT H. BRTZINGER, NATHANIEL McCARTY, E. W. WALTHALL, RALPH H. GRILLEY, E. E. GRILLEY, W. M. PARTRIDGE, CARRIE BROOKS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, JOHN MCCOY, E. GAINES WILSON, JOHN R. COURTRIGHT, LEE R. COURTRIGHT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

W. Y. BRAME,
 JAMES R. CRIST, SARAH A. FORBES,
 RHODA A. ROUSSELLE, LULU CHRISTIAN,
 AMANTA COURTRIGHT, BARKULOO COURT-
 RIGHT, VIOLA BODDEN, DAISEY A.
 CONWAY, FLORENCE WILSON, MARIE S.
 MALAY, J. H. WEBB, ADALADE J.
 TORREY, JOHN BOWEN, JUDY ANN DAVIS,
 ALLEN CRIST, ZOPHER MILLS, E. R.
 SCHOWALTER, WILLIAM Y. BRAME, JR.,
 CYNTHIA BRAME DRAUGHON, CHRISTINE
 BRAME LISTER, W. Y. BROME, and their
 unknown heirs, devisees, executors,
 administrators, stockholders, dir-
 ectors, and any and all persons,
 firms, or corporations, claiming
 any interest in the above descri-
 bed lands,

Respondents.

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes James E. Keith, Jr., the Complainant in the above
 styled cause, and shows unto this Honorable Court the following:-

1. Your Complainant, James E. Keith, Jr., is a bona fide
 resident citizen of Baldwin County, Alabama, and is over the age
 of twenty-one years. The real estate hereinabove described is
 located in Baldwin County, Alabama, and many of the respondents
 are deceased, many are unknown to your Complainant, many who are
 deceased left heirs at law, next of kin, or personal representatives
 who are unknown to your Complainant. Some are corporations, whose
 stockholders, officers or directors are unknown to your Complain-
 ant. Some may be unincorporated associations or partnerships,
 whose members are unknown to your Complainant. Some are known to
 your Complainant and are residents of the State of Alabama. Some
 are non-residents of Alabama, whose last known addresses only are
 known to your Complainant. Their condition, ages, etc., as known
 to your Complainant are as follows:-

Leah M. Shaw and L. M. Shaw, who are believed by your
 Complainant to be one and the same person, is believed
 by your Complainant to be deceased, and he knows of no
 heirs at law, next of kin, devisees or personal repre-
 sentatives, but believes and so asserts that all are
 non-residents of the State of Alabama.

H. H. Maschmeyer, whom your Complainant believes to be
 the same person as Herman H. Maschmeyer, and is a citi-
 zen of Mobile, Mobile County, Alabama.

Bert Kearney and Mary E. Kearney are both unknown to your
 Complainant, nor does he know whether they are living or
 deceased, nor does he know of any heirs at law, next of kin,
 devisees or personal representatives, but believes and so

asserts that if living, they are non-residents of the State of Alabama.

Clara Maschmeyer is believed to be a citizen of Mobile, Mobile County, Alabama.

The First National Bank of Mobile, and the First National Bank of Mobile, as Trustee, is believed to be a national banking corporation of Mobile, Mobile County, Alabama.

South Alabama Land Company, and/or South Alabama Land Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners if unincorporated, and its officers, directors or stockholders if incorporated, all all unknown.

H. H. Wefel, Sr., and Herman H. Wefel, Sr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

H. H. Wefel, Jr., and Herman H. Wefel, Jr., who are believed by your Complainant to be one and the same person, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Louis Jackson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Henry H. Hanson and H. H. Hanson, who are believed by your Complainant to be one and the same person, and Celina Hanson, who is believed by your Complainant to be deceased, left surviving as the only heirs at law and next of kin, who are known to your Complainant, Willie Ewing, Orange Beach, Alabama, who is a daughter, Mae Smith, whose address is Pinto Pass Reservation, Mobile, Alabama, who is a daughter, and Euben Hanson, who is a son, and whose address is unknown to your Complainant, but whom Complainant believes to be a non-resident of the State of Alabama, which Complainant therefore asserts. Complainant knows of no other heirs at law, next of kin, or any personal representative of Henry H. Hanson, H. H. Hanson or Celina Hanson.

H. F. Crumpton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Butler Realty Company, and/or Butler Realty Company, Inc., is not known to your Complainant, and it is not known whether it is incorporated or unincorporated, its members or partners is unincorporated, and its officers, directors or stockholders if incorporated, are all unknown.

H. E. Nixon is believed by your Complainant to have been a resident of Bay Minette, Alabama, and is believed by Complainant to be deceased, and if so, his heirs at law and next of kin and personal representatives are unknown to your Complainant.

Rudolph Cromartie and Ort H. Hrbzinger, are believed to be resident citizens of Baldwin County, Bay Minette, Alabama.

Nathaniel McCarty is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

R. W. Walthall is believed by your Complainant to be a resident citizen of Pensacola, Florida, whose last known address was to your Complainant, 1524 East Wright Street.

Ralph H. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. E. Grilley is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Carrie Brooks is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

W. M. Bartridge is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

David Gordon is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Alexander Morton is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John McCoy is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. Gaines Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John R. Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lee R. Courtright is believed by your Complainant to be deceased, and he knows of no heirs, at law, next of kin, devisees or personal representatives, but believes and

so asserts that all are non-residents of the State of Alabama.

Barkuloo Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Rhoda A. Rouselle is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Lulu Christain is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Viola Bodden is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Daisey A. Conway is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Florence Wilson is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

J. H. Webb is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Adelaide J. Torrey, as administratrix of the estate of John Bodden, Deceased, is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Marie S. Malay is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

John Bowen is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Judy Ann Davis is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Allen Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees, or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

James R. Grist is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Zopher Mills is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

E. R. Schowalter is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

M. Y. Brame and W. Y. Brome are believed by your Complainant to be the same person, who is believed by your Complainant to be deceased; that Wm. Y. Brame, Jr., is believed to be a resident of Meridian, Mississippi.

Cynthia Brame Draughon is believed by your Complainant to be a resident of Jackson, Mississippi.

Christine Brame Lister is believed by your Complainant to be a resident of Richland County, Illinois, no other addresses being known.

Sarah A. Forbes is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Amanta Courtright is believed by your Complainant to be deceased, and he knows of no heirs at law, next of kin, devisees or personal representatives, but believes and so asserts that all are non-residents of the State of Alabama.

Complainant believes that all of the persons whose names are known to him as above set out are over the age of twenty-one years and of sound mind, but has no knowledge of the heirs at law, next of kin, etc., who are unknown to him. Complainant further avers that those whose residences are not known and identified above, are all believed to be non-residents of the State of Alabama.

Complainant further avers that he has made numerous inquiries in the vicinity of the properties hereinabove described and has exercised reasonable diligence in an effort to locate the whereabouts of those persons hereinabove listed who are unknown to him, and has been unable to locate their whereabouts, or to ascertain with certainty whether they are alive or dead, and if dead, has been unable to ascertain the names of the next of kin, heirs at law, devisees or personal representatives, all of whom are unknown to your Complainant, unless hereinabove other-

wise set out.

Complainant further shows that he does not know of any persons, firms or corporations who claim said property, or any part thereof, or any title thereto, interest therein, or lien or encumbrance thereon, except those persons above named.

Complainant further shows that he has obtained from the Fairhope Title and Survey Company abstracts of title which shows therein the above named persons as being the only possible claimants to the real estate hereinabove described.

2. Complainant further shows unto the Court that the land involved in this controversy is all situated in Baldwin County, Alabama, being hereinafter described as Parcels for convenience, to-wit:-

Parcel 1: Lots 6, 7, 8, 9, Block 19;
Lot 11 of Block 21.

Parcel 2: Lot 10, Block 19; Lots 19
and 20, Block 23.

Parcel 3: Lots 21 and 22, Block 53.

Parcel 4: Lots 23 and 24, Block 53.

Parcel 5: Lot 2, Block 68.

Parcel 6: Lots 1 and 2, Block 50.

Parcel 7: Lot 5, Block 57,

the above described real estate all being in Park City, according to Plat #1, thereof, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, Pages 230-231.

PARCEL 8: Beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning.

Complainant claims in his own right to own an undivided and entire fee simple interest in said land. Complainant further avers that he is in the actual, peaceable, notorious and adverse possession of all of said property, and has been in such possession since the date of purchase of the various parcels as hereinafter shown.

3. Complainant avers that he became the purchaser of the property described as Parcel 1 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Leah M. Shaw, and that no one has paid any taxes thereon for over ten (10) years, except that certain taxes have been paid since the year 1950 by H. H. Maschmeyer and R. C. Keeney; that he became the purchaser of Parcel 2 at a Tax Sale of the State of Alabama on the 12th day of October, 1954, said property having been sold on June 15, 1950, listed as last known owner "Clara Maschmeyer and First National Bank of Mobile", and that no one has paid any taxes thereon since the date of his purchase, other than Clara Maschmeyer, First National Bank of Mobile and South Alabama Land Company; that he became the purchaser of the property described as Parcel 3 on the 27th day of May, 1937, by Tax Deed from the State of Alabama, the property being sold in the name of H. H. Hanson, and that no one has paid any taxes thereon for the past ten (10) years other than the Complainant; that he became the purchaser of Lot 24 of Parcel 4 by Quit Claim Deed from H. T. Crumpton in 1945, and of Lot 23 of Parcel 4 by Statutory Warranty Deed from J. L. Kessler, on February 9, 1944, and that no one has paid any taxes thereon other than the Complainant for more than ten (10) years; that he became the purchaser of Parcel 5 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Nathan T. McCarty, and that no one has paid any taxes thereon for over ten (10) years, other than the Complainant; that he became the purchaser of the property described as Parcel 6 from the State of Alabama by Tax Deed dated September 18, 1946, said property having been sold in the name of Carrie Brooks, and that no one has paid any taxes thereon for more than ten (10) years, other than the Complainant, and the First National Bank of Mobile; that he became

the purchaser of the property described as Parcel 7 in 1937, by Tax Deed from the State of Alabama, said property having been sold in the name of H. H. Hanson, and that no one has paid any taxes other than the Complainant and the First National Bank of Mobile, for more than ten (10) years; that he became the purchaser of the property described as Parcel 8 by conveyances from Minnie D. Brame, William Y. Brame, Jr., Cynthia Brame Draughon, and Christine Brame Lister, by Quit Claim Deed dated October 31, 1952, and from Minnie D. Brame by Quit Claim Deed dated September 9, 1953, which conveyances cover all of Parcel 8, except that small portion located in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section twenty-four (24), Township seven (7) South, Range two (2) East, which was purchased by Complainant from William Brown and Agnes Brown in 1918, and that no one other than the Complainant and W. Y. Brame, or W. Y. Brome, have paid any taxes thereon for over ten (10) years.

4. Complainant further avers that the title to all of said land as above described stands in his name upon the records of the office of the Judge of Probate of Baldwin County, Alabama, and that no one except the Complainant and the persons above shown, have paid any taxes thereon for more than ten (10) years immediately preceding the filing of this Bill of Complaint.

5. Complainant further avers that no suit or action of any kind is pending to test his interest in, title to, or possession of said lands.


THE PREMISES CONSIDERED, Complainant herewith files this his verified Bill of Complaint against the Respondents above named, against all of their heirs at law, next of kin, devisees or personal representatives, against officers, directors and stockholders of corporations, or associations, and against said property itself, and against any and all other persons, firms or corporations claiming any title to, interest therein, or lien or encumbrance upon said lands, or any part thereof, said Bill being filed for the purpose of establishing Complainant's right and title to said properties, and to clear up any and all doubts or disputes concerning his ownership of the same, and Complainant therefore prays that the parties above named be made parties

respondent; that those shown as residents of the State of Alabama be served by Personal Service; that those who are non-residents of the State of Alabama, but whose last known address is shown, be served by Registered Mail, and that service by Publication be made on the remainder, all in accordance with the Laws and Statutes of this State, and the rules of this Court, in actions of this nature, and the Complainant further prays that the Court will order all respondents to plead, answer or demur within the time prescribed by law, or that a Decree Pro Confesso may be entered against them. Complainant further prays that a Guardian Ad Litem be appointed for those persons who are unknown, and who might have an interest in said property, or for those persons who might be minors, or who might be, through law, for some reason not competent to receive service and to defend.

Complainant further prays, therefore, that this Honorable Court will find and establish all the rights, interests, and ownership of all of the parties hereto, to the property hereinabove described, and will make and enter all Orders, Judgments and Decrees that may be meet and proper in the premises, and that upon a final hearing hereof, will find, decide and decree that the Complainant has an entire, undivided and fee simple interest, free of all liens and encumbrances, in and to all of the property hereinabove described.

Complainant further prays that if he be mistaken in the relief prayed for, that this Court will grant him such other, further, additional, different and general relief to which he may be entitled and as in duty bound, he will ever pray.


C. G. Chason


Telfair J. Mashburn, Jr.
Solicitors for Complainant

11/5/18

FILED
SEP 29 1918
ALICE L. JONES, CLERK
BALDWIN COUNTY, ALABAMA

JAMES E. KEITH, JR.,
Complainant,
VS
CERTAIN LANDS AND LEAH M. SHAW, ET AL.,
Respondents.

IN THE CIRCUIT
COURT OF BALDWIN COUNTY,
ALABAMA. IN EQUITY
NO. 4154

JAMES E. KEITH, JR. BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS

Examination by Mr. Chason.

Q. Mr. Keith, I show you a plat marked Complainant's Exhibit A. on which there is identified a tract of land 405 feet in length and approximately 116 feet in width shown on this Exhibit as Herrod-Keith conflict. Do you see that particular portion of the plat?

A. Yes sir.

Q. We would like to confine your answer to the questions asked you to that particular piece of property. Mr. Keith, are you the owner of that tract that I show you on this plat?

A. Yes sir.

Q. How long have you owned that piece of property?

A. Since 1918.

Q. Who was it purchased from?

A. William Brown.

Q. Did you take possession of this property after your purchase, Mr. Keith?

A. I did and put a new fence around it; it was already fenced and I put a new fence around it.

Q. When did you fence it?

A. 1918.

Q. Have you been in possession of this property since that time?

A. Yes sir.

Q. Continuously?

A. Yes sir.

Q. Has it been under fence continuously since that time?

A. Yes sir.

Q. For what has the property been used since that time?

A. It was farmed up to approximately '28 - then it was leased to Denniston & Boykin for turpentine quarters and on this particular piece there were eight houses built for Boykin and Denniston and the lease was up in 1939, and I put new wire on the same old posts and put new wire on there in 1940 and farmed it that year and later -- it has been farmed every year since that. Later - in 1954, I rented it and I have a statement here showing where that piece of land was = rented.

Q. It is your answer that except for the time it was used for camp houses when it was under lease to Denniston & Boykin that it was farmed continuously?

A. Yes sir.

Q. Been continuously under fence?

A. Yes sir.

Q. You have been in the continuous possession?

A. Yes sir.

Q. Did you farm it this year, Mr. Keith?

A. Yes sir.

Q. What was grown on it this year?

A. I have corn on it now.

Q. Did you farm it last year?

A. Yes sir.

THE COURT: When was the suit filed?

MR. CHASON: I don't know.

--

Q. Did you farm it in 1957?

A. Yes sir.

Q. What was grown on it that year?

A. Corn and Velvet beans.

Q. Did you farm it in 1951?

MR. RICKARBY: I object to any testimony of possession prior to the decree in the Elizabeth Henderson case, and ask your Honor to reserve the ruling until I introduce the decree.

Q. Did you farm it in 1952?

A. Yes sir.

Q. In 1953?

A. Yes sir.

Q. What was grown on it in '53?

A. Corn.

Q. What about 1954?

A. I will have to produce this -- It had Soy Beans on it.

REPORTER'S NOTE: Witness hands Mr. Chason paper.

Q. You leased it out in 1954?

A. Yes sir.

Q. To whom was it rented?

A. Heilstein

Q. Did he pay you the rental for the property?

A. Yes sir, with this letter came the money.

Q. Did you farm it in 1955?

A. Yes sir.

Q. What was grown on it in 1955?

A. Corn.

Q. Did you farm it in '56?

A. Yes sir.

Q. In 1956 and 1957?

A. Yes sir.

Q. Has a Mrs. Henderson or a Mr. and Mrs. Henrod ever had any possession of that piece of property, Mr. Keith?

A. No sir.

Q. I believe that is Mrs. Elizabeth Henderson --- Do you know her?

A. Yes sir.

Q. Did she ever have any possession?

A. No sir.

Q. Did her husband ever have any possession of that land?

A. No sir.

Q. Are you acquainted with Mr. and Mrs. Herrod?

A. I am.

Q. Have they ever had any possession of that property?

A. They have not.

Q. Has any one other than you and those claiming under you had any possession from 1952 to this date?

A. No sir.

Q. Have they since 1918?

A. Nobody only when the lease was there - they had the right to build the houses.

Q. Have you paid taxes on that property, Mr. Keith?

A. Yes sir.

Q. Continuously since when?

A. 1918.

Q. Since 1918--

MR. RICKARBY:--I object to the evidence as to the payment of taxes. I think the tax records would be the best evidence.

MR. CHASON: We will let this witness come down, but we would like to remind the Court that we may wish to introduce certain records by him later on.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Rickarby.

Q. Mr. Keith, you remember at the start of Mr. Chason's questions he asked you to please confine your remarks to the lands in question?

A. Yes sir.

Q. You stated that there were eight houses on this land?

A. That is right.

Q. on the 400 feet, is that right?

- A. That is right.
- Q. You stated that you got this land by a deed from the Browns?
- A. Yes sir.
- Q. Does the Brown deed describe this property?
- A. It describes it in 23 and since then they established a section line 400 and something feet--
- Q. Do you have the Brown deed here?
- A. Yes sir.
- Q. You stated that you have paid taxes on this 400 feet, with other property?
- A. That is correct.
- Q. For how many years?
- A. Since 1918.
- Q. Isn't it a fact that when you assessed your property you used a copy of the advertisement of your bill to quiet title to describe the property you were assessing?
- A. No.
- Q. It is not?
- A. No sir.
- Q. Do you remember back in about '43 that Mr. Harry Parker surveyed this land for the Hendersons?
- A. Yes sir, I helped him.
- Q. At that time did he show you where the line ran?
- A. Yes sir, we measured it.
- Q. Can you show the Judge on this map where Mr. Parker told you that line ran?
- MR. CHASON: Just a minute; I think you had better identify which land line you are talking about - which one he means -- there are a lot of lines
- THE COURT: I will have to assume that he means on this land.
- Q. The line defining the boundary of the Henderson property in relation to the 400 feet?
- A. On that map we started at the back of the field at an iron stop. It was 409 feet - He told Mr. Henderson and Mrs. Henderson that was the exact feet and I helped cut the right of way and

we started at the back of my fence.

