

HANS LINDOERFER,
Complainant,
vs.
THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,
Respondents.

BOOK 004 PAGE 399

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY,
No. 4198

NOTICE OF PENDENCY OF BILL OF COMPLAINT

Notice is hereby given to each and all of the Respondents named below and to all persons, firms or corporations claiming any right, title or interest in, lien or encumbrance on the lands hereinafter described, or any part thereof, that Hans Lindoerfer did, on the 13th day of January, 1958, file in the Circuit Court of Baldwin County, Alabama, in Equity, a verified Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 20, Township 7 South, Range 5 East, and run thence North 2021 feet; run thence South 79 degrees 45 minutes East 1352.5 feet to a point; run thence South 47 degrees 49 minutes East 683.6 feet to a point; run thence East 825.4 feet to a point; run thence South 1321 feet to a point; run thence West 2664 feet to the point or place of beginning.

and against Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

The addresses of the Respondents specifically named herein are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiries to ascertain the same, except that the last known address of Francis Longhi and Inez Longhi was 827 East 87 Place, Chicago, Illinois.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 1-13-58 10 A.M.
Recorded *Lui P...* book 4 page 399-401

034

M. D. ...
Judge of Probate 2

The said Bill of Complaint has been filed for the purpose of establishing the title of the said Complainant to all of the said lands, for the purpose of quieting his title thereto, and to clear up all doubts and disputes concerning the title to the said property.

Complainant claims the absolute fee simple title to all of the said lands, under, from, by and through the following conveyances:

Deed from Alfred M. Neumann and Irene L. Neumann, his wife, to Hans Lindoerfer, dated March 3, 1947, and recorded in Deed Book 208 at pages 595-6, Baldwin County, Alabama Records.

Deed from Alfred M. Neumann and Irene Neumann, his wife, to Hans Lindoerfer, dated November 26, 1957.

The Complainant, in and by his said Bill of Complaint alleges and avers that he owns the said lands in his own right, absolutely and in fee simple; that he is in the actual, peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of the Complainant; that no suit is pending to test Complainant's title to, interest in, or right to the possession of the said lands, or any part thereof; that Complainant and those through whom he claims title have held color of title to and have regularly assessed and paid taxes on the said lands and each and every part thereof, for more than ten consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations, other than the Complainant and those through whom he claims title to said lands, have paid any taxes on the said lands, or any part thereof, or any interest therein, and no persons, firms or corporations, other than the Complainant and those through whom he claims title, have had possession of the said lands, or any part thereof, within ten years next preceding the filing of the said Bill of Complaint.

BOOK 004 PAGE 400

The Respondents named above, and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer or demur to the said Bill of Complaint before the ^{13th day of} February, 1958, or at the expiration of thirty days from the said date, decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting Complainant's title to said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said Court on this the 13th day of January, 1958.

Alice J. Duck

ALICE J. DUCK,
Register of the Circuit Court of
Baldwin County, Alabama,
In Equity.

J. B. BLACKBURN,
Solicitor for Complainant.

filed Jan. 13, 1958

4198

Hans Lindbergh

vs.

Emilio Longhi
Francis L. B.
Francis
Ince

4-397-401

R-1⁷⁵
Mrs. Duck

FILED
JAN 18 1958
ALICE J. DUCK, Register

HANS LINDOERFER,
Complainant,
vs.
THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
NO. 4198.

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainant upon the original verified bill of complaint; order designating newspaper in which notice of pendency of bill of complaint shall be published; notice of pendency of bill of complaint; proof of publication of notice of pendency of bill of complaint; register's certificate as to service; motion for decree pro confesso; decree pro confesso; motion of complainant for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States; decree dated March 19, 1958, setting this cause for hearing on March 21, 1958, appointing Floyd Swearingen as guardian ad litem to represent any unknown minor or person of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the testimony of the witnesses for the complainant be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended; notice of appointment of guardian ad litem and attorney to represent parties in the Military Service and acceptance of such appointment; answer of guardian ad litem and attorney for unknown parties interested in this proceeding who may be in the Military Service of the United States; and the testimony of Hans Lindoerfer and William Haupt, witnesses for the complainant, taken in open court on this date, all of which has been noted by the Register;

STATE OF ALABAMA, BALDWIN COUNTY

Filed 4-4-58 8A

Recorded Quail book 264 page 277-P

MR. Stewart
Judge of Probate

upon consideration of all of which it appears to the court that all persons, firms or corporations named in the Bill of Complaint filed in this cause have permitted a decree pro confesso to be taken against them; that the allegations of the said Bill of Complaint are true, and that the Complainant is entitled to a decree quieting title to the lands described in the said Bill of Complaint upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Complainant, Hans Lindoerfer, is the lawful owner in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 20, Township 7 South, Range 5 East, and run thence North 2021 feet; run thence South 79 degrees 45 minutes East 1352.5 feet to a point; run thence South 47 degrees 49 minutes East 683.6 feet to a point; run thence East 825.4 feet to a point; run thence South 1321 feet to a point; run thence West 2664 feet to the point or place of beginning.

That the absolute fee simple title to the said lands and each and every part thereof, and all interest therein is in the Complainant, Hans Lindoerfer, free and clear of and from the claim or claims of all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, or any interest therein; that the said Complainant has and is hereby given judgment against the said lands and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

2. The Complainant's title to said lands is hereby quieted against Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and all such claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this Court shall, within thirty days from the rendition of this decree, file a certified copy hereof in the Office of the Judge of Probate of Baldwin County, Alabama, for record therein, and tax the cost of such recording as a part of the costs of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama, shall record the said certified copy of this decree in the same book and manner in which deeds are recorded, and shall index the same in the direct indexes in the names of Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi and shall index the same in the indirect or reverse index of said records in the name of Hans Lindoerfer.

5. The title hereby adjudged and decreed to be in the said Complainant, Hans Lindoerfer, shall inure to the benefit of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said Complainant and such title or interest shall be at all times treated and considered as though it had been established in favor of the person or persons so procuring or deriving title from the said Complainant.

6. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 21st day of March, 1958.

Hubert M. Hall /s/
Judge.

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

WITNESS MY HAND AND SEAL THIS THE 21 day of March 1958

Alice J. Duck
Register of Circuit Court, in Equi

Handwritten notes:
19
18

Yash Yashind Nindin, Lida duno aint to restatger em . E

Toover yoo behtpoo a allt, serob aint to mofhtpoo and mott
amsdala, ytruoO nindala to gradore to egbu and to eolpno and ni
draq a se gntbroover dore to eoo and xat dno, inferend broover not
*nhtbroover aint to eoo and to

8/2
A02
A02

Llade, amodala, ytruoO nindala to eadodri to egbu and . L
xood emse and ni serob aint to yoo behtpooe bla and broover
emse and xebnt Llade dno, bebroover em abed doldm ni remem dno

. L ebomert, ingnoI olland to reman and ni serobni doreto and al
emse and xebnt Llade dno ingnoI remi dno ingnoI ebomert, Llade
to reman and ni ebomert bla to xebnt serover to doreto and ni
*nhtbroover aint to eoo and to

to doreto and ni ebomert bla to xebnt serover to doreto and ni
*nhtbroover aint to eoo and to

R-250
Mrs. Decker

serob and xebnt Llade dno ingnoI remi dno ingnoI ebomert, Llade
to reman and ni ebomert bla to xebnt serover to doreto and ni
*nhtbroover aint to eoo and to

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to reman and ni ebomert bla to xebnt serover to doreto and ni
*nhtbroover aint to eoo and to

serob and xebnt Llade dno ingnoI remi dno ingnoI ebomert, Llade
to reman and ni ebomert bla to xebnt serover to doreto and ni
*nhtbroover aint to eoo and to

1/2 LISH, N. J. Decker

YtruoO nindala to duno ingnoI and to ebomert doreto . L
and to yoo behtpoo a allt, serob aint to mofhtpoo and mott
amsdala, ytruoO nindala to gradore to egbu and to eolpno and ni
draq a se gntbroover dore to eoo and xat dno, inferend broover not
*nhtbroover aint to eoo and to

[Handwritten signature]
Register of Client Funds in Fund

HANS LINDOERFER,
Complainant,
vs.
THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
NO. 4198.

ANSWER OF GUARDIAN AD LITEM FOR UNKNOWN MINORS AND
INSANE PERSONS AND AS ATTORNEY FOR ANY UNKNOWN PER-
SON INTERESTED IN THIS PROCEEDING WHO MAY BE IN THE
MILITARY SERVICE OF THE UNITED STATES:

I, Floyd Swearingen, having been hereto-
fore appointed as guardian ad litem to represent any unknown
minors or insane persons interested in this proceeding, and as
attorney to represent any unknown parties interested in this
proceeding who may be in the Military Service of the United States,
for answer to the Bill of Complaint filed in this cause, hereby
deny each and all of the allegations thereof and demand strict
proof of same.

DATED this 19th Day of March, 1958.

FILED

MAR 19 1958

ALICE L. DUCK, CLERK
REGISTER

Floyd Swearingen

As guardian ad litem as aforesaid, and
as Attorney to represent persons in
Military Service as aforesaid.

040

40

ANSWER OF GUARDIAN AD LITEM
AND ATTORNEY TO REPRESENT
PARTIES IN MILITARY SERVICE:

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4198.

4198

W. R. STUART

PROBATE JUDGE

No. 2501

Bay Minette, Ala., 4-11, 1918

Received of *Oliver Duck*

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
<i>Hans Lindorfer</i>	<i>US - Certain Land</i>					<i>2.50</i>		<i>2.50</i>	

1.50

FOR RECORD

W. R. Stuart

TOTAL \$ _____

Judge of Probate.

fr

RECEIPT FOR REGISTERED ARTICLE No. 183

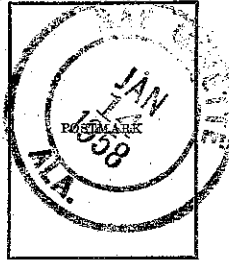
Postage paid 50 (Date) 1-14-1958

Postage paid 1 Return receipt fee 10
Special delivery fee _____

Declared value, \$ none
Charge paid, \$ _____
Restricted delivery (Accepting employee will place initials in proper space) _____
in person 50
or order _____
Fee paid _____

From Alvin J. Duchs (Sender)
10 m. Ala. (Post office and State)

Addressed to James L. Smith (Addressee)
827 E. 89th Place, Okla. City, Okla. (Post office and State)



Postmaster, per JM

RECEIPT FOR REGISTERED ARTICLE No. 184

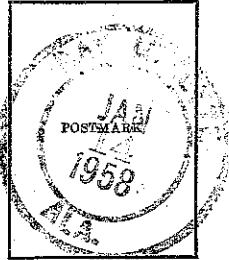
Postage paid 50 (Date) 1-14-1958

Postage paid 1st Return receipt fee _____
Special delivery fee _____

Declared value, \$ none
Charge paid, \$ _____
Restricted delivery (Accepting employee will place initials in proper space) _____
in person _____
or order _____
Fee paid _____

From Alvin J. Duchs (Sender)
10 m. Ala. (Post office and State)

Addressed to James L. Smith (Addressee)
827 E. 89th Place, Okla. City, Okla. (Post office and State)



Postmaster, per JM

GPO c9-16-12666-5

GPO c9-16-12666-5



THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER
AND
BILL STEWART
PUBLISHERS

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

LEGAL NOTICE

NOTICE OF PENDENCY OF
BILL OF COMPLAINT

HANS LINDOERFER,
Complainant,

vs.