- Q. Isn't it a fact that he told you that the line came to approximately that big hickory tree which is located right about here (indicating)?
- A. No.
- Q. He did not?
- A. No.
- Q. You're absolutely positive of that?
- A. No, he didn't tell me that it came to the hickory tree in the middle of the field.
- Q. The hickory tree by the road?
- A. No sir.
- Q. At that time was your fence between you and the Henderson property in relation to this 400 feet on the line?
- A. Right where it is now; right on the line.
- Q. Was that where Mr. Parker said the line was?
- A. At the back of the east line of the fence was the Henderson property; he told Mrs. Henderson and Mr. Bolie Henderson that in my presence.
- Q. That your present fence defines this line right here on the highway?
- A. This stob - let me see--I believe I have the same thing drawn out here.; that is the piece in question (indicating) This piece is in question - That iron stob that is the Daugette piece- that iron stob right there- indicating - this Iron pipe was there in 1918, and this was one we recovered here; this was known to us when we bought the place as Section 23, and it went on across the road 700 and something feet, and we sold the south side of Section 23 --
- MR. RICKARBY: Please confine your answer to the question.
- Q. The question I asked is whether the fence as touching the public road dividing your property from the Henderson property was set by Harry Parker to be on the correct line?
- A. Yes sir.

Q. It was?

A. Yes sir, it was to be on the correct line.

Q. It was to be on the correct line?

A. It was the correct line.

ON RE-DIRECT EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Keith.

Q. This property we have been discussing here was a part of a larger tract at the time you originally bought it?

A. Yes sir.

Q. Since you have owned the property has the highway department put a new road through there?

A. Yes sir.

Q. Does the road join and abut the land we are discussing?

A. Yes sir.

Q. Was a part of the land on your original deed taken over by the highway department?

A. Yes sir.

Q. Who did the highway department get the deed from?

MR. RICKARBY: I object; that is irrelevant.

Q. Who did the highway department get a deed from?

A. From the Keiths.

MR. CHARLIE KELLER, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Chason.

Q. You are Mr. Charlie Keller?

A. Yes sir.

Q. I will show you Complainant's Exhibit A. in this suit and the little parcel on here identified as the Harrod-Keith conflict. Are you familiar with that piece of land?

A. It lays right along side of the road - yes sir.

Q. Do you know where it is?

A. I pass it every day and I plowed it up one time.

- Q. I will ask that you confine your answer to the questions to that particular piece of land. How long have you been familiar with that piece of property?
- MR. RICKARBY: I make the same objection as I did about anything dating prior to the decree.
- A. Since 1919.
- Q. Was the property fenced at that time, Mr. Keller?
- A. Yes sir, Keith lived there when I came back from the Army in World War 1.
- Q. Was the property in Mr. Keith's possession?
- A. Yes sir.
- Q. Farmed by him?
- A. Yes sir.
- Q. Have you been familiar with the property down through the years since that time continuously?
- A. Yes sir.
- Q. Has any one other than the Keiths been in possession of that property since that time?
- A. Not as I know of.
- Q. Has a Mrs. Elizabeth Henderson-- Do you know her?
- A. Yes sir.
- Q. Has she ever had any possession of that piece of property?
- A. Not that I know of.
- Q. Do you know Mr. and Mrs. Herrod?
- A. Yes sir.
- Q. Have they ever had any possession of that property?
- A. They bought land -- they bought from Mrs. Henderson.
- Q. This piece of land that we are talking about - have they ever had any possession of it?
- A. Not that I know of .
- Q. Have you ever done any work on this property?
- A. I broke it up and harrowed it for Buster Keith.
- Q. When?
- A. Latter part of World War 2, in '45.
- Q. You - have you done any work on there since that time?

A. No sir.

Q. At that time you were doing it for Buster Keith?

A. Yes sir.

Q. That's James E. Keith, Jr.?

A. Yes sir.

Q. Has it been continuously fenced since you first knew it?

A. Yes sir.

Q. Fenced at the present time?

A. Yes sir.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Rickarby.

Q. Mr. Keller, you heard Mr. Keith testify that this land was rented to Everett & Boykin?

A. Yes sir..

Q. Did you ever know of Mr. Everett & Boykin renting that land?

A. Yes sir.

Q. Wasn't it in their possession while you knew about it?

A. No sir.

Q. Everette & Boykin?

A. They had a lease on it and turpented it and had turpentine houses all on it.

Q. Was the turpentine still on this particular 400 feet extending back 116 feet?

A. No, the still was on the river - the quarters were on that piece.

Q. Were all of the eight houses on this particular piece of land in question?

A. What Mr. Harrod is claiming?

Q. Yes?

A. Scattered all over it - not all on this land.

Q. Not on this particular piece of land?

A. No sir, it extended back.

Q. Mr. Kieth was a little wrong when he said all of the houses set on that land?

A. On the Keith property.

Q. All eight houses were not on this strip of land?

A. I don't think so.

Q. Can you positively swear any one house was on this particular piece on the road?

A. That would be hard to swear to they have cut it up so bad; they have three pieces of land; when they put the new highway through there Buster Keith and myself protested it; it went through my land; he was working for the Government and came home and Joe Pose went there and got Mrs. Keith to sign the right of way --

Q. We are getting a little off -- You said that you plowed this particular piece of land?

A. Yes sir.

Q. When did you farm that particular piece of land?

A. Yes sir -

Q. But that was a much larger tract?

A. It was all in one tract until the road cut it into three pieces; he had a piece south of the road and a piece between the two roads and a piece on the beach; they cut it all to pieces.

Q. Can you positively swear how much of this particular 400 feet that you did plow?

A. I plowed the whole field - that was before the road went there -- before the new road cut it up -- see?

Q. In otherwords, you plowed on both sides of the road?

A. Yes sir.

MR CURTIS CHILDRESS, BEING FIRST DULY SWORN, TESTIFIED AS
FOLLOWS:

Examination by Mr. Chason.

Q. You are Mr. Curtis Childress?

A. Yes sir.

Q. Mr. Childress, I show you Complainant's Exhibit A. and on there is identified a little parcel of land marked "HARROD-KEITH CONFLICT" showing and I will ask you if you are

familiar with that piece of property?

A. Yes sir.

Q. Unless specifically asked, please confine your answers to this particular piece.

MR. RICKARBY: I make the same objection to his testimony.

THE COURT: That is right, there's an objection whether you make it or not.

Q' How long have you been familiar with that particular piece of property?

A. Around 30 years.

Q. Have you ever done any work on that piece of property?

A. Yes sir.

Q. When was that, Mr. Childress?

A. '53.

Q. 1953?

A. Yes sir.

Q. For whom did you do that work, Mr. Childress?

A. Buster Keith.

Q. Do you remember about what time of the year?

A. Spring of the year; I planted it in corn.

Q. Is Buster Keith James E. Keith, Jr?

A. Yes sir.

Q. Do you know Mrs. Elizabeth Henderson and her husband?

A. Yes sir.

Q. Did either Mr. or Mrs. Henderson approach you or say anything to you at the time you were working on the piece of property?

A. Yes sir, Mr. Henderson came up the night I finished planting and wanted to know if I had rented the land and I told him No, I had just planted it for Mr. Keith.

Q. You told him who you planted it for?

A. Yes sir.

Q. That was in the Spring of '53?

A. Yes sir.

ON CROSS EXAMINATION OF THIS WITNESS HE TESTIFIED:

Mr. Rickarby: I don't believe I care to ask him any questions.

THE COMPLAINANT RESTS.

GROVER C. HERROD, BEING FIRST DULY SWORN TESTIFIED:

EXIMANTION BY MR. RICKARBY.

Q. are you Grover C. Herrod?

A. Yes sir.

Q. Mr. Herrod, can you identify this instrument here?

A. That is a deed made out to myself and my wife from Mr. and Mrs. Henderson.

MR. RICKARBY: I introduce this deed.

MR. CHASON: I want to point out--

MR. RICKARBY: The deed has not been introduced -- I now offer this Deed in evidence as being a deed including the property in litigation before the Court now.

MR. CHASON: Can you show me on here where it is?

THE COURT: It has to be in there or the deed is no good--

MR. CHASON: It does not show it is by the plat.

M We would like to object to the introduction of the deed on the ground that the certified plat, which is Complainant's exhibit A. as heretofore placed in evidence and identified by Mr. H. W. Graham, licensed surveyor as being a true and correct representation of this property indicates that the deed as the lands are described, does not cover the parcel of land which is in controversy and which is claimed by Mr. Keith.

MR. RICKARBY: Mr. Harrod, can you point out ; from this map how this deed specifically includes the lands in question?

MR. MASHBURN: May it please the Court, we object on the ground it has not been shown that this man has an expert knowledge --

THE COURT: Let him show me and I will check it.

MR. MASHBURN: I object; he's not an expert and is not qualified to do that--

THE COURT: I am going to ask him and Mr. Graham; it is up to me to find out.

A. This is sub-division six; it is south of this line right down here, indicating.

THE COURT: Where does it begin?

A. It will begin at the south part of subdivision 6 and it is the South 897 feet of sub-division 6.

THE COURT: This is sub-division 6?

A. Over here and that part of sub-division 7, 8 and 10 which lies north and east of the paved Point Clear-Foley highway as now located, and fractional Section 24 - This is Section 24, Township 7, Range 2 East in Baldwin County, Alabama. That will completely describe the property and it takes in this 408 feet in question.

Q. In otherwords, the property involved in this suit is in sub-division 8?

A. Yes sir.

Q. And it lies South and East of the highway as described in the deed?

A. North and East.

Q. Do you have any deed anti-dating this one? -- Where the Henderson's got it?

MR. RICKARBY: No.

Q. Is that the deed under which you claim the land involved in this suit?

A. That is correct.

Q. Does this deed extend over into the land that Mr. Keith now has in the corn field?

A. It does.

Q. Did you ever have any conversation with Mr. Keith whereby you informed him that you were claiming to the Section line?

A. Yes sir.

Q. When was that?

A. About -- Now these dates are not exact - perhaps Mr. Keith if he gets back might remember better than I. The best I remember it was about three years ago -- A little over three years -- First his wife came over - they were planning to build a house back of the highway and his wife came over and said that they would like for me to consider selling them 100 or 200 feet on the highway, and I said, "We will think about it" and not long after that I saw Mr. Keith and he asked me if we had reached a conclusion, and I said, "I'll trade you some land on the back" and he said: "We do not have property on the highway - that belongs to my mother and he said "If I put a ; road through there it will be in conflict" -- He said: "I don't own any property on the paved highway that he could get out on the dirt road in the back--

Q. Did you tell him where your land started?

A. I did not know exactly, except it was supposed to be from the section line.

Q. Did you discuss selling him a lot starting at the section line?

A. I told him I had not had the property surveyed and I would sell him from the west end of the property, beginning at the section line -- I didn't say Sell - I said trade, pardon me.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Chason.

Q. Mr. Herrod, I show you this map marked Complainant's Exhibit A. with this little parcel here marked Herrod-Keith conflict. Is that the parcel in question right now?

A. It is.

Q. Mr. Herrod, you purchased this property from Elizabeth Henderson and George W. Henderson in October of 1953?

A. Yes I did.

Q. Since that time have you been familiar with this tract of

land?

A. I am familiar with it, yes sir.

Q. Who has been in possession of it since that time?

A. Mr. Keith.

Q. How long were you familiar with that property before you purchased it from Mr. and Mrs. Henderson, Mr. Herrod?

A. I wasn't familiar with it at all.

Q. Were you ever over there at all prior to your purchase?

A. No, I didn't go over there.

Q. Is there a fence line along the eastern boundary line of this tract?

A. There is.

Q. That is the dividing line between the property of which Mr. Keith is in possession and that which you are in possession?

MR. RICKARBY: I object. That is the question to be decided in this suit.

A. That fence has been there ever since I have been living where I am.

Q. Ever since you have known anything about the property that fence has been there?

A. Yes sir--

Q. And James E. Keith, Jr. has been farming the property?

A. That fence has been there -- I have never had the property surveyed -- I didn't know the lines and I have not had it surveyed since I have had it.

Q. Mr. Keith has been farming that portion there?

A. It has been farmed since I have been there.

Q. You have had no possession?

A. No - Mr. Keith has been off working - Some one else was farming it.

MR. CHASON: The decree was entered in 1954. Mr. Herrod said he bought the property in '53, so the decree is void -- Mrs. Henderson didn't own that property; she not only filed on something that she was not in possession of, but she didn't own it. We have no objection to introducing the decree.

MR. RICKARBY: Fir the deed shows that --- I offer this decree in evidence as affecting this particular piece of property and call the Court's attention to the fact that the deed says it was not recorded until December '54, which was after the decree was made.

THE COURT: When was the Henderson suit filed?

MR. RICKARBY: 10/12/53.

GEORGE HENDERSON, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Rickarby.

Q. You are Mr. George Henderson?

A. Yes.

Q. Did you and Mrs. Henderson make this deed to Mr. and Mrs. Herrod?

A. Yes sir.

Q. Do you remember when that deed was finally delivered?

MR. CHASON: We object to that.

THE COURT: Go ahead.

MR. CHASON: We except.

Q. Do you remember when it was finally delivered and you got your money?

A. I don't ---

MR. RICKARBY: ---I withdraw the question.

Q. Did you and your wife own and occupy the property you sold to Mr. Harrod?

A. Yes.

- Q. Did you have Mr. Harry Parker to survey this land for you?
- A. I did.
- Q. About when did Mr. Parker survey this land for you?
- A. Well I believe it was in '43.
- Q. At the time you surveyed the land did Mr. Keith see where Mr. Parker put the line?
- a. Yes sir.
- Q. Did Mr. Kieth -- Did Mr. Parker show Mr. Keith -- Where did Mr. Parker find the boundary of your property to be?
- A. This is the section line; I wanted to see where we started surveying--
- Q. Did Mr. Parker say that you line ran to the section line?
- A. Yes sir.
- Q. That included the property now in dispute?
- A. Yes sir.
- Q. At that time where was Mr. Keith's fence?
- A. It was east of that Section line.
- Q. About 400 feet east, wasn't it?
- A. I don't know whether it ran that far or not. I know in this survey when he surveyed it the line come up in here, indicating, and he told Mr. Keith that his fence was too far east.
- Q. Did you and Mr. Keith have any discussion about that fence?
- A. Yes.
- Q. What was that discussion?
- A. Mr. Keith said he got a man by the name of Parnell to run that fence down in there and he done it while he was off at work and he got it too far over to the east, but he said, "I will move it whenever you want me to -- I will move the fence" -- Well I thought nothing of it and I didn't need the land -- I didn't want to use it for anything--
- Q. Who was present when Mr. Keith told you that?
- A. Only me and him and Mr. Parker.

Q. Mr. Keith definitely told you that he knew that he was
= not holding the land, but would move the fence for you?

A. Yes sir.

Q. Had you ever had any particular call for that land?

A. No, never did.

Q. Did you pay the taxes on that land?

A. Sure I paid the taxes on the whole thing - wherever them lines
run and the deed calls to the section line.

MR. MASHBURN: We interpose an objection - that is not the proper
way to prove possession.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Mashburn.

Q. When did you say this took place?

A. 1943.

Q. Did Mr. Parker make you a plat?

A. He made a little plat.

Q. Do you have a copy of that plat?

A. We have not got it.

Q. Did he have marked in different color this particular piece of
land that we have in controversy-- Did he show that was Keith
land just as it is shown there today?

A. No sir.

Q. Now the fence at that time was where it is now?

A. Yes sir.

Q. It has been there ever since?

A. Yes. I don't think the fence has been moved any.

Q. Do you know how long that fence had been there prior to '43?

A. No I don't.

Q. How long have you been familiar with that land, Mr. Henderson?

A. I tell you, I helped clear part of that piece of land for
William Brown. Me and him talked about it and he said it
wasn't his, but he was going to clear it up and plant water-
mellons in it, but he didn't claim it -- He didn't claim to
own the property at all--

MR. MASHBURN: I object - that's not responsive to the question
and I move to strike it.

Q. How long have you been familiar with it --- Now long had you been familiar with it before 1919 - How long have you known a fence to be around that particular piece of land?

A. As far as I know there has been a fence around part of it ever since Brown cleared it.

Q. Do you know of your own knowledge that Mr. Keith has been in possession and keeping up that fence all of that time since 1919?

A. He has lived there and it was partially kept up; I can't say that it was kept up in very good shape.

Q. But he did maintain a fence there?

A. Yes sir.

MR. HARROD, BEING RECALLED TESTIFIED:

Examination by Mr. Rickarby:

Q. Mr. Harrod, do you remember when that deed was finally delivered and paid for?

A. It was paid for in December of 1954, and at that time the deal was closed and we got this deed; we brought it to you and put down 20% to hold as earnest money and the balance was to be paid in one year, provided, as you said, it would pass the test, and we could get a clear title, and it took almost a year to get clear title and we rented the property back to Mr. Henderson, but it was all contingent upon good title - No good title, no money.

After title was made the deed was sent to me and recorded after the decree was handed down and that is when we went to the Bank - In the meantime the bank handled the matter until the title was cleared.

ON CROSS EXAMINATION OF THIS WITNESS HE TESTIFIED:

Examination by Mr. Chason.

Q. You say you put up money?

A. Earnest money.

Q. The deed was executed?

A. To be held in escrow; we had borrowed money --

Q. You made a rental contract back to Mr. and Mrs. Henderson

At that time?

A. Yes sir, all money to be refunded in the event the title wasn't good.

Q. That rental contract ran from about the time the deed was dated?

A. The deal was we would pay interest from this time until the deal was closed up and they would pay rent - those went to the Bank of Fairhope to off-set interest.

Q. That is since, approximately the date of the deed - October of '53?

A. Yes, I would assume about that time; actually they were going -- at first we were going to buy on the spot and Mr. Rickarby advised us to have the title checked and everything was stopped there and we put all of the papers in the Bank of Fairhope in Escrob until such time as this was to be cleared up.

Q. You rented the property to Mr. and Mrs. Henderson to off-set any charges against you?

A. I will look it up; I have the papers at home, which I can go back and validate them right up to the date, if that is an important point.

THE RESPONDENT RESTS.

ON REBUTTAL, MR. JAMES HE. KEITH, JR. IS RECALLED:

Examination by Mr. Chason.

Q. Mr. Keith, you have been sitting here as the Complaint in this cause and heard Mr. Henderson make a statement that you said you would move the fence over if it was in the wrong place?

A. I heard that.

Q. Did any such conversation as Mr. Henderson reported take place?

a. Not on this piece of land that is involved.

Q. The conversation that he reported did not in any way concern this land in controversy?

A. No sir.

Q. You heard Mr. Herrod say you had said something about your fence line or property line or trading him land?

A. That's the first I have heard of that.

Q. You have had no such conversation with him?

A. Not for trading land.

Q. Did you, at any time, with either of these gentlemen, make a statement that this land didn't belong to you?

A. I did not.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Rickarby.

Q. Mr. Keith, you are positive you had no conversation with Mr. Herrod there about trading land?

A. No.

Q. Or buying land from him?

A. Yes, buying.

Q. You did have a conversation with him about buying some of the land on the highway?

A. Correct.

Q. Then what Mr. Harrod - then it was Mr. Harrod's suggestion about trading?

A. Yes sir.

Q. Now you said you and Mr. Henderson had no agreement about moving that fence?

A. That is right.

Q. Did you have any agreement with Mr. Henderson about moving any fence?

A. Yes sir, in the southeast corner of this tract of land the post was about 4 feet from an iron stob at one corner which would have taken about four feet - that's in the southeast corner 700 feet south of this particular piece in controversy.

Q. Where was the corner that you had the agreement about?

A. It was south of the highway.

Q. Can you point it out to the Judge on this map?

A. It was right there, indicating.

Q That post you were discussing was a post on the other side of the present highway from the property in question?

A. Yes sir.

Q. That was ⁱⁿ the southeast corner, approximately three or four feet--

A. Yes sir.

Q. You are positive that that conversation didn't refer to this fence?

A. No question about that.

ON RE-DIRECT EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. CHASON.

Q. Can you show us where the property you discussed with Mr. Harrod about buying?

A. See this Keith property here, indicating - this is woods - live oak - we wanted to build on this piece of land because we already had shade trees and didn't want to build in the field, so we went to Mr. Harrod to see if he would sell us a piece of the field where we have oaks and flowers and that would give us a place on the road.

Q. The piece you discussed with him was east of the piece in controversy?

A. Yes sir, east of this, so we would have a straight way to the highway when we built.

MR. CHASON: We rest.

MR. RICKARBY: I would like to bring up the assessment books and show exactly when and how this particular piece of property in question started to be assessed.

THE COURT: You will have to do that by certified copy -- You mean Henderson and Herrod?

MR. RICKARBY: No, Keith's assessment. That really wouldn't help you decide the case.

THE COURT: Here is what I want you all to do. The evidence is pretty clear that Keith was in possession of

the land at the time this decree was granted.
I want to know whether that decree will operate
against Keith in that case.

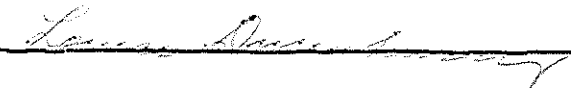
MR. MASHBURN: When he had no notice of the suit?

THE COURT: Yes, if the decree was good against him,
possession prior to that time doesn't count.
the main thing I want to know, did he, by his
answer, waive that. The next thing was: Why was
the decree later than the deed -

C E R T I F I C A T E:

I hereby certify that the foregoing, consisting
of pages 1 to 23 both inclusive, correctly sets forth a true and
correct transcript of the testimony as taken by me in open Court
in the above styled cause.

This 22nd day of September, 1959.



JAMES E. KEITH, JR.,
Complainant,
-VS-
Certain Lands, et al
Respondents.

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|
|
|
|

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.
Case No. _____.

ANSWER IN CROSS BILL

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

FIRST:

Come the Respondents, GROVER CLELLAN HARROD and FLORENCE P. HARROD, and file this their answer and cross bill to the above styled cause, and show that, as to the following described land, shown in Complainant's bill, as being a part of Parcel Eight (8):

"Beginning at a point where the West line of Section 24, Township 7 South, Range 2 East intersects North line of the Right-of-Way of Alabama Highway 89, thence run East along the Right-of-Way line a distance of 405 feet if measured at right angles; thence North 116 feet to a pipe; thence run West 405 feet to the West line of Section 24; thence South to the point of beginning, lying in the Northwest Quarter of the Southwest Quarter, and also known as Government Subdivision Eight".

SECOND:

Respondents deny each and every allegation of Complainant's bill, and every paragraph thereof as to said parcel of land.

THIRD:

Respondents further show that they claim said land under a conveyance by Elizabeth Henderson, in which said land was described as, " that part of Governement Subdivision Eight which lies North and East of paved Point Clear-Foley Highway in Fractional Section 24, Township 7 South, Range 2 East, Baldwin County, Alabama", and that title to said land was confirmed to the said Elizabeth Henderson by a Decree of this Honorable Court, dated 12th day of January, 1954, in the case of Elizabeth Henderson vs. Certain Lands.

Wherefore, Respondents and cross-complainants pray that on a final hearing of this cause, the Complainant be denied the release sought by him as to the land described in this answer, and that title to said land, which together with the right of possession thereof, be decreed to these Respondents and cross-complainants.

filed Nov. 25, 1957
Alice J. Buck, Register



E. G. RICKABY,
Attorney for Respondents.

4154

JAMES E. KEITH, JR.

Complainant

-VS-

CERTAIN LANDS, et al

Respondents.

ANSWER IN CROSS BILL

FILED

NOV 25 1957

ALICE J. ROCK, Register

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

JAMES E. KEITH, JR.,)	
Complainant,)	IN THE CIRCUIT COURT OF
-vs-)	BALDWIN COUNTY, ALABAMA
CERTAIN LANDS, LEAH M.)	IN EQUITY
SHAW, et al,)	CASE NO. <u>4154</u>
Respondents.)	

ANSWER TO CROSS BILL

Comes the Complainant and Cross Respondent in the above styled cause, and in answer to the Cross Bill heretofore filed by Grover Clellan Harrod and Florence P. Herrod, says as follows:

1. That he neither admits or denies the allegation of Paragraph 3 of the Cross Bill, wherein it is set out that "title to said land was confirmed to the said Elizabeth Henderson by a Decree of this Honorable Court, dated the 12th day of January, 1954, in the case of Elizabeth Henderson -vs- certain lands", Complainant and Cross Respondent having been the owner of the property in question at that time, and on that date, and having been in the sole possession thereof, said possession having been open, notorious, peaceable and adverse, and the property having been used as farm land and for other purposes, and having been under fence, and Complainant and Cross Respondent, not having been made a party or Respondent to any suit to quiet title on or about the date recited, nor at any time, under a suit to quiet title filed by the said Elizabeth Henderson.

2. Respondent denies any allegations of the Cross Bill not herein specifically admitted, and demands strict proof thereof.

[Handwritten Signature]

Jessie J. Mashburn
Solicitors for Complainant and
Cross Respondent

Filed
7-21-59

4154

FILED
JUL 21 1959
ALICE I. DICK, CLERK
REGIST

1959

SUMMONS AND COMPLAINT

CIRCUIT COURT, BALDWIN COUNTY

THE STATE OF ALABAMA,

BALDWIN COUNTY

No. 1156

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

The First National Bank of Mobile et al

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

CERTAIN LANDS, AND LEAN H. SHRY, et als, Defendant

by **JAMES B. KEITH, JR.**

Plaintiff.....

Witness my hand this

31

day of

Oct

19 *57*

Arice J. Duck, Clerk

425 C
4154

121

Page

Defendant lives at

**THE STATE OF ALABAMA
BALDWIN COUNTY**

CIRCUIT COURT

RECEIVED IN OFFICE

JAMES E. KEITH, JR.

Plaintiffs

11/24 19 57
Ray D Bridges, Sheriff

vs.

CERTAIN LANDS, AND LEAH M. SEAN,

et als.

Defendants

I have executed this summons
this 11/21 19 57
by leaving a copy with

First Nat'l Bank
of Mobile, Ala.
in service on
Mr. W. P. Adams, v. P.

SUMMONS and COMPLAINT

Filed Oct. 31, 19 57

Alice J. Duck, Clerk

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m c
First Nat'l Bank
W P Adams, v P.

Plaintiff's Attorney

Defendant's Attorney

Ray D Bridges, Sheriff
W. McCoy, Deputy Sheriff

1500

JAMES E. KEITH, JR, Complainant, -vs- CERTAIN LANDS, LEAH M. SHAW, et al, Respondents.	} } } } } } } } } } }	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY
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I, Frances G. Mallory, as Register and Commissioner in Chancery, have called and caused to come before me James E. Keith, Jr., and Pearl Middleton Keith, witnesses named in the Requirement for Oral Examination, on the 18th day of February, 1959, at the office of C. G. Chason, in Foley, Alabama, and having first sworn said witnesses to speak the truth, the whole truth and nothing but the truth, the said James E. Keith, Jr., and Pearl Middleton Keith doth depose and say as follows:-

(Testimony in Question and Answer form, the witnesses being questioned by C. G. Chason, Attorney at Law, as attorney for Complainant, and by James A. Brice, Attorney at Law, Guardian ad Litem.)

DIRECT EXAMINATION - C. G. CHASON:

- Q. You are James E. Keith, Jr., who is the Complainant in the Equity proceeding against Certain Lands, Leah M. Shaw, et al?
- A. I am.
- Q. You are also known as Buster Keith?
- A. That's right.
- Q. Mr. Keith, I believe that you are claiming to be owner in this suit of Lots 6, 7, 8 and 9 of Block 19, and Lot 11 of Block 21, in Park City. Is that correct?
- A. That's correct.
- Q. You alledge Mr. Keith that you became the purchaser of these lots on the 17th day of July, 1946, by a Tax Deed from the State of Alabama, the property being sold in the name of Leah M. Shaw. Is that correct?
- A. That's right.
- Q. Now you further aver that you have paid taxes on these lots for a period of ten (10) years, and that no one else has paid any taxes on these particular lots other than H. H. Mashmeyer

and R. C. Keeney, who paid some taxes since the year 1950.

Is that correct?

A. Well . . .

Q. In other words, from 1946 to the present, you have paid taxes on those lots every year?

A. Yes, Sir.

Q. No one else has paid any taxes except in 1950, R. C. Keeney picked them up on the Tax Records?

A. Yes.

Q. Have you had any actual possession of these described lots, Buster?

A. Yes, sir. I fenced them in the Fall of 1946, had them surveyed, and I kept them continuously under the fence. I had a re-survey made in 1947, and the fences put on the line, and have bills to show for it.

Q. You have bills to show for the survey?

A. Yes. Now, this was where paperwood was cut off of that property. . . .

Q. Hold it just a minute. Now, this is a sale slip to S. M. Adams, by you

A. That was paperwood.

Q. Oh. I was looking for the date on it. This is August 23, 1955. Is that when paperwood was sold off that property?

A. Well, it was sold again . . let's see, to Coggins, I have something here where Coggins bought it. Here is the last. It was cut . . .

Q. Let me ask you something else, Buster, about this paperwood sale. Did that cover just these lots that we are now referring to or all of your lots that you are claiming title to?

A. All in Park City.

Q. All of them? All right.

A. That covered all of them. Those and all the rest of them.

Q. In other words, you sold the paper wood off of all the lots you described in the Complaint, in Park City, in 1955?

A. Well, let me think. I sold O. W. Lowery, let me see, that was Wm. Taylor cut them in 1955, he went back over it . . .

he cut them in 1952, I think, I am not positive.

Q. You had some timber cut there in 1952 also?

A. Yes, I had some off of lots 19 and 20 cut there in 1950. Yes.

Q. Then, you say that you had your lots surveyed in 1946 and fenced them in 1946?

A. In the Fall of 1946, yes.

Q. Have you made any use of those lots in any way?

A. Yes, I cleared them up one time, and I kept the fence up on them, and I sawed the timber off of them, and I collected for that, and they have been continuously under fence, and the fences have been kept up.

Q. Has anyone else had any possession of those lots we have described since 1946, other than you or people using ^{them with} your permission?

A. Nobody, only the ones who used it with my permission.

Q. I believe you allowed some Negroes to cut poles of some kind for use with their fish nets, didn't you?

A. That's right.

Q. BUT that has been solely with your permission?

A. Just with my permission.

Q. I believe also that there is a spring on some of these lots?

A. That is correct.

Q. And has that been used with your permission?

A. Yes, sir. I gave permission to the fishermen to use that stream.

Q. And do the people in the vicinity of this land know it to be yours?

A. Yes, sir.

Q. Now, that Tax Sale was in the name of Leah M. Shaw. Can you tell us any of the history of those particular lots back beyond 1946, when you purchased them?

A. Yes, sir. There was a man named Keernage, who was a brother to Mrs. Shaw, and Mrs. Tom Gladwell, that was a sister to Keernage. Keernage was a single man. I worked with Mr. Shaw. When the McGottling Railroad was closed down, Keernage got a

job; job with S. H. Kress in Mobile, and was transferred to California, and he deeded Mrs. Shaw the lot, and Mrs. Shaw had a housekeeper for an old man by the name of William Kinchen and she moved to New Orleans, and a fire burned the house up, but you can still see the old house place, and I was told that Mr. Shaw died earlier, and Mrs. Shaw died in 1942. Mr. Shaw and I drove the piling at Arlington Docks, and we also worked together on the railroad over here, and in Texas we worked together.

Q. You knew both Mr. Shaw and Mrs. Leah M. Shaw?

A. Yes, sir.

Q. Did Mr. and Mrs. Shaw have any children?

A. Ifs, they did, I didn't know it, and Mr. Shaw and Mrs. Shaw said not. They didn't claim any children when I was with them.

Q. Do you know of any heirs of Mr. and Mrs. Shaw? Or, Mrs. Shaw particularly?

A. You mean 'way back? They're dead now, but Mrs. Gladwell and Keernage were supposed to be related to her. Mrs. Gladwell claimed to be her sister, and Keernage claimed to be the brother. Keernage is supposed to be dead, and Mrs. Gladwell, and Tom Gladwell is also dead. Mr. and Mrs. Gladwell had no children.

Q. In 1950, at the time this property was picked up for taxes by R. C. Toole, did he have any sort of conveyance to these lots at that time?

A. Yes, sir. He found somebody to make him a deed in 1950. One week before he died

Q. Mr. Keeney, I believe, tried to buy those lots from you, Buster?

A. Yes, sir.

Q. And at that time he didn't in any way question your title or ownership of the lots?

A. No.

Q. And he at no time in any way questioned your ownership?

A. Correct.

Q. Then, you say he had a deed signed by someone named Shaw?

- A. Yes.
- Q. Did you make any effort to locate this person?
- A. Yes, sir.
- Q. That deed was signed, I believe, before a Notary Public in New Orleans?
- A. That is right.
- Q. And you went to New Orleans and talked to the Notary?
- A. Yes, sir. And also, I had a lawyer. I think his name is Matthews, in New Orleans, and Lemon, Lawyers, to find Mrs. Shaw that signed the deed.
- Q. And what did they find out about that?
- A. They were in no directory, and they could not find him.
- Q. Did the Notary Public described to you the man who came in there and signed the deed as an heir of L. M. Shaw?
- A. Yes, sir.
- Q. Who did the description fit?
- A. He said a big man, with sandy hair, and that she had never seen him before, and that she just acknowledged his signature, and the description fit Mr. Keeney.
- Q. Now, at this time, Mr. Keeney had filed a petition, a suit for redemption of these lots, based on this deed, did he not?
- A. Yes, sir.
- Q. And, I believe, after we filed in your behalf interrogatories to force Mr. Keeney to produce the Shaw's from whom he bought this property, that suit was dismissed. Is that correct?
- A. That's correct.
- Q. Then you take the dismissal of the suit as an abandonment of any claim by R. C. Keeney?
- A. I do.
- Q. And Keeney had no possession of the property?
- A. None whatever.
- Q. And you have been in possession since you purchased it in 1946?
- A. Yes, sir.
- Q. You have had the lots fenced?

A. Yes, sir.

Q. No trespassing signs are up?

A. Yes, sir.

Q. And no one has used them, except with your permission?

A. That is correct.

Q. And you have cut the timber off?

A. Yes, sir.

CROSS EXAMINATION - JAMES A. BRICE:

Q. MR. Keith, you mentioned that you had been paying taxes on this property since 1946. Is that right?

A. Yes, sir.

Q. And that a man named Keeney started paying taxes on it about 1950?

A. Yes, sir.

Q. Are they still paying taxes on it?

A. No.

Q. His estate?

A. No.

Q. Or anyone related to him?

A. No.

Q. Now this gentlemen who was working on the McGlaughlin Railroad, what was his name?

A. Shaw. We called him Will Shaw. And Keernage. He was time-keeper.

Q. He was timekeeper?

A. Yes.

Q. Was he related to Mrs. Leah M. Shaw?

A. That was her brother.

Q. Her brother. And the other woman's name was what?

A. Was Mrs. Gladwell.

Q. Mrs. Gladwell. Now you said, I believe, that Keernage deeded this property to Leah Shaw.

A. That's right.

Q. Did you see the deed?

A. No. I took their word for it, that they had it.

- Q. Have you seen it on record?
- A. Yes.
- Q. You have seen it in the Courthouse?
- A. Yes, sir.
- Q. Now, was this prior to or after Leah Shaw's death?
- A. Keernage deeded it to her in 1914.
- Q. Mrs. Shaw, of course, was living at that time?
- A. Sure.
- Q. When did you first see the deed? From Keernage to Shaw?
- A. IN 1942.
- Q. 1942? NOW, what particularly caused you to go look at it? You had not bought it infor taxes at that time.
- A. Me working with Mr. Shaw, knowing they owned the lots, and Mr. Lyons and I worked on the same job, we were all together, and I asked where Mr. Shaw was, and they said that he was dead. I said what did they do with the property? They said I don't know. I said well, Mrs. Shaw would know. He said no, she is dead, too. So, then I went to Bay Minette.
- Q. And who told you this?
- A. Mr. Lyons. He is dead too, now.
- Q. Was he a close friend of the Shaw's?
- A. Oh, yes. Then I went to the records to see if that property had been sold, or whether they still owned it or not, and it had been sold to the State, and I put in my application to the State of Alabama. I got a notice back that it would be 60 days, because they had to notify me if there was any owners. I have that here, in writing.
- Q. MR. Keith, this Lot 11, in Block 21, is that lot about 40 feet by 130 feet?
- A. 40 feet by 150 feet.
- Q. 40 by 150 feet?
- A. Yes, sir.
- Q. And you mean to tell me that you fenced that lot in?
- A. Yes, sir.
- Q. It by itself?
- A. Yes, sir.
- Q. A fence all the way around it?