THE LANDS AND PARTIES
HEREINAFTER DESCRIBED

Respondents.

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

Notice is hereby given to each and all of the Respondents named below and to all persons, firms or corporations claiming any right, title or interest in, lien or encumbrance on the lands hereinafter described, or any part thereof, that Hans Lindoerfer did, on the 13th day of January, 1958, file in the Circuit Court of Baldwin County, Alabama, in Equity, a verified Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 20, Township 7 South, Range 5 East, and run thence North 2021 feet; run thence South 79 degrees 45 minutes East 1392.5 feet to a point; run thence South 47 degrees 49 minutes East 683.6 feet to a point; run thence East 825.4 feet to a point; run thence South 1321 feet to a point; run thence West 2664 feet to the point or place of beginning.

and against Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

The addresses of the Respondents specifically named herein are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiries to ascertain the same, except that the last known address of Francis Longhi and Inez Longhi was 827 East 87 Place, Chicago, Illinois.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

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

Hans Lindoerfer vs. The Lands and Parties Hereinafter Described

COST STATEMENT

793 WORDS @ 6 1/2 cents \$51.54

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

E. R. Morrisette, Jr.
Editor.

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

Date of 1st publication Jan 16, 1958 Vol. 70 No. 1

Date of 2nd publication Jan 22, 1958 Vol. 70 No. 2

Date of 3rd publication Jan 30, 1958 Vol. 70 No. 3

Date of 4th publication Feb 6, 1958 Vol. 70 No. 4

Subscribed and sworn before the undersigned this 7 day of Feb, 1958

Dorothy Mustin

Notary Public, Baldwin County.

E. R. Morrisette, Jr.
Editor.

FILED

FEB 8 1958

ALICE J. DUCK, Register

4 east.

Erna Hower to Galen D. Rood and Mary N. Rood, property in section 18, township 6 south, range 2 east.

Sadie B. Brown and Edward J. Brown to Louise K. Yuille, property in lots 1, 2, block 1, Yuille's Belrose Wharf Subdivision.

Grace Elizabeth Brown to Pete Frost and Novie Frost, property in section 19, township 7 south, range 4 east.

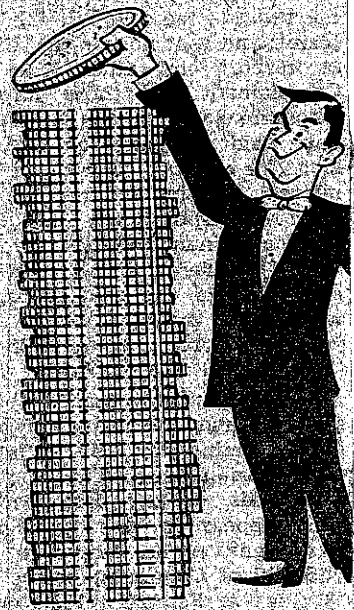
S. M. Adams, Inc. to John Cordova and Bessie L. Cordova, property in section 17, township 2 south, range 4 east.

F. D. Crow and Maxine E. Crow to William H. Armstrong and Ruth G. Armstrong, property in section 5, township 6 south, range 2 east.

Thomas T. Sleaf and Bertha Sleaf to S. M. Adams, Inc., property in section 31, township 6 south, range 6 east.

Robert M. Bouslog to Percy H.

Grows



William Grayson,
Solicitor for Complainant.

4-4tc.

the expiration of thirty days from the said date, decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting Complainant's title to said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said Court on this the 13th day of January, 1958.

ALICE J. DUCK,
Register of the Circuit
Court of Baldwin County,
Alabama, In Equity.

J. B. Blackburn,
Solicitor for Complainant.

1-4tc.

HANS LINDOERFER,	↓	
Complainant,	↓	IN THE CIRCUIT COURT OF
vs.	↓	BALDWIN COUNTY, ALABAMA
THE LANDS AND PARTIES HEREINAFTER DESCRIBED,	↓	IN EQUITY.
Respondents.	↓	NO. 4198.

CERTIFICATE:

I, Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify as follows:

1. The Notice of Pendency of Bill of Complaint in this cause was filed for record in the Office of the Judge of Probate of Baldwin County, Alabama, on January 13, 1958,

2. Notice of Pendency of Bill of Complaint in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, which said notice appeared in the issues of said paper published on January 16th, January 23rd, January 30th and February 6th, 1958.

3. A copy of the Notice of Pendency of Bill of Complaint in this cause was posted at the front door of the Court-house in Baldwin County, Alabama, on January 13, 1958.

DATED this 19 day of March, 1958.

Alice J. Duck

 Register.

CERTIFICATE

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO.4198.

FILED

MAR 19 1958

ALICE J. BECK, Register

HANS LINDOERFER,
Complainant,
vs.
THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
NO. 4198.

NOTICE OF APPOINTMENT OF GUARDIAN AD LITEM AND
ATTORNEY TO REPRESENT PARTIES IN MILITARY SERVICE:

TO: Floyd Swearingen

You are hereby notified that by a decree of this Court heretofore rendered in this cause you have been appointed as guardian ad litem to represent any unknown minors or insane persons interested in this proceeding and as Attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States.

DATED this 19 day of March, 1958.

Alice L. Muck
Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

STATE OF ALABAMA

BALDWIN COUNTY

I, the undersigned, do hereby accept appointment as guardian ad litem and as attorney to represent unknown parties interested in this proceeding who may be in the Military Service of the United States.

DATED this 19th day of March, 1958.

Floyd Swearingen
As guardian ad litem and as attorney
representing parties in Military Service
of United States.

NOTICE OF APPOINTMENT OF
GUARDIAN AD LITEM AND ATTORNEY
TO REPRESENT PARTIES IN
MILITARY SERVICE:

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4198.