A. Yes, sir.

Q. And it doesn't touch anything else?

A. No.

Q. It just encloses that one LOT. Is that right?

A. Yes, sir.

Q. What kind of wire do you have around it?

A. Barb wire.

Q. Barb wire. One strand?

A. One strand around that one. Two around the one down in 19.

Q. Do you have it posted?

A. Yes, sir. I have three or four signs on that one lot.

Q. HAS anyone disturbed your possession?

A. No, sir.

Q. Did Keeney every try to get on there?

A. No, sir. Only when he entered suit. He never knocked down my signs.

Q. Did he ever go on the property?

A. I never seen him.

Q. You said that you had cleared the property at one time.

A. Well, when that case was dropped against Keeney, I thought it was clear, didn't you Mr. . .

Q. No, I don't mean . .

A. Oh, I beg your pardon. There was some left, but then part of it I did clear, me and Mr. Reynolds.

Q. What did you do after you cleared it?

A. Well, we had it there where we could park on it, and go up there and fish, and picnics. We used go there every Easter and then every week-end, because it is right there at the Bay, and we parked our cars on it, and we had a good stream of water, and a spring of water, and concreted in the spring.

Q. Was the spring on this lot 11 in Block 21?

A/ No.

Q. Well, what did you do on it?

A. Cut the timber off and had it fenced and posted. Kept the fence up.

Q. Did you ever graze any cattle on it?

A. No.

Q. Ever garden it?

A. No.

Q. Does it have any timber on it now?

A. Very little. Small stuff.

Q. Do the posted signs have your name on them?

A. Yes, sir. And "owner" on the bottom of them.

Q. Now, Mr. Keith, you said in your Bill of Complaint that you believe quite a few of these people are deceased.

A. Yes, sir.

Q. And you further said that you made diligent search to be sure that they all were deceased, or as best you could find out, they were?

A. Yes, sir.

Q. What kind of search did you make?

A. Well, I went to New Orleans and I tried to find Mercete, and then I got Mr. Matthews, to see if he could locate any, and through the acquaintance of Mr. Gladwell, I saw his death in the paper, where he had died. I didn't see Mrs. Gladwell's notice of death, but through friends of his and friends of mine, they told me that Mrs. Gladwell was dead.

Q. Did you enter your suit against Mr. Gladwell, too?

A. No, because they were already before this time. Gladwell has been dead twenty years.

Q. As far as you know, did he ever have any claim to this property?

A. None.

Q. Now, what did you do to try to locate Bert Kearney?

A. Well, I got his address, it was in California, and wrote out there, and I asked people about him, because I stayed at their house when they lived in Mobile, with his mother, and I was told the same thing about Kearney that I was about Mrs. Shaw. I couldn't locate him in California.

Q. What did you do about H. H. Mixon?

A. Mixon?

Q. Yes.

A. C. G. Chason: I am going to interpose. I did about him,;

he's from Bay Minette. Mr. Keith may not remember, but I told him about Nixon.

Q. What did you do about John R. Courtright?

A. Courtright? That's on that property over here.

Q. I withdraw that question. Is J. H. Webb concerned with this property?

A. J. H. WEbb?

Q. Yes, sir.

A. No.

Q. Is W. Y. Brame concerned with this property?

A. Not that Park City property. That's over here.

Q. Have you done everything that you can do to find these people, Mr. Keith?

A. Everything I know to do. And have spent a lot of money trying to find them.

Q. Are you satisfied that the ones that you think are dead, are actually dead?

A. The ones that I think are dead, I actually believe are dead.

Q. And you don't know which ones of them, if any, left any heirs?

A. If there are any heirs left, I don't know of any.

Q. Now, let's go to Lots 6, 7, 8, 9 and 10, of Block 19. Is that where the spring is?

A. That's where the spring is.

Q. And you have it posted?

A. Yes, sir.

Q. And fenced?

A. Yes, sir.

Q. And you have used it for parking cars and picnics?

A. Yes, sir.

Q. Have you ever raised any kind of produce on it, or anything?

A. No.

Q. Did anyone ever disturb your possession of that piece of property?

A. No, sir.

Q. Did you talk to the First National Bank of Mobile about this?

- A. Well, that was through my attorney.
- Q. What did your attorney relate to you that happened over there?
- A. Well, they only thing is that they wanted to trade me some more lots to put alongside of those lots. They didn't tell me they were going to try to take those lots.
- Q. Did they tell you whether they had any claim to these lots or not?
- A. Not direct, no.
- Q. They haven't entered any action in this suit have they? They haven't come in as a party?
- A. No. There ain't no one come in as a party.
- RE-DIRECT EXAMINATION BY C. G. CHASON:
- Q. Now, Mr. Keith, you are claiming Lot 10 in Block 19, and Lots 19 and 20 in Block 23, as a part of your suit?
- A. That's right, yes, sir.
- Q. You alledge that you purchased this property at a Tax Sale from the State of Alabama on the 12th day of October, 1954, the property having been sold for taxes on June 15, 1950, and listed as last known owner Clara Maschmeyer and First National Bank of Mobile. Is that correct?
- A. That's right.
- Q. You further alledge that no body has paid any taxes on these lots since the date of the purchase, I mean for the last 10 years, other than Clara Maschmeyer, The First National Bank of Mobile, and the South Alabama Land Company. Is that correct?
- A. Yes, I think so, but I don't quite understand.
- Q. NO one has paid any taxes for the last 10 years on these lots other than Clara Maschmeyer, The First National Bank of Mobile, the South Alabama Land Company and you.
- A. That's right.
- Q. And you have been paying the taxes on them since 1954, the date you purchased them?
- A. Yes, sir.
- Q. Have you had possession of these particular lots?

- A. Those in Block 23, 19 and 20, I have positive possession of those, because I had those fenced, and I sold the timber off of those.
- Q. You sold the timber off Lots 19 and 20 in Block 23?
- A. Yes, sir.
- Q. And you have had those fenced?
- A. Yes, sir.
- Q. When did you fence them?
- A. Since I bought them.
- Q. At or near the date of purchase?
- A. Yes, the day after I bought them in.
- Q. Now, how about Lot 10 in Block 19. Do you have it in possession?
- A. I am in possession of it, and I have signs on it. Nobody has disturbed me on it.
- Q. Did you have that lot fenced?
- A. No.
- Q. That lot was not fenced?
- A. No. That lot was not fenced.
- Q. What sort of use have you made of that lot?
- A. Well, parking cars on it, selling some of the timber off of it.
- Q. Do you have No Trespassing signs on that particular lot, too?
- A. Yes, sir.
- Q. And with your name on the signs?
- A. Yes, sir.
- Q. Has anyone disturbed your possession of those lots since your date of purchase?
- A. No, sir.
- Q. Do you know what the history of the title is on those particular lots, Buster?
- A. Well, I can't remember on those lots. Me and Mr. Graham looked over them, and Mr. Graham was checking them, and he said they went out of the Wefel estate in 1914, but I don't know myself.
- Q. Has there been any sign of a suit or action for redemption,

or anything on any of those lots?

A. No, sir.

Q. Has anybody written you and demanded a right to redeem and pay off any back taxes on those lots?

A. No, sir, but I got a letter where Mr. Maschmeyer wanted to buy those lots in.

Q. What relation was he to Clara Maschmeyer?

A. To the best of my knowledge, he is a son.

Q. That is H. H. Maschmeyer?

A. That's right.

Q. He is Clara Maschmeyer's son, and he tried to buy those particular lots from you?

A. Yes, sir.

RE-CROSS EXAMINATION BY JAMES A. BRICE:

Q. Mr. Keith, what happened when Mr. Maschmeyer wanted to buy them? Did you turn him down?

A. No, sir. You see, he wrote me for a Quit Claim Deed. I went to see Mr. Maschmeyer in Mobile, and here are some letters from Mr. Maschmeyer. And then we went into a Contract to sell them to him, and it is made out to H. H. Maschmeyer. Then he called me, after these cost me \$20.00, I have a receipt here from Mr. Chason, and said for me to have the Quit Claim Deeds made out to South Alabama Land Company. Then I had to come back here and get Mr. Chason to make out some for South Alabama Land Company.

Q. Well, what happened to this contract?

A. Well, he just didn't pay for the lots. HE was to pay for those lots on receipt of Deeds, and I made out the first ones to H. H. Mashmeyer, and before I got them signed, he called me and told me to make them out to South ALabama Land Company. And I did that. I think you have those deeds here in the file.

Q. Does anyone else pay any taxes on this property now?

A. I don't know.

Q. You have only had this property since 1954, haven't you?

A. That's Block 23, Lots 19 and 20.

Q. Well, you described all of those as parcel 2, which you say

purchased on the 12th of October, 1954.

A. I have one from the State of Alabama here somewhere.

Q. Now, did you say that anyone else was paying taxes on it, or not?

A. If they are, I don't know it.

Q. You have checked everything else pretty well, what have you done about checking those taxes?

A. There wasn't anyone else paying taxes on it when I bought it.

Q. How about now?

A. I'll have to ask Mr. Chason about that. If there is anyone paying on it, they are not paying on it by lots, or described as lots.

Q. Since 1954 you have been in possession of these lots?

A. Yes, sir.

Q. And these were purchased in the name of Clara Maschmeyer and the First National Bank of Mobile.

A. With the heirs unknown. The last known heir was Clara Maschmeyer.

RE-DIRECT EXAMINATION BY C. G. CHASON:

Q. Buster you are also claiming and filing this suit to quiet title on Lots 21 and 22 in Block 53, are you not?

A. yes, sir.

Q. Now, you alledge that you became the purchaser of this property on the 27th day of May, 1937, by Tax Deed from the State of Alabama, the property being sold in the name of H. H. Hanson. Is that correct?

A. That is correct.

Q. You also alledge that no one has paid any taxes on this property for the last ten years except you?

A. No one but me, yes, sir.

Q. Now, have you had any possession of those lots, Buster?

A. They have been under fence, and the timber cut off of them.

Q. You have your signs on those lots?

A. Yes, sir.

Q. How long have they been under fence?

A. Since 1937.

Q. YOU put them under fence shortly after you purchased them?

A. Yes, sir.

Q. Now, do you know anything of the history of these particular lots?

A. Yes, sir. A man by the name of Louis Jackson bought those lots, and he built a house on them. He sold them to a lady in Mobile, I can't recall her name right now. She sold these lots to Callaway, and Callaway sold them to H. H. Hanson.

Q. About when was Hanson's purchase? About when did he buy it?

A. It was approximately 1917.

Q. A number of years before the Tax Sale?

A. Oh, yes, sir.

Q. And, as far as you knew, Hanson never sold it?

A. No, sir.

Q. Was he dead in 1937, when the lots were sold?

A. No, sir.

Q. Is he dead or living now, or do you know?

A. He is dead.

Q. But he was living in 1937?

A. Yes, sir.

Q. And at that time you not only purchased the lots, but fenced them?

A. Yes, sir.

Q. When did you sell the timber off of these lots?

A. In 1940, no in 1942.

Q. Did you sell the timber again on these lots in 1955 or 1956, when you sold the timber on the others?

A. Yes, sir. I sold the paperwood to Lyle, and the logs, I got the logs scaled on some of these, but some of them came off of all the lots, but some of it came off of these lots, too.

Q. But you did re-sell the timber on those?

A. Yes, sir.

Q. In other words, you sold the timber off of these lots twice?

A. Yes, sir.

Q. And they have been continuously under fence.

A. Yes, sir.

Q. With the signs?

A. Yes, sir.

Q. Has anyone disturbed your possession?

A. No, sir.

Q. Has anyone contested your claim of ownership of those lots?

A. NO, sir.

All right, Mr. Brice.

RE-CROSS EXAMINATION BY JAMES A. BRICE:

Q. You say that Mr. Hanson was living at the time you bought these lots at the Tax Sale?

A. Yes, sir.

Q. Did you talk to him about the tax sale on these lots?

A. Yes, sir.

Q. What did he say?

A. He told me to give him \$35.00 and he would make me a clear deed, that he was not going to fool with them any more. He had moved away and tore the house down.

Q. Where was he living when you saw him?

A. There at Palmetto.

Q. Well, did you give him the \$35.00?

A. No, he died shortly after that, before he got the deed made out.

Q. You were willing to give him the \$35.00?

A. Yes.

Q. Did you try to get any deeds from his heirs?

A. No, sir. I sold it back to his heirs.

Q. You sold it back to them?

G. Chason interposes: What he means, I think, Buster, is that you have a Contract to sell to them after you get this suit to quiet title cleared up.

A. That is right.

CGC; You do have a contract to sell to some of Hanson's heirs after this suit is completed?

A. Yes. I have a contract.

CGC: You haven't made any deed to anyone?

A. Yes, you see, David Smith has his deed. All he needs is the

abstracts on his, now. We have a deed from every one of them except Hanson. Smith has paid the whole price on them.

Q. (Mr. Brice). In other words, you, at the time you filed this suit, you were in possession of this, and none of the Hanson's had protested your claim to it, had they?

A. Ho, no.

Q. IN other words, some of them were willing to buy it back from you?

A. That's right.

Q. The old home place.

A. That's right. And they did not contest it.

Q. They did not contest it?

A. No.

Q. And no one else has contested it?

A. No, sir.

Q. You say Hanson died before he could give you a Quit Claim Deed to it?

A. Before he did give me one.

Q. But you had been in touch with him about buying the Quit Claim?

A. Yes, sir.

Mr. Brice: That's all.

RE-DIRECT EXAMINATION BY C. G. CHASON:

Q. Now, Lots 23 and 24 of Block 53, are claimed by you, I believe, Mr. Keith, and are a part of this suit to quiet title?

A. Yes sir.

Q. You alledge that you became the purchaser of Lot 24 of Block 53, by Quit Claim Deed from H. T. Crumpton, in 1945, and Lot 23 of Block 53, by Statutory Warranty Deed from J. L. Kessler, on February 9, 1944, and that no one has paid any taxes on these two lots for the last ten years, except you, is that correct?

A. That's right.

Q. Now, what possession have you had of those two lots?

A. They were fenced.

Q. When were they fenced?

A. Let me see. They were fenced in, it must have been in 1945.

- Q. Have you had them fenced for more than ten years?
- A. Not the Kessler lots . . . Yes, I have. That was 1945, to 1955, that is ten years.
- Q. Have you evidenced any other claim of ownership over those lots?
- A. No, sir.
- Q. You have your signs up, haven't you?
- A. Yes, sir.
- Q. What do the signs say?
- A. No Trespassing, James E. Keith, Jr., owner.
- Q. And those lots have been continuously fenced?
- A. Yes, sir.
- Q. And your signs up ever since you purchased?
- A. Yes, sir.
- Q. Have you sold any timber off of those lots?
- A. YES, sir.
- Q. How many times on those?
- A. Once.
- Q. That was in the sale of, when was it, 1955?
- A. Yes, sir.
- Q. Has anyone disputed your claim of ownership of those lots?
- A. No, sir.
- Q. Are they known in the vicinity as your property?
- A. Yes sir.
- Q. And there is no suit or claim of any kind against them, other than yours?
- A. That's right. There is no other suit against them.
- C. G. Chason: All right, Mr. Brice.
- RE-CROSS EXAMINATION BY JAMES A. BRICE:
- Q. Who was H. T. Crumpton, Mr. Keith?
- A. Well, Mr. Kessler got that deed for me. Here is a letter from Mr. Kessler about the lots. And then Mr. Kessler got that deed from Mr. Crumpton.
- Q. You didn't know Mr. Crumpton?
- A. I didn't know him.
- Q. How did he get his money?

A. Through Mr. Kessler.

Q. You never saw Crumpton?

A. No, sir.

Q. Do you know anything about the title of that particular lot?

A. No, sir.

Q. All you know is that no one else has claimed it since you bought it from Crumpton?

A. That's right.

Q. You have been paying taxes on that lot since 1944?

A. Yes, sir.

Q. Now Lot 23 in this same parcel 4, you got from Mr. Kessler himself?

A. Yes, sir.

Q. And you paid him for that?

A. Yes, sir.

Q. Did he tell you anything about the title of that lot?

A. I don't remember.

Q. Was he a friend of yours?

A. Yes.

Q. No one disturbed your possession during that period of time?

A. No, sir.

Q. Did you have these lots surveyed?

A. Yes, sir.

Q. Did you assess them as lots?

A. Yes, sir.

Q. Have you been parking any cars on these lots?

A. I have them cleared up.

Q. Cleared up?

A. Yes. I have a garden on them.

Q. Garden?

A. Yes.

Q. Is there a spring on these lots?

A. No, sir.

Q. How far is this garden from your house?

A. Oh, they are 15 to 20 miles from my house.

Q. Do you mean that you go up there every day to take care of your garden?

A. No, I have someone to take care of it.

Q. Who takes care of it up there?

A. Montee.

Q. Mr. Montee?

A. Yes, sir.

Q. What do you have in your garden?

A. Well, right now, if you go up there, you would see onions, and turnips in it.

Q. Is he share-cropping it with you on it?

A. No, I am under a contract to sell.

Mr. Brice: No further questions.

RE-DIRECT EXAMINATION BY C. G. CHASON:

Q. You are claiming, Buster, Lot 2, of Block 68, also in your suit, I believe?

A. Yes, sir.

Q. You alledge that you purchased this lot by a Tax Deed from the State of Alabama on July 17, 1946, the property being sold in the name of Nathan T. McCarty. Is that correct?

A. That's right.

Q. And that no one had paid any taxes on this property for over ten years, except you?

A. That's right.

Q. Now, have you had any possession of this lot?

A. Yes, sir.

Q. What have you done on it?

A. Fenced it, and had timber cut.

Q. When did you fence that one?

A. In 1946.

Q. How many times have you had the timber cut?

A. Twice. The logs were cut by William Taylor and the paperwood by Lyle.

Q. That was in 1955?

A. Yes, sir.

Q. NOW, do you have your signs up on that?

A. Yes, sir.

Q. The same kind of signs you were talking about having on the others?

A. Yes, sir.

Q. Has there been anyone else claiming this lot? or lots?

A. No, sir.

Q. And they are known in the vicinity as being your property?

A. Yes, sir.

Q. Do you know anything about the history of those lots?

A. The title.

Q. Do you know when Nathan McCarty became the purchaser?

A. Yes. I knew personally Nathan McCarty. I worked with him. I can't remember what time he bought them, but he bought them way back in the I wouldn't be positive, but I think 1914.