HANS LINDOERFER,
Complainant,
vs.
THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
NO. 4198.

DECREE:

This cause coming on to be heard on this date is submitted on the written motion of the Complainant praying that a proper order be made or decree rendered setting this cause for hearing, that a guardian ad litem be appointed to represent any minor or person of unsound mind interested in this proceeding and that an attorney be appointed to represent any person interested in this proceeding who may be in the Military Service, and prescribing the method of taking testimony in this cause; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. This said cause shall be and it is hereby set for hearing at 2 o'clock P. M. on the 21 day of March, 1958.

2. Hoyd Sweeney, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, who is in all respects, a fit and proper person to be appointed as guardian ad litem shall be, and he is hereby appointed as guardian ad litem to represent any minor or person of unsound mind interested in this proceeding.

3. Hoyd Sweeney, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, shall be, and he is hereby appointed as Attorney to represent any person interested in this proceeding who may be in the Military Service of the United States.

4. Testimony of the witnesses for the Complainant shall be taken orally in open court and transcribed in the manner provided by Equity Rule No. 56 as amended.

ORDERED, ADJUDGED AND DECREED on this the 19 day of March, 1958.

Robert M. Hall
Judge.

DECREE

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 4198.

FILED

MAR 19 1958

ALICE J. DICK, Register

HANS LINDOERFER,)	IN THE CIRCUIT COURT OF
Complainant,)	BALDWIN COUNTY, ALABAMA
vs.)	IN EQUITY.
THE LANDS AND PARTIES)	NO. 4198.
HEREINAFTER DESCRIBED,)	
Respondents.)	

DECREE PRO CONFESSO

In this cause it appears to the Register that notice of Pendency of the Bill of Complaint heretofore made in this cause was published for four consecutive weeks, commencing on the 16th day of January, 1958, in the Baldwin Times, a newspaper published at Bay Minette, Baldwin County, Alabama; that a copy of the said notice was posted at the Courthouse door in Baldwin County, Alabama on the 13th day of January 1958; that a copy of the Bill of Complaint in this cause, together with a summons, was sent by registered mail to the Respondents, Francis Longhi and Inez Longhi at their address as shown in the Bill of Complaint; that said letters were marked "for delivery only to the person to whom addressed", and returned receipt demanded, and said letters were returned to the Register of this Court on January 23, 1958, marked "unknown"; and it further appearing to the Register that the said Respondents hereinafter named, have to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause;

It is, therefore, on motion of the Complainant, ORDERED, AND DECREED by the Register that the said Bill of Complaint be and it hereby is, in all things, taken as confessed against the said Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

ORDERED AND DECREED on this the 19 day of March, 1958.

FILED

MAR 19 1958

ALICE J. DUCK, CLERK
REGISTER

Alice J. Duck
Register.

039

DECREE PRO CONFESSO

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4198.

FILED

MAR 19 1958

AMERICAN SOUTHERN

HANS LINDOERFER, |
Complainant, | IN THE CIRCUIT COURT OF
vs. | BALDWIN COUNTY, ALABAMA
THE LANDS AND PARTIES | IN EQUITY.
HEREINAFTER DESCRIBED, | NO. 4198.
Respondents. |

MOTION:

Now comes the Complainant, by his Solicitor, and shows unto the Court that all of the Respondents named in the Bill of Complaint filed in this cause have suffered a decree pro confesso to be taken against them.

WHEREFORE, Complainant prays that the Court will make and enter a proper order or decree setting this cause for hearing, appointing a guardian ad litem to represent any unknown minor, or persons of unsound mind interested in this proceeding and an Attorney to represent any party interested in this proceeding who may be in the Military Service, and prescribing the method of taking the testimony in this cause.

FILED

MAR 19 1958

ALICE J. DUCK, CLERK
REGISTER


Solicitor for Complainant.

MOTION

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4198.

FILED

MAR 19 1958

ALICE A. BARK, Register

HANS LINDOERFER,)	IN THE CIRCUIT COURT OF
Complainant,)	BALDWIN COUNTY, ALABAMA
vs.)	IN EQUITY.
THE LANDS AND PARTIES)	NO. 4198.
HEREINAFTER DESCRIBED,)	
Respondents.)	

NOTE OF TESTIMONY

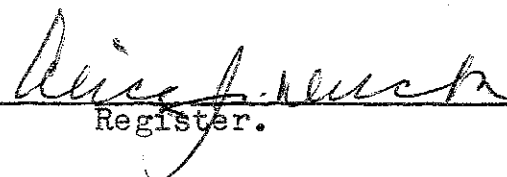
This cause is submitted for a final decree on behalf of the Complainant, upon the following:

1. Original verified Bill of Complaint.
2. Order designating newspaper in which notice of pendency of Bill of Complaint shall be published.
3. Notice of pendency of Bill of Complaint.
4. Proof of publication of notice of pendency of Bill of Complaint.
5. Register's Certificate as to service.
6. Motion for Decree Pro Confesso.
7. Decree Pro Confesso.
8. Motion of Complainant for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States.
9. Decree dated March 19, 1958, setting this cause for hearing, on March 21, 1958, appointing Floyd Swearingen as guardian ad litem to represent any unknown minor or persons of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the testimony of the witnesses for the complainant be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended.
10. Notice of appointment of guardian and attorney to represent parties in Military Service, and acceptance of such appointment.

11. Answer of guardian ad litem and attorney for unknown parties interested in this proceeding who may be in the Military Service.

12. Testimony of complainant, Hans Lindoerfer, and William Haupt, witnesses for the Complainant taken in open court in the manner provided by Equity Rule #56 as amended.

DATED this 21st day of March, 1958.


Register.


Solicitor for Complainant.