Q. That must have been quite a little community back over there in the early 1900's. Is that right? Is there still a lot of people living over there?

A. No, not many. There was no highways, and we ran a freight and passenger boat out of there. They were selling those lots. Some of the people never did get one.

Q. No one has disturbed your possession or questioned your claim of ownership of that lot?

A. No, sir.

RE-CROSS EXAMINATION BY JAMES A. BRICE:

Q. Was Mr. McCarty living in 1946? .

A. No, sir.

Q. Were any of his heirs living?

A. No, sir.

Q. Did he ever live around there?

A. He never lived on them.

Q. Where did he live?

A. Mobile.

Q. How many heirs did he have?

A. The only one I know was his wife.

Q. No children?

- A. No children.
- Q. When did his wife die?
- A. His wife died in 1932, I think.
- Q. In 1932?
- A. Yes, sir.
- Q. He had died before that?
- A. I can't remember. They both died pretty close together.
- Q. Who paid taxes on it between 1932 and 1946?
- A. I'm not positive just when he died. I used to board with them.
- Q. Were you boarding there when he died?
- A. No. I just can't remember what year McCarty died.
- Q. You don't know who paid taxes on it before you bought it in?
- A. No, I don't.
- Q. If any one did, huh?
- A. I don't think anyone did.
- Q. But you don't know?
- A. I don't know.
- Q. You didn't check into it?
- A. Well, I went and saw the taxes hadn't been paid on it for quite a while, I don't remember just how long, and then I put in an application to buy it from the State.
- Q. At that time it was shown as State Lands?
- A. Yes, sir.
- Q. And you actually put a fence around this lot, too?
- A. Yes, sir.
- Q. A single strand of barb wire?
- A. Yes, sir. And it is fenced now.
- Q. Is it cleared?
- A. No. Just the timber cut off.
- Q. Have you entered into any contract to sell this lot?
- A. No, sir.

RE-DIRECT EXAMINATION BY C. G. CHASON:

- Q. You are claiming also, Mr. Keith, Lots 1 and 2 of Block 50, I believe?
- A. Yes, sir?

Q. Now, you alledge in your Complaint that you purchased Lots 1 and 2 of Block 50 by Tax Deed from the State of Alabama, on September 18, 1946, the property having been sold in the name of Carrie Brooks, is that correct?

A. Yes, sir.

Q. You also state that no one has paid any taxes on that property for more than ten years, except you?

A. That's right.

Q. Oh, excuse me. I believe the First National Bank of MOBILE paid some taxes at one time, on those lots in Block 50.

A. Yes, I believe so.

Q. Now, when did you take actual possession of those lots, Mr. Keith?

A. In 1946.

Q. What did you do?

A. Fenced them.

Q. You put your fence up on those in 1946?

A. Yes, sir.

Q. And you put your signs up on that property?

A. Yes, sir.

Q. Did you cut the timber off of that?

A. Yes, sir.

Q. That was in 1955 when you cut the timber?

A. Yes, sir. Lyle cut the paperwood on that and Taylor cut the logs. Lyle cut the paperwood first, and then Taylor cut the logs, all of that in 1955.

Q. Do you know any claim that the First National Bank of Mobile has on those lots?

A. No, sir.

Q. Or any claim that they have ever had on those lots?

A. No, sir.

Q. Did you know Carrie Brooks?

A. Yes, sir.

Q. Do you know anything of the history of the title to those lots?

A. She bought those lots from W. A. Shriner, who was agent for them, and then she went North and came back and died. She

had a brother by the name of Jack Quinney, or Sam Quinney.
He is dead.

Q. Was she living at the time the lots were sold for taxes?

A. NO, she was dead.

Q. Has anyone disputed your claim of ownership of those lots?

A. No, sir.

Q. Are they known as your lots up there in that vicinity?

A. Yes, sir.

Q. Has anyone disputed your right of possession of those lots?

A. No, sir.

Q. Has anyone else ever had any possession since 1946?

A. No, sir?

RE-CROSS EXAMINATION BY JAMES A. BRICE:

Q. NOW, did you say that Carrie Brooks had deeded the property
to someone?

A. No, sir.

Q. What did you say?

A. She bought that property, and she went North, and then she
came back and died.

Q. She bought them from whom?

A. To the best of my recollection, she bought them from Wefel.

Q. You don't think she was living at the time you bought them
in for taxes?

A. I know she wasn't. I know where her grave is.

Q. She was a spinster?

A. She was what?

Q. She wasn't married?

A. No, sir. She was an old maid.

Q. And you fenced these lots?

A. Yes, sir.

Q. No one has bothered your possession?

A. No.

Q. And it is posted?

A. Yes, sir. And under fence.

RE-DIRECT EXAMINATION BY C. G. CHASON:

Q. Now, you also claim, Mr. Keith, Lot 5 in Block 57?

- A. Yes, sir.
- Q. Now you state that you became a purchaser of that lot in 1937, by Tax Deed from the State of Alabama, the property having been sold in the name of H. H. Hanson. Is that correct?
- A. That's right.
- Q. You also state that no one has paid any taxes for more than ten years, except you and the First National Bank of Mobile?
- A. That is right.
- Q. Does the First National Bank of Mobile, to your knowledge, have any claim on any ownership of this lot?
- A. No, sir.
- Q. Have you had any possession of this lot?
- A. Yes, sir.
- Q. When did you take possession?
- A. In 1937.
- Q. What did you do?
- A. Fenced them.
- Q. Have you had a fence on it ever since that time?
- A. Yes, sir.
- Q. Do you have any signs up on this lot?
- A. Yes, sir.
- Q. Have you cut the timber on this one?
- A. Yes, sir.
- Q. How many times have you cut timber on this one?
- A. Cut it twice.
- Q. Once in 1955 and once when?
- A. Around about 1950 the timber was cut on that one.
- Q. What is the history of the ownership of this lot, if you know?
- A. Old man Grilley, I believe his initials were E. E., he purchased those lots, then he deeded them to his son. I don't remember whether his son was named Ralph or not, anyway, he deeded them to his son, and he was a single man. Grilley deeded them to Hanson, and then I bought them in.

Q. Approximately when did Hanson buy them?

A. It must have been about 1917.

Q. In 1917?

A. Approximately that time.

Q. To your knowledge, he never sold them to anyone?

A. No, sir.

Q. Has anyone ever disputed your claim of ownership or your right of possession of those lots?

A. No, sir.

Q. Has anyone else besides you ever been in possession?

A. No, sir.

Q. They are known in the vicinity as being your property?

A. Yes, sir.

All right Mr. Brice.

RE-CROSS EXAMINATION BY JAMES A. BRICE:

Q. Did you offer to by a Quit Claim on this lot, too?

A. Yes, sir. This one was in the deal, too.

Q. And he died before he could have the papers drawn?

A. Yes, sir.

Q. Are you under any contract to sell this lot or this parcel to the children?

A. Yes, sir.

Q. They certainly don'T dispute your claim?

A. No, sir.

Q. And this is under fence?

A. Yes, sir.

Q. And you cut the timber on it?

A. Yes, sir.

Q. And it is posted?

A. Yes, sir.

Q. IS the First National BANK paying taxes on this lot?

A. I don'T know.

Q. They haven't entered any contest in this suit, have they?

A. No, sir.

RE-DIRECT EXAMINATION BY C. G. CHASON:

- Q. Now, Mr. Keith, you named everyone as defendant in this suit that you knew to have any claim on any of these lots that we have described?
- A. Every person that I could think of, or would have any interest in those lots, I named them.
- Q. And as you told Mr. Brice, you made a diligent inquiry trying to find all of these people or any of their heirs?
- A. I certainly did.
- Q. And you had an abstract of title prepared on these lots?
- A. YEs, sir. And I have receipts here from Fairhope Title Co.
- Q. Mr. Keith, you know of no other people that you haven't named as defendants to this suit, who have any claim on this property?
- A. That's that branch property?
- Q. No. In River Forest?
- A. You mean Park City?
- Q. Yes, I mean Park City.
- A. No, not anyone that I know of.
- Q. Now these lots we have been describing are in Park City, according to a plat recorded in Miscellaneous Book 1, Pages 230-231, in the office of the Judge of Probate of this County, and that is correct, is it not?
- A. Yes, sir.
- Q. And this property is located in Baldwin County, Alabama?
- A. Yes, sir.
- Q. Now, Mr. Keith, you are also claiming to own the property described as: Beginning at the point where the West line of Section 24, Township 7 South, Range 2 East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 24; thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence

run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Sectionline of Section 24, if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section 24; thence run South to the point of beginning. Is that property in Baldwin County, Alabama.

A. Yes, that is the description, and it is in Baldwin County, Alabama.

Q. And it is a part of your suit to quiet title?

A. Yes, sir.

Q. Now you claim to have become the purchaser of this property described by Parcel 8, by conveyances from Minnie D. Brame, William Y. Brame, Jr., Cynthia Brame Draughon, Christine Brame Lister by Quit Claim Deed dated October 31, 1952, and from Minnie D. Brame by Quit Claim Deed dated September 9, 1953, which conveyance covers all of parcel 8, except that small portion located in the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 24, Township 7 South, Range 2 East, which was purchased from William Brown and Agnes Brown in 1918, by you. Is that correct?

A. Yes, sir.

Q. And that no one, other than you and W. Y. Brame, or W. Y. Brome as he sometimes is known, has paid any taxes on any of this property for a period of over ten years. Is that right?

A. That is right.

Q. Now, do I understand you correctly that that portion in the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 24 was purchased from William Brown and Agnes Brown by you in 1918?

A. That's right.

Q. Now, as to that property, when did you take possession?

A. In 1918.

Q. What sort of possession did you take? Did you fence it?

A. I took down the old fence, put up a new one, and went to

breaking up the land.

Q. Did you begin farming it at that time?

A. Yes, sir.

Q. How far is your home place, where you live, from this land?

A. Well, this piece of land, at the time we bought, I am living on a part of it now, but this particular piece I would say is about 400 to 500 feet from where we live.

Q. Four or Five Hundred feet from where you live?

A. Yes, sir.

Q. Now, did you pick up and farm it along with your other property?

A. Oh, yes.

Q. And as to that piece, you began farming it in 1918?

A. Yes, sir.

Q. And you replaced the fence at that time?

A. Yes, sir.

Q. Were there any buildings of any kind on that particular piece?

A. At the time I bought, there was not.

Q. Were there any on it later?

A. Yes, sir.

Q. Who put them there?

A. Me and my father put three on it. And Frank Boykin had eight quarter houses built on it, and Louis Mills built one on it.

Q. Now that is as to that little parcel that was not covered in the Minnie Brame Deed?

A. That's right.

Q. That is the William Brown property that you bought in 1918?

A. Yes, sir.

Q. Now, what sort of claim did Boykin and Mills have on the property?

A. They had a lease on the land, to put up quarter houses on this particular piece, by laborers that chipped the trees and dipped the turpentine for the turpentine still, and they also, on this same tract of land, but over by Turkey Branch, had a turpentine still.

Q. Well, now, did they lease this property from you?

A. Yes, they did.

Q. And how long . . . When were those houses put on there?
The first ones?

A. The first house was put on there in about 1919?

Q. And occupied about that time?

A. Yes, sir.

Q. How long has it been since anyone has lived on that particular
piece of property?

A. Oh, let me see. Those Negroes must have moved off about 4
years ago.

Q. And so from 1919 up until about four years ago, there were
people living in houses on that piece of property?

A. Yes, sir.

Q. And they were renting from you all that time? Or leasing
from you?

A. Boykin was leasing from me. Frank Boykin.

Q. In other words, you had leased the property to Boykin, and
he allowed the Negroes who worked for him to live there?

A. That's right.

Q. But you had claimed the ownership of it since 1918?

A. Yes, sir.

Q. And you had not allowed anyone on there except under leases
from you?

A. That's right.

Q. And how long have you been farming that piece of property?

A. Well, we farmed it in 1918, until 1928 or 1929, and then we
leased it to Frank Boykin. In 1936 we went back to farming
it again.

Q. Have you farmed it annually from 1936 up until this date?

A. Yes, sir.

Q. Was it farmed in 1958?

A. Yes, sir.

Q. What did you grow on it?

A. Corn. I have some of it in the crib.

Q. And it has been fenced constantly since you bought it?

A. Yes, sir.

- Q. Has there been anyone, at any time, who has contested your ownership to that piece of property?
- A. No, sir.
- Q. Has there been anyone else in possession of that property other than you, or people holding under you and by your permission?
- A. No.
- Q. Has anyone else paid any taxes on it?
- A. No, sir.
- Q. Now, as to the remaining property that we have described, you claim, I believe, that you bought part of it, or I mean, all of it, except that little portion we have been talking about, from Minnie D. Brame by Quit Claim Deed in 1953?
- A. Yes, sir.
- Q. And all of this property that we have described by Quit Claim Deed on October 31, 1952?
- A. Yes, sir.
- Q. Did you have any claim or ownership of that remaining property before that time?
- A. You mean this . . .
- Q. Not the Brown property which you bought in 1918, but the remaining property.
- A. No. I didn't have any claim on the Brame property. Only this up here.
- Q. Now did you take possession of that Brame property in 1952, when you bought it?
- A. Yes, sir.
- Q. What did you do?
- A. I bought it on a Saturday, Monday the surveyor was surveying it out, and I was putting a fence in behind it, and a paperwood truck was there cutting timber, the Monday after I bought it.
- Q. You sold the paperwood Monday after you bought it the previous Saturday?
- A. Yes, sir. Mr. Lyle started cutting it for paperwood. I got the Deeds on Saturday, and Mr. Lyle went to cutting paperwood on Monday. And surveyors was there, surveying it out.

Q. You had the Brame property surveyed?

A. Yes, sir.

Q. Did you fence it?

A. Yes, sir. I started fencing it on Monday morning.

Q. Is it still under fence?

A. Yes, sir.

Q. What kind of use are you making of that Brame property at this time, Buster?

A. Well, there is one piece of it I have cleared up and have flowers on it, and I am going to build a house on it. And the other, I'm using as a cow pasture.

Q. You have cows pastured on that tract of land at this time?

A. Yes, sir.

Q. And have you been using it constantly since you purchased it in 1952?

A. Yes, sir.

Q. Has there been anyone who contested your right of ownership or right of possession of that piece of property?

A. No, sir.

Q. Now, as to that tract, you have had no letters or correspondence from anyone, claiming any kind of ownership?

A. No.

Q. Is the property known in that vicinity as being yours?

A. Yes, sir.

Q. Have you named in your suit to quiet title everyone that you think might, in the past, have had any sort of claim to that tract of land?

A. Yes, sir.

Q. And you have had an abstract of title prepared for this entire parcel?

A. Yes, sir.

Q. No one has paid any taxes on the property which you purchased from the Brame's in the last ten years, except you and the Brame's, from whom you bought?

A. That's right.

Q. And no one has paid any taxes on that which you described as buying from William Brown since 1918?

A. Yes, sir.

Q. And your oath then will be that you are adopting those answers to those questions as your testimony, and that the matters and facts that he has stated concerning title to the Park City property and this property down there on Turkey Branch, are true and correct as they cover the time since 1940?

A. Yes, sir.

Q. All of this property is in Baldwin County, Alabama?

A. Yes, sir.

Q. And all stands in your husband's name on the records in Bay Minette?

A. Yes, sir.

CROSS EXAMINATION BY JAMES A. BRICE:

Q. Mrs. Keith, you understand the nature of the questions that the attorney for the Complainants have asked you in this case, has asked you, I mean?

A. Yes, sir.

Q. Now, prior to your marriage to Mr. Keith, had you heard anything that would contradict the testimony that you have given in this case?

A. No.

Q. Did you know him very long prior to your marriage?

A. Yes, sir.

Q. Are you from Baldwin County?

A. No, I am from Mississippi.

Q. You are from Mississippi?

A. Yes, sir.

Q. And even as to this Brame property, you had no knowledge of anything that would contradict his testimony?

A. No, sir.

Q. And you have no knowledge since 1940 that would contradict his testimony, as you have heard it today?

A. No, sir.

Q. And of your own knowledge, no one that I might be representing, you understand who I am representing?

A. Everyone had any interest in the property, except Henderson.

Q. That's right. Henderson and the heirs.

Q. No one except the Henderson's and the Herrods, as far as you know, have any right, claim or title to this property?

A. No, sir.

Q. They haven't disputed your husband's title to it?

A. No, sir.

Q. You fully understand that you are under oath?

A. Yes, sir.

Signed: Pearl M. Keith

I, Frances G. Mallory, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witnesses, and read over to them, and they signed the same in the presence of myself and C. G. Chason, attorney at Law, Foley, Alabama, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; 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 the 13th day of March, 1959.

Frances G. Mallory SEAL

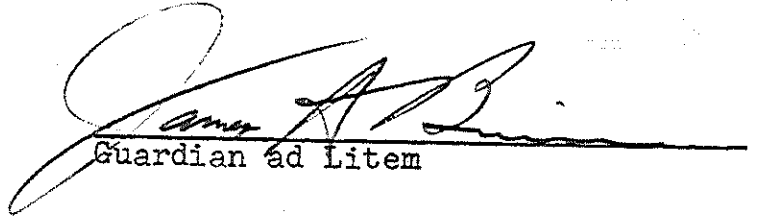
JAMES E. KEITH,
Complainant
VS.
CERTAIN LANDS, ET AL.,
Respondents

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY - NO. 4154

ANSWER OF GUARDIAN AD LITEM

Now come the Defendants, who may be unknown minors, insane parties, or parties in the Military Services, by and through James A. Brice, their duly appointed guardian ad litem, and for answer to the complaint filed by James E. Keith, and deny the allegations of said complaint, separately and severally, and demand strict proof thereof.

filed Feb 23, 1959
Walter H. Duck,
register


Guardian ad Litem

100-4154-1000

100

100-4154-1000

4154

FILED

FEB 23 1959

ALICE J. DUCK, CLERK REGISTER.

21

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 4154

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Clara Maschmeyer

et al

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

CERTAIN LANDS, AND LEAH M. SHAW, et als, Defendant

by JAMES E. KEITH, JR.

Plaintiff.....

Witness my hand this 31 day of Oct 1957

Reicy Duck, Clerk

E 8256

124

No. 1151

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

JAMES E. BROWN, JR.

Plaintiffs

vs.

CERTAIN LANDS, AND LEAH H. SHAW,

et als.