NOTE OF TESTIMONY

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4198.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 4198

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon FRANCIS LONGHI & INEZ LONGHI

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 _____

FRANCIS LONGHI & INEZ LONGHI & Certain lands, Defendant

by Hans Lindoerfer

_____, Plaintiff.....

Witness my hand this 13 day of January 1958

029

Alice J. ..., Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

HANS LINDOERFER

Plaintiffs

vs.

THE LANDS AND PARTIES HEREINAFTER

DESCRIBED

Defendants

SUMMONS and COMPLAINT

Filed 1/13/58, 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

Hans Lindoerfer
vs
Certain lands + Parties

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

Your Orator, Hans Lindoerfer, presents this Bill of Com-
plaint against the following described lands situated in Baldwin
County, Alabama, to-wit:

Beginning at the Southwest corner of the Northwest
Quarter of the Southwest Quarter of Section 20,
Township 7 South, Range 5 East, and run thence
North 2021 feet; run thence South 79 degrees 45
minutes East 1352.5 feet to a point; run thence
South 47 degrees 49 minutes East 683.6 feet to
a point; run thence East 825.4 feet to a point;
run thence South 1321 feet to a point; run thence
West 2664 feet to the point or place of beginning.

and against Emilio Longhi, Francis L. Longhi, Francis Longhi and
Inez Longhi, and against the heirs and devisees of such of the
said parties as may be dead, and against his heirs or devisees, if
deceased, and against her heirs and devisees, if deceased, and
against any and all persons, firms or corporations claiming any
title to, interest in, lien or encumbrance on the said lands, or
any part thereof, and thereupon, your Orator complains and shows
unto the Court and unto your Honor as follows:

1. Your Orator is over the age of twenty-one years and a
resident of Baldwin County, Alabama.
2. The Respondents, Francis Longhi and Inez Longhi, are,
if living, over the age of twenty-one years and their last known
address was 827 East 87 Place, Chicago, Illinois. The Respondent,
Emilio Longhi, is, if living, over twenty-one years of age but his
place of residence and post office address is unknown, and cannot
be ascertained after reasonable efforts and the making of diligent
inquiry to ascertain the facts with regard thereto. Your Orator
further avers that he has made numerous inquiries in the
community where the said land is situated and has been unable to
ascertain any information as to the address or places of residence
of any of the said Respondents, except as set out above.
3. Your Orator is in the actual, peaceable possession of
all of the above described lands situated in Baldwin County, Ala-
bama, and claims to own the said lands in his own right, absolute

and in fee simple.

4. Your Orator has held color of title to and has paid taxes on the said lands for a period of ten or more consecutive years next preceding the filing of this Bill of Complaint, and no other persons, firms or corporations, other than your Orator, and those through whom he claims title, have paid taxes on, or have been in possession of the above described property or any part thereof, for a period of ten or more consecutive years next prior to the filing of this Bill of Complaint.

5. That title to all of the said lands stands upon the records of the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Orator.

6. No suit is pending to test your Orator's title to, right to possession of the said lands, or any part thereof.

7. Your Orator has, and claims to have, the absolute unincumbered fee simple title to all of the real property herein described, by and through the following instruments of writing, which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

Deed from Alfred M. Neumann and Irene L. Neumann, his wife, to Hans Lindoerfer, dated March 3, 1947, and recorded in Deed Book 208 at pages 595-6, Baldwin County, Alabama Records.

Deed from Alfred M. Neumann and Irene Neumann, his wife, to Hans Lindoerfer, dated November 26, 1957.

8. Your Orator has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make, or who are making any claim to the said lands, or any part thereof, or any interest therein, or any encumbrance thereon. Your Orator further avers that these inquiries have continued faithfully and diligently for the past year; that within the past year he has employed an abstract company to make an examination of the records of Baldwin County, Alabama, and prepare an Abstract of Title to all of the

above described property; that he has employed an attorney to examine the said abstract and the records in the Courthouse in Bay Minette, Alabama; that he has made and caused his said attorney to make inquiry about the ages, addresses and heirs of any person interested, or who may be interested in the said property; that your Orator has made and caused a thorough inquiry to be made in the vicinity where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to said property. These efforts by your Orator, his agents, servants and employees have continued faithfully and diligently for a long period of time and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of the said respondents is as hereinabove set out.

PRAYER FOR PROCESS:

Your Orator prays that the said lands hereinabove described, the respondents named herein and their heirs and devisees, if deceased, and the unknown heirs, devisees and personal representatives of the next of kin of the respondents named above, who are dead, and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said lands, or any part thereof, be made parties respondent to this Bill of Complaint and be brought into court by the usual and proper process.

PRAYER FOR RELIEF:

Your Orator prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees legal representatives and next of kin of such of the respondents named herein who are dead, and any and all persons, firms or corporations, who claim to own the said land, or any part thereof, or any interest therein, or lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may

be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause, it be ordered, adjudged and decreed that your Orator, at the time of the filing of this Bill of Complaint, had the fee simple title to all of the above described lands, and that none of the respondents herein specifically named, their heirs or devisees, or any other person, firm or corporation, had any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up and that your Orators title to said lands be fully and completely quieted. Your Orator prays for such other, further and general relief as he may be equitably entitled to, the premises considered.

J. B. Blackburn
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hans Lindorfer, who, after being by me first duly and legally sworn, deposes and says:

That he is the Complainant in the above styled cause and that he has read over the foregoing Bill of Complaint and that the facts stated therein are true.

Hans Lindorfer

Sworn to and subscribed before
me on this the 10th day of
January, 1958.