Defendants

SUMMONS and COMPLAINT

Filed Oct. 31, 1957

Alice J. Duck, Clerk

Caro Maschmeyer

*21X
me*

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

11/24, 19*57*

Ray D. Bridges, Sheriff

I have executed this summons

this *11/21*, 19*57*

by leaving a copy with

Caro Maschmeyer,
in record and
W.H. Maschmeyer,
Power of Attorney,

Ray D. Bridges, Sheriff

W.H. Maschmeyer, Deputy Sheriff

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 1154

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Herman H. Maschmeyer

et al

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

CERTAIN LANDS, AND LEAH M. SHAW, et als, Defendant

by JAMES E. KEITH, JR. Plaintiff.....

Witness my hand this

31

day of

Oct

19...*57*

Wesley J. Duck, Clerk

8240
No. 115

121
Page

**THE STATE OF ALABAMA
BALDWIN COUNTY**

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS and COMPLAINT

Filed Oct 31, 1957

Allice J. Dick, Clerk

Herman K. Maschner
a/k/a
mc

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

11/18, 1957

Ray D. Bridges, Sheriff

I have executed this summons

this 11/21, 1957

by leaving a copy with

Herman K. Maschner
et al.

Ray D. Bridges, Sheriff

W. G. Maschner, Deputy Sheriff

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 1151

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon The First National Bank of
Mobile as Trustee
et als

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____
ORRIN LAMB, AND LEAN H. SHAY, et als, Defendant

by JAMES P. SMITH, JR. Plaintiff.....

Witness my hand this 31 day of Oct 1957
W. J. Duck, Clerk

825
C.R.
No. 1254

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Page

**THE STATE OF ALABAMA
BALDWIN COUNTY**

CIRCUIT COURT

JAMES E. WIRTH, JR. Plaintiffs

vs.

CERTAIN LANDS, AND LEAH M. SHAW,

et als.

Defendants

SUMMONS and COMPLAINT

Filed Oct. 31, 1957

Alice J. Duck, Clerk

*21X
me
First National Bank
M. Adams, V.P.*

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

11/14, 1957

Sheriff

I have executed this summons

this 11/21, 1957

by leaving a copy with

*First National Bank
of Mobile et al
by service on
Mr. M. Adams, V.P.*

Ray D. Bridges Sheriff

W. H. McCoy Deputy Sheriff

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 4154

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Herman Mackreger
Certain Lands et als.

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against
Certain Lands, and Leah M. Shaw et als., Defendant

by James E. Keith, Jr., Plaintiff.....

Witness my hand this 31 day of Oct 1954
Alvin J. Emcke, Clerk

8246
1154

121

No. _____ Page _____

**THE STATE OF ALABAMA
BALDWIN COUNTY**

CIRCUIT COURT

JAMES E. KEITH, JR.

Plaintiffs

vs.

CERTAIN LANDS, AND LEAH M. SHAW,

ET ALS

Defendants

SUMMONS and COMPLAINT

Filed 10/31/57, 19.....

Alice J. Duck, Clerk

Norman Maschmeyer et al.

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

11/18, 1957

Ray D. Bridges Sheriff

I have executed this summons

this 11/20, 1957

by leaving a copy with

Norman Maschmeyer et al.

Ray D. Bridges Sheriff
W. B. McCoy Deputy Sheriff

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 4154

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

H. H. Maschmeyer
et als

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

CERTAIN LANDS, AND LEAH M. SHAW, et als, Defendant

by JAMES E. KEITH, JR. Plaintiff.....

Witness my hand this

31

day of

OCT

19.57

Archie L. Duck, Clerk

218246

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No. 1151 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Plaintiffs

vs.

et al.
Defendants

SUMMONS and COMPLAINT

Filed Oct. 31, 1957

Alice J. Duck, Clerk

H. D. Marchmeyer
72 St. Francis

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

11/24, 1957

Ray D. Bridges, Sheriff

I have executed this summons

this 11/21, 1957

by leaving a copy with

H. D. Marchmeyer
et al.

Ray D. Bridges, Sheriff
W. W. Coy, Deputy Sheriff

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 4154

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Maie Smith
et al.

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

CERTAIN LANDS AND LEAH M. SHAW, ET ALS, Defendant

by JAMES E. & KETTH

, Plaintiff.....

Witness my hand this

31st

day of

Oct

19 *57*

Arice J. Duck, Clerk

8246

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No. 4151

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

JAMES H. KEITH

Plaintiffs

vs.

GEORGE W. LINDSAY, AND LEAN E. SMITH

ET AL

Defendants

SUMMONS and COMPLAINT

Filed 10/31/57, 19.....

Alice J. Tuck, Clerk

^{DGT}/_{SM}
Mae Smith
etal
Plaintiff's Attorney
Curtis Ross
Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

11/27
Ray D. Bridges, Sheriff

I have executed this summons
this 26 Nov. 1957

by leaving a copy with
Mae Smith
etal

Ray D. Bridges, Sheriff
L. Smith, Deputy Sheriff

JAMES E. KEITH, JR.,
 Complainant,
 -vs-
 CERTAIN LANDS, LEAH M.
 SHAW, et al,
 Respondents.


IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

NO. 4154

Motion is hereby made for Decree Pro Confesso against Leah M. Shaw, L. M. Shaw, Bert Kearney, Mary E. Kearney, South Alabama Land Company, South Alabama Land Company, Inc., H. H. Wefel, Sr., Herman H. Wefel, Sr., Louis Jackson, Henry H. Hanson, Celina Hanson, H. H. Hanson, Willie Ewing, Mae Smith, Ruben Hanson, H. T. Crumpton, Butler Realty Company, Butler Realty Company, Inc., H. H. Mixon, Rudolph Cromartie, Ort H. Ertzinger, Nathaniel McCarty, E. W. Walthall, Ralph H. Grilley, E. E. Grilley, W. M. Partridge, Carrie Brooks, David Gordon, John Morton, Alexander Morton, John McCoy, E. Gaines Wilson, John R. Courtright, Lee R. Courtright, W. Y. Brame, James R. Grist, Sarah A. Forbes, Rhoda A. Rouselle, Lulu Christian, ~~Amanta~~ Courtright, Barkuloo Courtright, Viola Bodden, Daisey A. Conway, Florence Wilson, Marie S. Malay, J. H. Webb, Adaliade J. Torrey, John Bowen, Judy Ann Davis, Allen Grist, Zopher Mills, E. R. Schowalter, William Y. Brame, Jr., Cynthia Brame Draughon, Christine Brame Lister, W. Y. Brome, and their unknown heirs, devisees, executors, administrators, stockholders, directors, and any and all persons, firms or corporations, claiming any interest in the above described lands, described in the Bill of Complaint, except Herman H. Maschmeyer, H. H. Maschmeyer, Clara Maschmeyer, First National Bank of Mobile, a corporation, First National Bank of Mobile, a corporation, as TRustee, H. W. Wefel, Jr., Herman H. Wefel, Jr., and Elizabeth Henderson, Defendants in the above stated cause, on the ground that more than thirty (30) days have elapsed since service of Summons upon said Defendants, duly, according to law, by Personal Service, or were duly served by Registered Mail according to law, or since the perfection of Publication was made under the Order of this Court, in which case it has been shown by due proof to the Court that said Defendants are non-residents

of the State of Alabama, and in all cases, said Defendants have failed to answer, plead or demur to the Bill of Complaint in this cause to this date.

DATED this the 17 day of Feb, 1959.


Solicitor for Complainant

(second and last page)

JAMES E. KEITH,
Complainant

VS

CERTAIN LANDS, ET AL,
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA


IN EQUITY NO. 4154

APPOINTMENT OF GUARDIAN AD LITEM

In this cause it is made to appear to the Register by the Complainant, JAMES E. KEITH, that the Defendants may be unknown minors, insane parties, or parties in the Military services; and it further appearing that, JAMES A. BRICE, an Attorney at Law, is in all respects a suitable person to act as Guardian Ad Litem for such parties; and that the said James A. Brice, having filed his consent in writing to act as such;

It is therefore ordered by the Register of said Court that the said James A. Brice, be and the same hereby is appointed Guardian Ad Litem in this cause for the said parties.

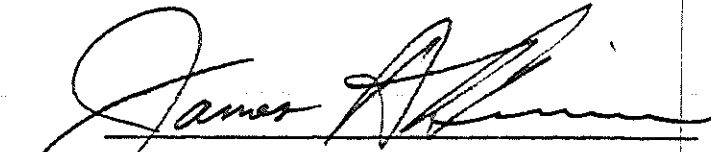
WITNESS my hand this the 17th day of February, 1959.


REGISTER

CONSENT TO ACT

I, James A. Brice, hereby accept the above appointment as Guardian Ad Litem, and consent to act as such in the above cause.

Witness my hand this the 17th day of February, 1959



JAMES E. KEITH,
Complainant

VS ¢

CERTAIN LANDS, ET AL,
Respondents

APPOINTMENT AND CONSENT
OF GUARDIAN AD LITEM

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No. 4154

JAMES E. KEITH, JR.,	I	
Complainant,	I	IN THE CIRCUIT COURT OF
vs.	I	
	I	BALDWIN COUNTY, ALABAMA
CERTAIN LANDS and LEAH	I	
M. SHAW, ET AL.,	I	IN EQUITY
Respondents.	I	

Comes now H. H. Maschmeyer, also known as Herman H. Maschmeyer, Estelle Hudson as Trustee under those certain Declarations of Trust for Esther Warner, Estelle Hudson, William Stinehart and Herman H. Maschmeyer, respectively, dated December 3, 1957, as successor in interest to Clara Maschmeyer, The First National Bank of Mobile, Alabama as Trustee under an agreement with Dorothy Wefel Matthews dated January 6, 1955, and as Trustee under the Last Will and Testament of Herman H. Wefel, Jr., Deceased, and South Alabama Land Company, a corporation, by their attorneys, and respectfully represent and show unto this Honorable Court as follows:

1. That they, and each of them, do hereby disclaim any right, title, interest, lien, demand or encumbrance upon the following portion of the property which is the subject matter of this suit:

Lots Six (6), Seven (7), Eight (8), Nine (9), ^{and Ten (10)} Block *Malone Stone* Nineteen (19), Park City.

Lot Eleven (11), Block Twenty-one (21), Park City.

Lots Nineteen (19) and Twenty (20), Block Twenty-three (23), Park City.

Lots Twenty-one (21) and Twenty-two (22), Block Fifty-three (53), Park City.

Lots Twenty-three (23) and Twenty-Four (24), Block Fifty-three (53), Park City.

Lots One (1) and Two (2), Block Fifty (50), Park City.

Lot Two (2), Block Sixty-eight (68), Park City.

Lot Five (5), Block Fifty-seven (57), Park City.

and they further admit all of the allegations of the Bill of Complaint heretofore filed against them insofar as the same relates to the property hereinabove described.

2. The Respondents deny all of the allegations of the Bill of Complaint, except those herein specifically admitted, and demand


strict proof thereof.

CHASON & STONE

FILED

FEB 10 1960

ALICE L. DUCK, CLERK
REGISTER

By: 
Attorneys for named Respondents

180C-

JAMES E. KEITH, JR.,
 Complainant,
 -vs-
 CERTAIN LANDS, LEAH M. SHAW,
 et al,
 Respondents.

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

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Affidavit of non-residency as to certain defendants, Motion for appointment of Guardian ad Litem of unknown defendants, appointment of Guardian Ad Litem, Motion for Decree Pro Confesso against defendants not appearing, Decree Pro Confesso against defendants not appearing, Testimony of James E. Keith, Jr., Pearl M. Keith and testimony taken in open court, and in behalf of Defendants upon Answer and Cross-Bill of Grover Clellan Herrod and Florence P. Herrod, Disclaimer of H. H. Maschmeyer, also known as Herman Maschmeyer, Estelle Hudson as Trustee under those certain Declarations of Trust for Esther Warner, Estelle Hudson, William Stinehard and Herman H. Maschmeyer, Clara M. Maschmeyer, First National Bank of Mobile, Dorothy Wefel Matthews, Herman H. Wefel, Jr., and South Alabama Lumber Company, a corporation, and testimoney taken in open Court.

Alice J. Duck
 Register

W. C. Cassee
 Solicitor for Complainant

FILED

FEB 12

ALICE J. DUCK, CLERK
 REGISTER

JAMES E. KEITH, JR.,
 Complainant,
 -vs-
 CERTAIN LANDS, LEAH M.
 SHAW, et al.
 Respondents.

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

In this cause it appears to the Register that service was had on the Respondents hereinafter named by the Sheriff of the County as herein shown, on the date as indicated, viz:-

<u>Name of Respondent</u>	<u>Sheriff of County</u>	<u>Date of Service</u>
Ort H. Ertzinger	Baldwin	November 15, 1957
Rudolph Cromartie	Baldwin	November 15, 1957
Willie Ewing	Baldwin	November 18, 1957
Mae Smith	Mobile	November 26, 1957

It further being made to appear to the Register that on the 15th day of November, 1957, a copy of the Bill of Complaint filed in this cause was sent to the Respondents listed below, by Registered Mail, Postage Prepaid, marked "For delivery only to the person to whom addressed" and Return Receipt demanded, addressed to the Register of this Court, and that on the days as indicated below, such receipt was duly received and filed in this cause, viz:-

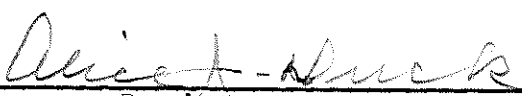
<u>Name of Respondent</u>	<u>Date Return Receipt Received</u>
E. W. Walthall	November 20, 1957
William Y. Brame, Jr.	November 20, 1957

The undersigned Register hereby certifies that the order of Publication heretofore made in this cause was published for four (4) consecutive weeks, commencing on the 31st day of October _____, 1957, in the Onlooker, a newspaper published in Foley, Alabama, and that a copy of said Order was posted at the Court House door in Bay Minette, Baldwin County, Alabama, on the 31st day of October _____, 1957, and it further appearing to the Register that Service by Publication as above set out was made on the following Respondents, to-wit:-

Leah M. Shaw, L. M. Shaw, Bert Kearney, Mary E. Kearney, South Alabama Land Company, South Alabama Land Company, Inc., H. H. Wefel, Sr., Herman H. Wefel, Sr., Louise Jackson, Henry H. Hanson, Celina Hanson, H. H. Hanson, Ruben Hanson, H. T. Crumpton, Butler Realty Company, Butler Realty Company, Inc., H. H. Mixon, Nathaniel McCarty, Ralph H. Grilley, E. E. Grilley, W. M. Partridge, Carrie Brooks, David Grodon, John Morton, Alexander Morton, John McCoy, E. Gaines Wilson, John R. Courtright, Lee R. Courtright, W. Y. Brame, James R. Grist, Sarah A. Forbes, Rhoda A. Rouselle, Lulu Christian, Amanta Courtright, Barkuloo Courtright, Viola Bodden, Daisey A. Conway, Florence Wilson, Marie S. Malay, J. H. Webb, Adaliade J. Torrey, John Bowen, Judy Ann Davis, Allen Grist, Zopher Mills, E. R. Schowalter, Cynthia Brame, Draughon, Christine Brame Lister, W. Y. Brome and their unknown heirs, devisees, executors, administrators, stockholders and directors.

And it further appearing to the Register that the said Respondents above named have failed to plead, answer or demur to the said Bill to the date hereof, it is now therefore, on motion of the Complainant, ORDERED, ADJUDGED AND DECREED by the Register that the said Bill of Complaint be and it is hereby in all things taken as confessed against Leah M. Shaw, L. M. Shaw, Bert Kearney, Mary E. Kearney, South Alabama Land Company, South Alabama Land Company, Inc., H. H. Wefel, Sr., Herman H. Wefel, Sr., Louis Jackson, Henry H. Hanson, Celina Hanson, H. H. Hanson, Willie Ewing, Mae Smith, Ruben Hanson, H. T. Crumpton, Butler REalty Company, Butler REalty Company, Inc., H. H. Nixon, Rudolph Cromartie, Ort H. Ertzinger, Nathaniel McCarty, E. W. Walthall, Ralph H. Grilley, E. E. Grilley, W. M. Partridge, Carrie Brooks, David Gordon, John Morton, Alexander Morton, John McCoy, E. Gaines Wilson, John R. Courtright, Lee R. Courtright, W. Y. Brame, James R. Grist, Sarah A. Forbes, Rhoda A. Rouselle, Lulu Christian, Amanta Courtright, Barkuloo Courtright, Viola Bodden, Daisey A. Conway, Florence Wilson, Marie S. Malay, J. H. Webb, Adaliade J. Torrey, John Bowen, Judy Ann Davis, Allen Grist, Zopher Mills, E. R. Schowalter, William Y. Brame, Jr., Cynthia Brame Draughon, Christine Brame Lister, W. Y. Brome, and their unknown heirs, devisees, executors, administrators, stockholders and directors, Defendants.

DONE this the 17th day of February, 1959.


Register

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 4154.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Cynthia Beane Draughn
et als.

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

Certain Lands, and Leah M. Shaw et als, _____, Defendant

by **James E. Keith, Jr.** _____

_____, Plaintiff.....

Witness my hand this 31 day of Oct 1957

Alice J. Duck, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

JAMES L. KEITE, JR.

Plaintiffs

vs.

CURTAIN LAMES, AND IRMA M. SHAW,

ET AL

Defendants

SUMMONS and COMPLAINT

Filed 10/31/57, 19.....

Alice J. Duck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

19.....

Sheriff

I have executed this summons

this _____, 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

October 30, 1957

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith several copies of a Suit to Quiet Title, in which James E. Keith, Jr., is the Complainant. I realize that additional copies are required, but since I have already made arrangements for publication in this week's paper, decided that I had better have the suit shown filed not later than Thursday.

I am also enclosing copies of the Order of Publication, which has been delivered to the Onlooker. The remaining needed copies of the Complaint will be sent to you this week.

I am asking Mashburn to come by your office and sign this Complaint, however, please go ahead and stamp it as filed.

Yours very truly,


C. G. Chason

CGC:fm

cc: Mr. Telfair J. Mashburn, Jr.
Attorney at Law
Bay Minette, Alabama

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

JAMES E. KEITH, JR. COMPLAINANT

vs.

RESPONDENT

I, Frances G. Mallory
as Register and Commissioner in Chancery

have called and caused to come before me James E. Keith, JR.

witness ~~is~~ named in the requirement for Oral Examination, on the _____ day of _____
1960, at the office of C. G. Chason
in Foley, Alabama, and having first sworn said witness _____ to speak the
truth, the whole truth, and nothing but the truth, the said James E. Keith, Jr.

doth depose and say as follows:

My name is James E. Keith, Jr. I am over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, and am the Complainant in the above styled cause. Heretofore, prior to the date of filing of a Disclaimer by Norborne C. Stone, for those certain persons and corporations represented by him; testimony was taken in said cause, concerning my right, title, ownership and possession of the real estate described in the Bill of Complaint, and now, subsequent to the filing of said Disclaimer by the said parties represented by Norborne C. Stone, I hereby specifically reiterate and adopt all testimony heretofore given, as if the same were herein again set out in full.

FILED

FEB 10 1960

ALICE I. DUCK, CLERK REGISTER

Signed: *James E. Keith Jr.*

ORAL EXAMINATION

I, **Frances G. Mallory** as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to **him** and **he** signed the same in the presence of myself and **C. G. Chason** at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; 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 10th day of February, 1960.

Frances G. Mallory (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

JAMES E. KEITH, JR.,

COMPLAINANT

vs.

CERTAIN LANDS, LEAH M.
SHAW, et al, RESPONDENT

ORAL DEPOSITION

Filed _____, 19____

_____, Register.

RECORDED IN

Record

Vol. _____ Page _____

_____, Register.

JAMES E. KEITH, JR.,

Complainant,

-vs-

Lot 11, Block 21; Lots 6, 7, 8, 9 and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat thereof reocréed in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages 230-231, and, ALSO, beginning at the point where the West line of Section twenty-four, Township seven (7) South, Range two (2) East, intersects, the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, H. H. MASCHMEYER, HERMAN H. MASCHMEYER, BERT KEARNEY, MARY E. KEARNEY, CLARA MASCHMEYER, FIRST NATIONAL BANK OF MOBILE, a corporation, FIRST NATIONAL BANK OF MOBILE, a corporation, as Trustee, SOUTH ALABAMA LAND COMPANY, SOUTH ALABAMA LAND COMPANY, INC., H. H. WEFEL, SR., HERMAN H. WEFEL, SR., H. H. WEFEL, JR., HERMAN H. WEFEL, JR., LOUIS JACKSON, HENRY H. HANSON, CELINA HANSON, H. H. HANSON, WILLIE EWING, MAE SMITH, RUBEN HANSON, H. T. CRUMPTON, BUTLER REALTY COMPANY, BUTLER REALTY COMPANY, INC., H. H. MIXON, RUDOLPH CROMARTIE, ORT H. ERTZINGER, NATHANIEL McCARTY, E. W. WALTHALL, RALPH H. GRILLEY, E. E. GRILLEY, W. M. PARTRIDGE, CARRIE BROOKS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON, JOHN McCOY, E. GAINES WILSON, JOHN R. COURTRIGHT, LEE R. COURTRIGHT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

700.4154

BOOK 004 PAGE 379

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C. G. C.

STATE OF ALABAMA, BALDWIN COUNTY
 Filed 11-1-57
 Recorded 11-1-57
 1000 BOOK 4
 DEED 379-83
 JUDGE OF PROBATE

BOOK 004 PAGE 380

W. Y. BRAME,
JAMES R. GRIST, SAHAH A. FORBES,
RHODA A. ROUSSELLE, LULU CHRISTIAN,
AMANTA COURTRIGHT, BARKULOO COURT-
RIGHT, VIOLA BODDEN, DAISEY A.
CONWAY, FLORENCE WILSON, MARIE S.
MALAY, J. H. WEBB, ADALIADÉ J.
TORREY, JOHN BOWEN, JUDY ANN DAVIS,
ALLEN GRIST, ZOPHER MILLS, E. R.
SCHOWALTER, WILLIAM Y. BRAME, JR.,
CYNTHIA BRAME DRAUGHON, CHRISTINE
BRAME LISTER, W. Y. BROME, and their
unknown heirs, devisees, executors,
administrators, stockholders, dir-
ectors, and any and all persons,
firms or corporations, claiming
any interest in the above described
lands,

Respondents.

It having been made to appear in the above styled cause by
verified Bill of Complaint of James E. Keith, Jr., that the Resp-
ondents, Leah M. Shaw, L. M. Shaw, Bert Kearney, Mary E. Kearney,
H. H. Wefel, Sr., Herman H. Wefel, Sr., H. H. Wefel, Jr., Herman
H. Wefel, Jr., Louis Jackson, Henry H. Hanson, H. H. Hanson,
Ruben Hanson, H. T. Crumpton, H. H. Mixon, Nathaniel McCarty,
Ralph H. Grilley, E. E. Grilley, Carrie Brooks, W. M. Partridge,
David Gordon, John Morton, Alexander Morton, John McCoy, E. Gaines
Wilson, John R. Courtright, Lee R. Courtright, Barkaloo Court-
right, Rhoda A. Rouselle, Lulu Christian, Viola Bodden, Daisey A.
Conway, Florence Wilson, J. H. Webb, Adaliadé J. Torrey, Marie S.
Malay, John Bowen, Judy Ann Davis, Allen Grist, James R. Grist,
Zopher Mills, E. R. Schowalter, W. Y. Brame, W. Y. Brome, Christine
Brame Lister, Armanta Courtright and Sarah A. Forbes, are believed
to be non-residents of the State of Alabama, and their place of
residence and Post Office addresses are unknown, and/or to be
deceased, and that their heirs at law, next of kin, devisees or
personal representatives are not known; that E. W. Walthall is
believed by your Complainant to be a resident citizen of Pensacola,
Florida, whose last known address was 1524 East Wright Street;
that William Y. Brame, Jr., is believed to be a resident of
Meridian, Mississippi, but his Post Office address is not to your
Complainant known; that Cynthia Brame Draughon is believed by the
Complainant to be a resident of Jackson, Mississippi, but her
Post Office address is unknown, and in the event they are deceased,
the heirs at law, next of kin, devisees or personal representatives

are unknown to your Complainant; that South Alabama Land Company and/or South Alabama Land Company, Inc., Butler Realty Company and/or Butler Realty Company, Inc., are not known to the Complainant, nor are partners, members of association, officers, directors or stockholders thereof, or successors, known; that Complainant believes that the remaining defendants above named to be residents of Alabama, however, in the event that any are non-residents or deceased, notice is hereby given to their unknown heirs at law, next of kin, devisees or personal representatives, and to the defendants if not found, therefore,

NOTICE IS HEREBY GIVEN to all of the above named defendants, their unknown heirs at law, next of kin, devisees or personal representatives, unknown stockholders or members of association, or partnership above named, and any and all persons, firms, or corporations, claiming any interest in, title to or lien or encumbrance upon, the land herein described; that on the 31st day of October, 1957, James E. Keith, Jr., filed in the Equity side of the Circuit Court of Baldwin County, Alabama, his verified Bill of Complaint/against the following described lands in Baldwin County, Alabama, viz:-

Parcel 1: Lots 6, 7, 8, 9, Block 19;
Lot 11 of Block 21.

Parcel 2: Lot 10, Block 19; Lots 19
and 20, Block 23.

Parcel 3: Lots 21 and 22, Block 53.

Parcel 4: Lots 23 and 24, Block 53.

Parcel 5: Lot 2, Block 68.

Parcel 6: Lots 1 and 2, Block 50.

Parcel 7: Lot 5, Block 57,

the above described real estate all being in Park City, according to Plat #1 thereof, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, Pages 230-231.

Parcel 8: Beginning at the point where the West line of Section twenty-four (24), Township seven (7) South, Range two (2) East, intersects the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet, to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter

(SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the;point of beginning;


And against the defendants hereinabove named, and any and all persons, firms or corporations, claiming any interest in, title to, lien or encumbrance upon, the above described lands, and you are hereby notified to plead, answer or demur within thirty (30) days from the 1st day of December, 1957, or a Decree Pro Confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainant to said land, and for the purpose of quieting his title thereto, and clearing up any doubts and disputes concerning the same; that title to said land stands in the name of Complainant on the records in the office of the Judge of Probate of Baldwin County, Alabama.

Complainant further alleges in his Bill of Complaint that he is in quiet and peaceable possession of said lands, claiming to own the same absolutely and in fee simple; that he became the purchaser of the property described as Parcel 1 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Leah M. Shaw, and that no one has paid any taxes thereon for over ten (10) years except that certain taxes have been paid since the year 1950, by H. H. Maschmeyer and R. C. Keeney; that he became the purchaser of Parcel 2 at a Tax Sale of the State of Alabama on the 12th day of October, 1954, said property having been sold on June 15, 1950, listed as last known owner "Clara Maschmeyer and First National Bank of Mobile", and that no one has paid any taxes thereon since the date of his purchase, other than Clara Maschmeyer, First National Bank of Mobile and South Alabama Land Company; that he became the purchaser of the property described in Parcel 3 on the 27th day of May, 1937, by Tax Deed from the State of Alabama, the property being sold in the name of H. H. Hanson, and that no one has paid

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any taxes thereon for the past ten (10) years other than the Complainant; that he became the purchaser of Lot 24 of Parcel 4 by Quit Claim Deed from H. T. Crumpton in 1945, and of Lot 23 of Parcel 4 by Statutory Warranty Deed from J. L. Kessler, on February 9, 1944, and that no one had paid any taxes thereon other than the Complainant for more than ten (10) years; that he became the purchaser of Parcel 5 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Nathan T. McCarty, and that no one has paid any taxes thereon for over ten (10) years, other than the Complainant; that he became the purchaser of the property described as Parcel 6 from the State of Alabama by Tax Deed dated September 18, 1946, said property having been sold in the name of Carrie Brooks, and that no one has paid any taxes thereon for more than ten (10) years, other than the Complainant, and the First National Bank of Mobile; that he became the purchaser of the property described as Parcel 7 in 1937, by Tax Deed from the State of Alabama, said property having been sold in the name of H. H. Hanson, and that no one has paid any taxes other than the Complainant and the First National Bank of Mobile, for more than ten (10) years; that he became the purchaser of the property described as Parcel 8 by conveyances from Minnie D. Brame, William Y. Brame, Jr., Cynthia Brame Draughon, and Christine Brame Lister, by Quit Claim Deed dated October 31, 1952, and from Minnie D. Brame by Quit Claim Deed dated September 9, 1953, which conveyances cover all of Parcel 8 except that small portion located in the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section twenty-four (24), Township seven (7) South, Range two (2) East, which was purchased by Complainant from William Brown and Agnes Brown in 1918, and that no one other than the Complainant and W. Y. Brame, or W. Y. Brome, have paid any taxes thereon for over ten (10) years.

WITNESS my hand this the 31st day of October, 1957.


As Register of the Circuit Court of
Baldwin County, Alabama, in Equity

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C. G. Chason and Telfair J.
Mashburn, Jr., Solicitors for
Complainant.

c. g. c.

004-383

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...the purpose of...

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ALICE J. BARK, REGISTRAR

Oct 31 1957

FILED

Mrs. Bick

P-1000

Mrs. Paul

NO. 4154

4-37983

101

\$5.00

FILED
JUL 23 1959
W. L. DUCK, CLERK
REGISTER

JAMES E. KEITH,
Complainant,
VS.
CERTAIN LANDS and LEAH M. SHAW, ET AL.,
Respondents.

IN THE
CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
IN EQUITY.
41574

STIPULATION

It is stipulated that Mr. Rickarby, as Attorney for Grover Cleveland Harrod and Florence P. Harrod, has filed an answer and cross bill alleging that on the 12th day of January, 1954, a decree was rendered from the Circuit Court of Baldwin County, Alabama, in equity, quieting title to a parcel of land, described as:

A part of Parcel 8 of the Bill of Complaint, as follows, to-wit: Beginning at a point where the west line of Section 24, Township 7 South, Range 2 East intersects the north line of the right of way of Alabama highway 89, thence run east along the right of way line a distance of 405 feet, measured at right angles; thence north 116 feet to a pipe, thence run west 405 feet to the west line of Section 24,; thence south to the point of beginning, lying in the Northwest Quarter of Southwest Quarter, of Section 24, Township 7 S. Range 2 East, and also known as Government subdivision Eight.

The Cross Complainants, Grover Cleveland Harrod and Florence P. Harrod, object to any testimony taken concerning possession of the above described parcel of land prior to the date of the decree quieting said title, viz: January 12, 1954.

H. W. GRAHAM, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Chason.
Q. Are you Mr. H. W. Graham?
A. Yes sir.

- Q. Mr. Graham, you made a survey of the property of James Keith, which is reflected on the plat, dated August 15, 1953?
- A. Right.
- Q. This plat describes properties in the $W\frac{1}{2}$ of the said Section 24, Township 7 South, Range 2 East, in Baldwin County, Alabama, does it not?
- A. Yes sir.
- Q. Does your plat designate thereon the properties claimed by Mr. Keith at the time of such survey?
- A. It does.
- Q. Was your survey made on or about the 15th day of August, 1953?
- A. Very shortly previous.
- Q. Are you acquainted with Mr. Keith?
- A. Yes.
- Q. Was Mr. Keith in the actual possession of all of the property you have shown on this map as Keith Land at the time of your survey?
- A. He was.
- Q. Did there appear to you to be any conflict of possession of the property that you have shown as the Keith property?
- A. None what-ever.
- Q. Is this plat the plat prepared by you, and if so, do you testify that it accurately portrays Mr. Keith's property?
- A. Yes, and it does accurately portray Mr. Keith's property.
- MR. CHASON: We would like to offer this plat in evidence and ask that it be marked Complainant's Exhibit A.
- Q. Mr. Graham, you signed this plat, I believe, as a registered land surveyor?
- A. Yes.
- Q. Are you a licensed and registered surveyor?
- A. Yes.

Q. How long have you been a registered surveyor?

A. I don't know -- Since they started that -

Q. How long have you been making land surveys?

A. Oh, since 1908 or 1909, I believe.

Q. Were you a registered and licensed surveyor as of the date this survey was made?

A. I was.

Q. Are you familiar with the corners in that area?

A. I surveyed it for all of them - Henderson, Dorgan, Delchamp, and all of them -- That is a composite of the whole business.

Q. You heard me read the description of the piece of property which the cross complainant's claim and which the cross bill covers in a suit to quiet title by Elizabeth Henderson in January of 1954?

A. That is as I have marked it.

Q. As you have marked on the map with a blue pencil -- Is that the property described?

A. That is right.

NO CROSS EXAMINATION BY MR. RICKARBY.

CHARLES KELLER, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Chason.

Q. You are Charles Keller?

A. I am.

Q. Mr. Keller, I will ask you to examine the plat marked Complainant's Exhibit A.

A. The Keith land is set out here and here -- The river runs this way?

Q. That is right.

A. That's the Keith property all right.

Q. I call your attention to the plat that here in the bend of the river, coming down is a piece of property identified as Keith property. Is it all clear to you on here as to what is shown as Keith property?

- A. I will have to get the map straight -- The river runs here, and this is the road, indicating, and this is the Keith property, indicating. It is cut into three pieces.
- Q. Are You acquainted with James Keith, sometimes known as James A. Keith, Jr?
- A. Yes sir.
- Q. Are you familiar with the lands shown on the plat as Keith Land?
- A. Yes sir.
- Q. Do you know how long Mr. Keith has been in possession of the part south of the old road here, indicating?
- A. I believe they came in here in 1919 or 1920 -- Moved down on that piece of land and along about the latter part of 1944 or '45, I was down there and disked the land all up for him for a farm - He paid me ^{for} the disking; the road has cut it into three pieces and there is some of it that laid south of the new road, down there where Harris and Delchamps bought it from him -- there was a house and it ran from the river back to the road and when they put the road there, the river was here, indicating, and the road here, indicating, and when they put the new road in it gave him three pieces; he asked them to put the new road here, indicating, so there wouldn't be so many fences; this piece, indicating, that I understand they are squabbling about is a little piece on the north side of the road.
- Q. Do you know where the part of the Keith property is that abuts on the Point Clear or Foley Highway?
- A. Yes sir.
- Q. He only has a relatively small piece abutting on the road?
- A. Yes sir.

Q. How long has he been in possession of that property?

A. As far as I know for about --- Since about 1919 or 1920.

Q. Did you say you did some work on that particular piece of property (indicating on map)?

A. Yes sir.

Q. When was that?

A. The latter part of the war - '44 or '45.

Q. Was the property fenced at that time?

A. Yes sir.

Q. Do you know when it was first fenced?

A. I don't remember when it was fenced -- the year - I know they fenced it right away, because I disked it up for him to plant corn.

Q. That was in the early '40's?

A. Yes sir.

Q. The rest of the property, is Mr. Keith in possession of that?

A. As far as I know; I've not heard of him selling any.

Q. You have not heard of anybody claiming or disputing his possession to the rest of the property here, indicating on map?

A. No sir.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Rickarby.

Q. What do you know about the possession of that tract of land on Highway 98?

A. 98 runs through it and made him have three pieces and he sold the part on the south side to Delchamps.

Q. I'm talking about the part on the north side?

A. It runs from the river and over the road and I think he sold it to Delchamps on the south side.

Q. On the north side of the road -- what possession does he have?

A. It is fenced and farmed; he has corn on it now.

Q. Fenced and farmed?

A. Yes sir, been farmed every year.

M. E. JOHNSTON, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Chason.

Q. What is your name?

A. M. E. Johnston.

Q. Mr. Johnston, are you familiar with the Keith property in Section 24, Township 7 South, Range 2 East, which lies directly south of the Dorgan property?

A. Well no -- you see Mr. Keith's house -- wherever his home is (referring to the map) -- It is right here some where, indicating on map - the old store and houses and that was an open lot there - there is a field there, indicating on map.

Q. Was that field located where the new highway 89 is now located?

A. Yes sir.

Q. The road ran through the field?

A. Yes sir.

Q. You were working for who?

A. Boykin and Everette.

Q. You build some houses for quarters which were rented from Keith?

A. Yes sir.

Q. When did you build those houses?

A. In 1930.

Q. You occupied that property for how long?

A. Six years -- Well I had that property in charged through 1938.

Q. From 1930 to 1938?

A. Yes. I lived in one of the houses that Lewis Mills built on the Keith property; I lived in that house and Everette and Boykin paid the rent on that house to Mrs. Keith.

Q. That was on the piece of property known as the Field that the present highway no 89 runs through?

A. Yes sir.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Rickarby.

Q. Mr. Johnston, do you know, or are you testifying about the property fronting on highway 89?

A. Yes, that's north of the highway.

Q. Are you familiar with the old Henderson property now owned by the Harrods?

A. No, I am not.

Q. When were you familiar with this property? -- From what years?

A. 1929 until 1938 -- through 1938. Late in 1929 - about December of '29, I moved there.

C E R T I F I C A T E:

I hereby certify that the foregoing, consisting of pages 1 to 7 both inclusive, correctly sets forth a true and correct transcript of the testimony as taken by me in the above styled cause on July 21, 1959.