[Signature]
Notary Public, Baldwin County, Alabama.

filed Jan. 13, 1958
Alice J. Hackett,
Register

Register Mail
For delivery only to Person
To Whom addressed
Return Receipt Requested

Deliver to Addressee Only

Inez Longmire
827 East 37th Place
Chicago, Illinois

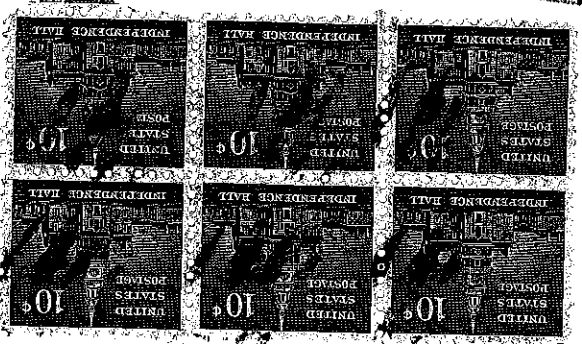
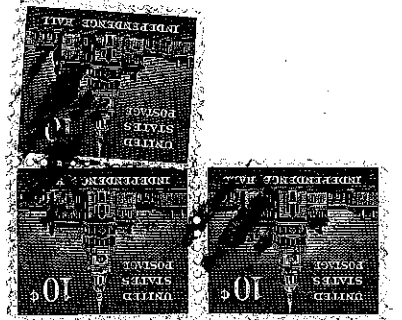
RETURN RECEIPT REQUESTED

REGISTERED
NO. 187

UNKNOWN
R-1903

ALICE J. DUCK, CIRCUIT CLERK
Baldwin County
BAY MINETTE, ALA.

4198



BRAND CROSSING STA.
8961
JAN 16
1958

ILL. CROSSING STA.
8961
JAN 16
1958

MINNETKA
JAN 23
1958
L.A.

CHICAGO, ILL.
JAN 15
1958
REGISTRY DIV.

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 4198

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summen FRANCIS LONGHI & INEZ LONGHI

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 _____

FRANCIS LONGHI & INEZ LONGHI & Certain Lands, Defendant

by Hans Lindoerfer

....., Plaintiff.....

Witness my hand this 13 day of January 1958.....

Beisj. ..., Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

HANS LINDOERFER

Plaintiffs

vs.

THE LANDS AND PARTIES HEREINAFTER

DESCRIBED

Defendants

SUMMONS and COMPLAINT

Filed 1/13/58, 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

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

Your Orator, Hans Lindoerfer, presents this Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 20, Township 7 South, Range 5 East, and run thence North 2021 feet; run thence South 79 degrees 45 minutes East 1352.5 feet to a point; run thence South 47 degrees 49 minutes East 683.6 feet to a point; run thence East 825.4 feet to a point; run thence South 1321 feet to a point; run thence West 2664 feet to the point or place of beginning.

and against Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi, and against the heirs and devisees of such of the said parties as may be dead, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and thereupon, your Orator complains and shows unto the Court and unto your Honor as follows:

1. Your Orator is over the age of twenty-one years and a resident of Baldwin County, Alabama.
2. The Respondents, Francis Longhi and Inez Longhi, are, if living, over the age of twenty-one years and their last known address was 827 East 87 Place, Chicago, Illinois. The Respondent, Emilio Longhi, is, if living, over twenty-one years of age but his place of residence and post office address is unknown, and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto. Your Orator further avers that he has made numerous inquiries in the community where the said land is situated and has been unable to ascertain any information as to the address or places of residence of any of the said Respondents, except as set out above.
3. Your Orator is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said lands in his own right, absolute

and in fee simple.

4. Your Orator has held color of title to and has paid taxes on the said lands for a period of ten or more consecutive years next preceding the filing of this Bill of Complaint, and no other persons, firms or corporations, other than your Orator, and those through whom he claims title, have paid taxes on, or have been in possession of the above described property or any part thereof, for a period of ten or more consecutive years next prior to the filing of this Bill of Complaint.

5. That title to all of the said lands stands upon the records of the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Orator.

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Deed from Alfred M. Neumann and Irene L. Neumann, his wife, to Hans Lindoerfer, dated March 3, 1947, and recorded in Deed Book 208 at pages 595-6, Baldwin County, Alabama Records.

Deed from Alfred M. Neumann and Irene Neumann, his wife, to Hans Lindoerfer, dated November 26, 1957.

8. Your Orator has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make, or who are making any claim to the said lands, or any part thereof, or any interest therein, or any encumbrance thereon. Your Orator further avers that these inquiries have continued faithfully and diligently for the past year; that within the past year he has employed an abstract company to make an examination of the records of Baldwin County, Alabama, and prepare an Abstract of Title to all of the

above described property; that he has employed an attorney to examine the said abstract and the records in the Courthouse in Bay Minette, Alabama; that he has made and caused his said attorney to make inquiry about the ages, addresses and heirs of any person interested, or who may be interested in the said property; that your Orator has made and caused a thorough inquiry to be made in the vicinity where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to said property. These efforts by your Orator, his agents, servants and employees have continued faithfully and diligently for a long period of time and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of the said respondents is as hereinabove set out.

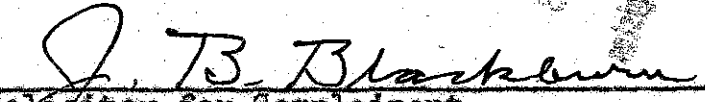
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be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause, it be ordered, adjudged and decreed that your Orator, at the time of the filing of this Bill of Complaint, had the fee simple title to all of the above described lands, and that none of the respondents herein specifically named, their heirs or devisees, or any other person, firm or corporation, had any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up and that your Orators title to said lands be fully and completely quieted. Your Orator prays for such other, further and general relief as he may be equitably entitled to, the premises considered.



Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hans Lindorfer, who, after being by me first duly and legally sworn, deposes and says:

That he is the Complainant in the above styled cause and that he has read over the foregoing Bill of Complaint and that the facts stated therein are true.