This 21st day of July, 1959.

Court Reporter

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

November 14, 1957

Mr. Telfair J. Mashburn, Jr.
Attorney at Law
Bay Minette, Alabama

Dear Telfair:

I am enclosing herewith thirteen (13) additional copies of our suit to quiet title for Buster Keith, which I believe should be served on the following persons:-

✓ H. H. Maschmeyer and Herman H. Maschmeyer, of Mobile; ✓ Clara Maschmeyer, of Mobile; ✓ the First National Bank of Mobile, and the First National Bank of Mobile, as Trustee; ✓ Willie Ewing, of Orange Beach, Alabama; ✓ Mae Smith, of Pinto Pass Reservation, Mobile; ✓ Rudolph Cromartie, of Bay Minette; ✓ Ort H. Ertzinger, of Bay Minette; ✓ E. W. Walthall, whose last known address was 1524 East Wright Street, Pensacola, Florida, by Registered Mail; ✓ William Y. Brame, Jr., whose last known address was Meridian, Mississippi, by Registered Mail; ✓ Cynthia Brame Draughon, whose last known address is Jackson, Mississippi, by Registered Mail.

After you have signed these Complaints, please deliver to Mrs. Duck, and be sure that she stamps the filing date the same as the original Complaint.

For her convenience in sending copies, I am enclosing herewith an additional copy of this letter.

Yours very truly,


C. G. Chason

CGC:fm

encls. 14

The sender ~~is not~~ required to pay a registration fee providing for full indemnity coverage (up to the limit of \$1,000). However, if the actual value of the matter mailed exceeds \$25, the sender must pay a fee of at least 55 cents. Some matter having no intrinsic value, so far as the registry service is concerned, may involve considerable cost to duplicate if lost or destroyed. The sender is privileged to pay a fee for insurance against costs of duplication if desired.

Domestic registered mail is subject to surcharge when the declared value exceeds the maximum indemnity covered by the fee paid by \$1,000 or more. Claims must be filed within 1 year from date of mailing.

Consult postmaster as to fee chargeable on registered parcel post packages addressed to foreign countries.

REGISTERED NO. 113

Value \$ None Spec. del'y fee \$

Fee \$ 50 Ret. receipt fee \$ 00

Surcharge \$ Rest. del'y fee \$ 50

Postage \$ 06 Airmail



From Alma Week Postmaster, By W

To Cynthia Brame Droughon
Jackson Miss

112 114

~~Corner from
Please call~~

3880

DUCK, CIRCUIT CLERK

Lewis County
MINETTE, ALA.

4154

REASON CHECKED
 Returned _____ Refused _____
 No return address _____
 No return address _____
 No return address _____
 No return address _____

next in p.



Not in Directory

Deliver to Addressee Only

RETURN RECEIPT REQUESTED

Registered

For Delivery Only To Person
Whom Addressed

Cynthia Brame Draughon,
Jackson, Mississippi

REGISTERED
NO. 113

Return Receipt Requested

INSUFFICIENT ADDRESS

Mississippi



REGISTERED NO. 109

Value \$ none Spec. del'y fee \$

Fee \$ 50 Ret. receipt fee \$ 10

Surcharge \$ Rest. del'y fee \$ 50

Postage \$ 06 Airmail



Postmaster, By Sh

From Alvin J. Duck
Birmingham Ala

To E. W. Mitchell
1524 E. Wright St. Prichard Ala

POD Form 3806
Sept. 1955

09-16-70493-2

Extra
copies

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

JAMES E. KEITH, JR.,

Complainant,

Lot 11, Block 21; Lots 6, 7, 8, 9 and 10, Block 19; Lots 19 and 20, Block 23; Lots 21 and 22, Block 53; Lots 23 and 24, Block 53; Lot 2, Block 68; Lots 1 and 2, Block 50; Lot 5, Block 57, All in Park City, Baldwin County, Alabama, according to a map or plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, Pages 230-231, and,

ALSO, beginning at the point where the West line of Section twenty-four, Township seven (7) South, Range two (2) East, intersects, the North line of the right-of-way of Alabama Highway #89; thence run East along the right-of-way line a distance of 405 feet, if measured at right angles; thence run North 116 feet to a pipe; thence run East 915 feet, more or less, to the East Boundary of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section twenty-four (24); thence run North to Turkey Branch a distance of 2,890 feet, more or less; thence run Westwardly and Southwardly along Turkey Branch, regardless of its meanderings, to the Northeast corner of the Dorgan property, which is a distance of 405 feet East of the West Section line of Section twenty-four (24), if measured at right angles; thence run South 1,015 feet, more or less, to the Southeast corner of the Dorgan property; thence run West 405 feet, more or less, to the West line of Section twenty-four (24); thence run South to the point of beginning, and,

LEAH M. SHAW, L. M. SHAW, H. H. MASCHMEYER, HERMAN H. MASCHMEYER, BERT KEARNEY, MARY E. KEARNEY, CLARA MASCHMEYER, FIRST NATIONAL BANK OF MOBILE, a corporation, FIRST NATIONAL BANK OF MOBILE, a corporation, as Trustee, SOUTH ALABAMA LAND COMPANY, SOUTH ALABAMA LAND COMPANY, INC., H. H. WEFEL, SR., HERMAN H. WEFEL, SR., H. H. WEFEL, JR., HERMAN H. WEFEL, JR., LOUIS JACKSON, HENRY H. HANSON, CELINA HANSON, H. H. HANSON, WILLIE EWING, MAE SMITH, RUBEN HANSON, H. T. CRUMPTON, BUTLER REALTY COMPANY, BUTLER REALTY COMPANY, INC., H. H. MIXON, RUDOLPH CROMARTIE, ORT H. ERTZINGER, NATHANIEL McCARTY, E. W. WALTHALL, RALPH H. GRILLEY, E. E. GRILLEY, W. M. PARTRIDGE, CARRIE BROOKS, DAVID GORDON, JOHN MORTON, ALEXANDER MORTON JOHN McCOY, E. GAINES WILSON, JOHN R. COURTRIGHT, LEE R. COURTRIGHT, W. Y. BRAME, JAMES R. GRIST, SAHAH A. FORBES, RHODA A. ROUSSELLE, LULU CHRISTIAN, AMANTA COURTRIGHT, BARKULOO COURTRIGHT, VIOLA BODDEN, DAISEY A. CONWAY, FLORENCE WILSON, MARIE S. MALAY, J. H. WEBB, ADALLIADÉ J. TORREY, JOHN BOWEN, JUDY ANN DAVIS, ALLEN GRIST, ZOPHER MILLS, E. R. SCHOWALTER, WILLIAM Y. BRAME, JR., CYNTHIA BRAME, DRAUGHON, CHRISTINE

known s
sociatiof.
ed, and,
and all persons, firms, or
corporations, claiming any interest in,
title to or lien or encumbrance upon,
the land herein described; that on the
31st day of October, 1957, James E.
Keith, Jr., filed in the Equity side of
the Circuit Court of Baldwin County,
Alabama, his verified Bill of Com-
plaint against the following described
lands in Baldwin County, Alabama,
viz:-

- Parcel 1: Lots 6, 7, 8, 9, Block 19; Lot 11 of Block 21.
- Parcel 2: Lot 10, Block 19; Lots 19 and 20, Block 23.
- Parcel 3: Lots 21 and 22, Block 53.
- Parcel 4: Lots 23 and 24, Block 53.
- Parcel 5: Lot 2, Block 68.
- Parcel 6: Lots 1 and 2, Block 50.
- Parcel 7: Lot 5, Block 57.

the above described real estate all be-
ing in Park City, according to Plat #1
thereof, recorded in the office of the
Judge of Probate of Baldwin County,
Alabama, in Miscellaneous Book 1,
Pages 230, 231.

Parcel 8:

Beginning at the point where the
West line of Section twenty-four (24),
Township seven (7) South, Range two
(2) East, intersects the North line of
the right-of-way of Alabama High-
way #89; thence run East along the
right-of-way line a distance of 405
feet, if measured at right angles;
thence run North 116 feet, to a pipe;
thence run East 915 feet, more or less,
to the East Boundary of the Southwest
Quarter (SW $\frac{1}{4}$) of the Northwest Quar-
ter (NW $\frac{1}{4}$) of said Section twenty-four
(24); thence run North to Turkey
Branch a distance of 2,890 feet more
or less; thence run Westwardly and
Southwardly along Turkey Branch, re-
gardless of its meanderings to the
Northeast corner of the Dorgan prop-
erty, which is a distance of 405 feet
East of the West Section line of Sec-
tion twenty-four (24), if measured at
right angles; thence run South 1,015
feet, more or less, to the Southeast
corner of the Dorgan property; thence
run West 405 feet, more or less, to the
West line of Section twenty-four (24);
thence run South to the point of be-
ginning;

And against the defendants here-
in above named, and any and all per-
sons, firms or corporations, claiming
any interest in, title to, lien or encum-
brance upon, the above described
lands, and you are hereby notified to
plead, answer or demur within thirty
(30) days from the 1st day of Dec-
ember, 1957, or a Degree Pro Con-
fesso will be rendered against you;
that said Bill of Complaint was and is
filed for the purpose of establishing
the title of said Complainant to said
land, and for the purpose of quieting
his title thereto, and clearing up any
doubts and disputes concerning the
same; that title to said land stands
in the name of Complainant; on the
records in the office of the Judge of
Probate of Baldwin County, Alabama.

Complainant further alleges in his
Bill of Complaint that he is in quiet
and peaceable possession of said lands,
claiming to own the same absolutely

ter(NW $\frac{1}{4}$) of the Southwe
(SW $\frac{1}{4}$) of said Section
(24), Township seven (7) So
two (2) East, which was pu
Complainant from William
Agnes Brown in 1918, and
other than the Complainant
Brame, or W. Y. Brome, hav
taxes thereon for over ten

WITNESS my hand this th
of October, 1957.

ALICE J. DUCK

As Register of the Circu
Baldwin County, Alabama
C. G. Chason and Telfa
burn, Jr., Solicitors for C
(4t, Oct. 81, Nov.

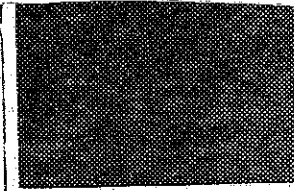
BRAME LISTER, W. Y. BRAME, and their unknown heirs, devisees, executors, administrators, stockholders, directors, and any and all persons, firms or corporations, claiming any interest in the above described lands, Respondents.

It having been made to appear in the above style cause by verified Bill of Complaint of James E. Keith, Jr., that the Respondents, Leah M. Shaw, L. M. Shaw, Bert Kearney, Mary E. Kearney, H. H. Wefel, Sr., Herman H. Wefel, Sr., H. H. Wefel, Jr., Herman H. Wefel, Jr., Louis Jackson, Henry H. Hanson, H. H. Hanson, Ruben Hanson, H. T. Crumpton, H. H. Mixon, Nathaniel McCarty, Ralph H. Grilley, E. E. Grilley, Carie Brooks, W. M. Partridge, David Gordon, John Morton, Alexander Morton, John McCoy, E. Gaines Wilson, John R. Courtright, Lee R. Courtright, Barkaloo Courtright, Rhoda A. Rouselle, Lulu Christian, Viola Borden, Daisey A. Conway, Florence Wilson, J. H. Webb, Adalade J. Torrey, Marie S. Malay, John Bowen Judy Ann Davis, Allen Grist, James R. Grist, Zopher Mills, E. R. Schowalter, W. Y. Brame, W. Y. Brome, Christine Brame Lister, Armanta Courtright and Sarah A. Forbes, are believed to be non-residents of the State of Alabama, and their place of residence and Post Office addresses are unknown, and/or to be deceased, and that their heirs at law, next of kin, devisees or personal representatives are not known; that E. W. Walthall is believed by your Complainant to be a resident citizen of Pensacola, Florida, whose last known address was 1524 East Wright Street; that William Y. Brame, Jr., is believed to be a resident of Meridian, Mississippi, but his Post Office address is not to your Complainant known; that Cynthia Brame Draughon is believed by the Complainant to be a resident of Jackson, Mississippi, but her Post Office address is unknown, and in the event they are deceased, the heirs at law, next of kin, devisees or personal representatives are unknown to your Complainant; that South Alabama Land Company and/or South Alabama Land Company, Inc., Butler Realty Company and/or Butler Realty Company, Inc., are not known to the Complainant, nor are partners, members of association, officers, directors or stockholders thereof, or successors, known; that Complainant believes that the remaining defendants above named to be residents of Alabama, however, in the event that any are non-residents or deceased, notice is hereby given to their unknown heirs at law, next of kin, devisees or personal representatives, and to the defendants if not found, therefore,

NOTICE IS HEREBY GIVEN to all of the above named defendants, their unknown heirs at law, next of kin, devisees or personal representatives, un-

and in fee simple; that he became the purchaser of the property described as Parcel 1 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Leah M. Shaw, and that no one has paid any taxes thereon for over ten (10) years except that certain taxes have been paid since the year 1950, by H. H. Maschmeyer and R. C. Keeney; that he became the purchaser of Parcel 2 at a Tax Sale of the State of Alabama on the 12th day October, 1954, said property having been sold on June 15, 1950, listed as last known owner "Clara Maschmeyer and First National Bank of Mobile", and that no one has paid any taxes thereon since the date of his purchase, other than Clara Maschmeyer, First National Bank of Mobile and South Alabama Land Company; that he became the purchaser of the property described in Parcel 3 on the 27th day of May, 1937, by Tax Deed from the State of Alabama, the property being sold in the name of H. H. Hanson, and that no one has paid any taxes thereon for the past ten (10) years other than the Complainant; that he became the purchaser of Lot 24 of Parcel 4 by Quit Claim Deed from H. T. Crumpton in 1945, and of Lot 23 of Parcel 4 by Statutory Warranty Deed from J. L. Kessler, on February 9, 1944, and that no one has paid any taxes thereon other than the Complainant for more than ten (10) years; that he became the purchaser of Parcel 5 by Tax Deed from the State of Alabama on the 17th day of July, 1946, said property being sold in the name of Nathan T. McCarty, and that no one has paid any taxes thereon for over ten (10) years, other than the Complainant; that he became the purchaser of the property described as Parcel 6 from the State of Alabama by Tax Deed dated September 18, 1946, said property having been sold in the name of Carie Brooks, and that no one has paid any taxes thereon for more than ten (10) years, other than the Complainant, and the First National Bank of Mobile; that he became the purchaser of the property described as Parcel 7 in 1937, by Tax Deed from the State of Alabama, said property having been sold in the name of H. H. Hanson, and that no one has paid any taxes other than the Complainant and the First National Bank of Mobile for more than ten (10) years; that he became the purchaser of the property described as Parcel 8 by conveyance from Minnie D. Brame, William Y. Brame, Jr., Cynthia Brame Draughon and Christine Brame Lister, by Quit Claim Deed dated October 31, 1952, and from Minnie D. Brame by Quit Claim Deed dated September 9, 1953, which conveyances cover all of Parcel 8 except that small portion located in the Northwest Quar-

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uns



ALPHA WITH YOU

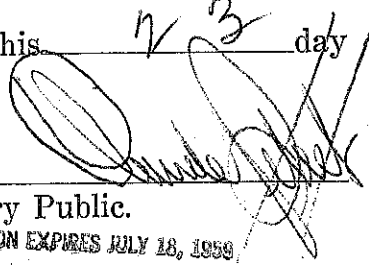
AFFIDAVIT OF PUBLICATION

I, E. M. Howell

Publisher of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for 4 consecutive weeks, com-
mencing with the issue dated Oct. 31, 1957, and
ending with the issue dated Nov. 21, 1957.

E. M. Howell

Subscribed and sworn to before me this 23 day
of November, 1957.

A circular notary seal is partially visible, overlapping with a handwritten signature. The signature appears to be "L. B. [unclear]".

Notary Public.
MY COMMISSION EXPIRES JULY 28, 1958.

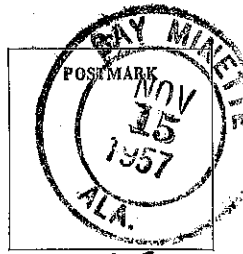
REGISTERED NO. 114

Value \$ None Spec. del'y fee \$ _____

Fee \$ 50 Ret. receipt fee \$ 10

Surcharge \$ _____ Rest. del'y fee \$ 50

Postage \$ 06 Airmail



Postmaster, By H

From Alton J. Duck
Birmingham

To William J. Brone Jr
Meridian, Miss

POD Form 3806
Sept. 1955

W. R. STUART

No 3839

PROBATE JUDGE

Bay Minette, Ala.,

Feb 26, 1960

Received of

Alice J. Auck

Bay Minette, Alabama

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	Decease Keith vs Shaw et al + Land					4 00		4 00	

FOR RECORD

TOTAL \$

4 00

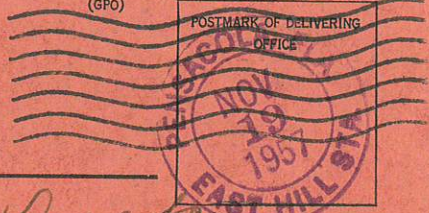
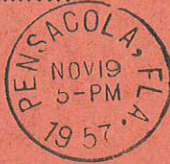
W. R. Stuart

Judge of Probate.

Gill-Mobile.

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)



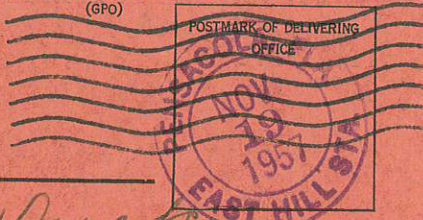
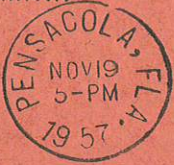
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No. 109
INSURED PARCEL
Post Office Bay Minette
State Ala.

No. _____ 16-12421

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OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)



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(NAME OF SENDER)
Street and Number, }
or Post Office Box, } Box 239
REGISTERED ARTICLE
No. 109
INSURED PARCEL
Post Office Bay Minette
State Ala.
No. _____ 16-12421

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

(GPO)

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39

Bess Minette

State *Acu*

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RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number _____
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W Y Brano Jr
(Signature or name of addressee)

Deliver to Addressee Only

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

of delivery

NOV 16 1957

FILED
NOV 20 1957
POST OFFICE, BOSTON