Sworn to and subscribed before
me on this the 10th day of
January, 1958.



Notary Public, Baldwin County, Alabama.

DUCK, CIRCUIT CLERK

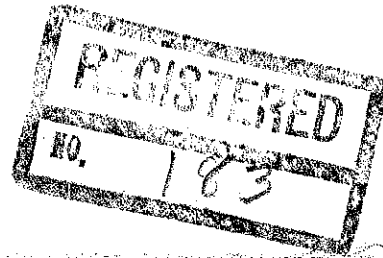
Lowen County
MINETTE, ALA.



UNPAID
R-1903

RETURN RECEIPT REQUESTED

Francis Loughi
827 East 63rd Place
Chicago, Illinois



Deliver to Addressee Only

4148

Registered Mail
Delivery only to Person
Whom Addressed
Return Receipt Requested

GRAND STATION DIVISION
JAN 21 1958

CHICAGO ILL
JAN 16 1958



CHICAGO ILL
JAN 15 1958

CHICAGO ILL
JAN 15 1958
REGISTRY DIV.

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 4198

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FRANCIS LONGHI & INEZ LONGHI & Certain lands, Defendant

by Hans Lindorfer

....., Plaintiff.....

Witness my hand this 13 day of January 19 58

Alice J. Duck, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

HANS LINDOERFER

Plaintiffs

vs.

THE LANDS AND PARTIES HEREINAFTER

DESCRIBED

Defendants

SUMMONS and COMPLAINT

Filed 1/13/58, 19.....

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Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

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....., Sheriff

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by leaving a copy with

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..... Deputy Sheriff

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2. The Respondents, Francis Longhi and Inez Longhi, are,
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PRAYER FOR PROCESS:

Your Orator prays that the said lands hereinabove described, the respondents named herein and their heirs and devisees, if deceased, and the unknown heirs, devisees and personal representatives of the next of kin of the respondents named above, who are dead, and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said lands, or any part thereof, be made parties respondent to this Bill of Complaint and be brought into court by the usual and proper process.

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J. B. Blackburn
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hans Lindorfer, who, after being by me first duly and legally sworn, deposes and says:

That he is the Complainant in the above styled cause and that he has read over the foregoing Bill of Complaint and that the facts stated therein are true.

Hans Lindorfer

Sworn to and subscribed before
me on this the 10th day of
January, 1958.

[Signature]
Notary Public, Baldwin County, Alabama.

MADE & SIGNED
JAN 10 1958

... ..

[Signature]

...

... ..

[Signature]

...

... ..

...

...

...

[Signature]

...

FILED

JAN 18 1958

Alice J. Duck, Registrar

45.00

HANS LINDOERFFER,
COMPLAINANT,
VS.
CERTAIN LANDS, ET AL.
RESPONDENTS.

IN THE CIRCUIT
COURT OF BALDWIN COUNTY,
ALABAMA. IN EQUITY
NO. 4198

MR. HANS LINDOERFFER, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. Is your name Hans Lindoerffer?

A. Yes.

Q Where do you live?

A. Elberta.

Q. Are you the complainant in this suit?

A. Yes sir.

Q. Are you familiar with the property described in the bill of complaint?

A. Yes sir.

Q. How long have you known this property?

A. 11 years--

Q. Not how long you have owned it -- how long have you known the property?

A. Well I have seen it there since I was a kid.

Q. Do you know the respondents in this case, Amelo Longhy, Frances Longhy, Frances Longhy and Inez Longhy?

A. No sir, I didn't know them.

Q. If they are living, are they over the age of 21 years?

A. Yes sir.

Q. Tell the court how you know that, Mr. Lindoerffer?

A. Because they acquired the property in 1908 --

Q. Of course, you are over 21 years and reside in Baldwin County, Alabama?

A. Yes sir.

Q. Have you made any effort to ascertain the address or places

of residence of the respondents in this case?

A. Yes sir.

Q. What efforts have you made?

A. Well Mr. Newman had the address there and he tried to get in touch with them before he ever turned the property over to me.

Q. Did you ask any of the other residents of Elberta where the property is situated?

A. Yes sir.

Q. Did you ever ascertain any addresses other than the one address shown in the bill of complaint?

A. No sir.

Q. I will ask you if you have had an abstract of title made to the property?

A. Yes sir.

Q. Did you employ an attorney to examine that abstract for you?

A. Yes sir.

Q. And to examine the records in the court house?

A. Yes sir, the Ertzingers done the work for me.

Q. All right. Now I'll ask you how long you have owned the property?

A. Well since the 22nd day of March, 1947.

Q. Will be 11 years tomorrow?

A. Yes sir.

Q. I will ask you who, if any one has paid any taxes on this property during the last 10 years?

A. Mr. Newman and myself.

Q. Mr. Alfred Newman?

A. Yes.

Q. Did you acquire the title to this property from Mr. Newman?

A. Yes sir.

Q. When you acquired this property 11 years ago did you go in possession of it?

A. Yes.

Q. What did your possession consist of?

A. Bulldozing about 23 or 24 acres and putting a fence around it.

Q. When did you put the fence around it?

A. Well right after I acquired it.

Q. Right after you bought it from Mr. Newman?

A. Yes.

Q. I will ask you if any one other than you and those through whom you claim title have had any possession of any of this property during the last 11 years?

A. No sir.

Q. Is any suit other than this suit pending to test your title to, or right to the possession to this property?

A. No sir.

ON CROSS EXAMINATION OF THIS WITNESS BY MR. SWEARINGEN,
GUARDIAN AD LITEM, HE TESTIFIED:

Q. A moment ago you mentioned that you had had the Ertzingers to make an abstract for you, in response to the question whether or not you had had any one to examine the abstract. You didn't mean that you had Ertzinger to examine the abstract?

A. No sir, Mr. Blackburn examined the abstract. They are the one that made the abstract.

Q. Generally what has your possession of the property been?--

A. Well I farmed it--

Q. All of the time during that period of time?

A. Yes sir, it has been under cultivation ever since I have owned it.

Q. Have you ever seen any of the Longhys around the property?

A. No sir.

Q. Have you ever known any of them within the last 10 or 15 years?

A. No sir, the only thing I have known of them is when England bought the timber off the land; it is in the abstract; I don't recall the date.

Q. That was a number of years ago?

A. Yes sir. That's the only way I ever knew who owned it.

Q. You remarked that Frances Longhy and Inez Longhy acquired the property in 1908. Is that Frances Longhy and Frances L. Longhy supposed to be the same person as far as you know?

A. I don't know sir.

ON RE-DIRECT EXAMINATION, WITNESS TESTIFIED:

Examination by Mr. Owen.

Q. Did you sub-divide this property, Mr. Lindoerffer?

A. Yes sir.

Q. After you sub-divided it did you sell several of the lots off of it?

A. Yes sir.

Q. Did the purchasers who bought some of those lot construct houses on the lots?

A. Yes sir.

Q. Did they later convey the property back to you?

A. Yes sir.

Q. Those houses are still there?

A. Yes sir.

MR. WILLIAM HAUPT, BEING FIRST DULY SWORN, TESTIFIED FOR THE COMPLAINANT AS FOLLOWS:

Q. Is your name William Haupt?

A. Yes sir.

Q. Where do you live?

A. Elberta.

Q. Are you familiar with the property that is described in this suit?

A. Yes sir.

Q. How long have you known this property?

A. Well I would say since 1914.

Q. Do you remember when Mr. Hans Lindeorffer acquired title to it?

A. Yes sir.

Q. What possession, if any, did he take of that property after he acquired title to it?

A. Well he fenced it and cleared some of it and farmed it.

Q. Has any one other than Mr. Lindoeffer and those through whom he claims title had any possession or claimed any of this property during the last 11 years that you know of?

A. No sir.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Swearingen.

Q. Was the property farmed and fenced continuously from 1914 down to date?

A. No.

Q. It was not?

A. No, it was fenced after Mr. Lindeorffer bought it.

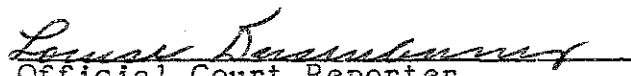
Q. Was that within the last 11 years?

A. Yes sir.

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

I hereby certify that the foregoing, consisting of pages 1 to 5 both inclusive, is a true and correct transcript of the evidence as taken by me in open court, on the 21 st day of March, 1958, in the above styled cause.

This 21st day of March, 1958.


Official Court Reporter
28th Judicial Circuit of Alabama

HANS LINDOERFER,
Complainant,
vs.
THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,
Respondents.

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

ORDER OF PUBLICATION

It is ordered in this cause that the notice provided for in Section 1119, Title 7 of the 1940 Code of Alabama, be published in the Baldwin Times, which is a newspaper having general circulation and published in Baldwin County, Alabama, where the lands described in the Bill of Complaint lie.

ORDERED this the 13th day of January, 1958.

Hubert M. Lee
Judge.

FILED

JAN 14 1958

ALICE L. DUCK, Register

HANS LINDOERFER,		
		IN THE CIRCUIT COURT OF
Complainant,		BALDWIN COUNTY, ALABAMA
vs.		IN EQUITY.
THE LANDS AND PARTIES		NO. 4198.
HEREINAFTER DESCRIBED,		
Respondents.		

MOTION FOR DECREE PRO CONFESSO

Motion is hereby made for a decree pro confesso against Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi, and against the heirs or devisees of any of the said parties who may be deceased, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in the Bill of Complaint that has been filed in this proceeding, or any part thereof, on the ground that the notice of pendency of the Bill of Complaint in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, which notice of pendency appeared in the issues of said paper which were published on January 16th, January 23rd, January 30th and February 6th, 1958, which notice contained a provision requiring all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in the said notice, or any part thereof, which are the lands described in the Bill of Complaint that was filed in this cause, must appear in this Court and plead, answer or demur to the Bill of Complaint before the 13th day of February, 1958, or at the expiration of thirty days from the said date, a decree pro confesso would be taken against them; Complainant further shows unto the Register that a copy of the notice of pendency of Bill of Complaint in this cause was posted at the front door of the Courthouse of Baldwin County, Alabama, on the 13th day of January, 1958; that a copy of the Summons and Complaint in this cause directed to the Respondents Francis Longhi and Inez Longhi was issued and forwarded by registered mail on the 14th day of January, 1958, directed to the said Respondents at their places of residence as shown by the Bill of Complaint; the postage on said letter was prepaid and the same

marked "for delivery only to the person to whom addressed", and return receipt demanded; both of the said letters so addressed to the said Respondents were returned to the Register of this Court marked "unknown" on January 23, 1958; and thirty days having expired since February 13th, 1958, and no person, firm or corporation named above has appeared in this cause the Complainant is entitled to a decree pro confesso against all of the persons, firms and corporations named above.

WHEREFORE, Complainant moves the Register to make and enter a decree pro confesso against all of the above named Respondents and each of them.

DATED this 19th day of March, 1958.

FILED

MAR 19 1958

ALICE J. DUCK, CLERK
REGISTER


Solicitor for Complainant.

MOTION FOR DECREE PRO CONFESSO

HANS LINDOERFER,

Complainant,

vs.

THE LANDS AND PARTIES HEREINAFTER
DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO.4198.

FILED

MAR 19 1958

ALICE J. BOCK, Register

HANS LINDOERFER,
Complainant,
vs.
THE LANDS AND PARTIES
HEREINAFTER DESCRIBED,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
NO. 4198.

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainant upon the original verified bill of complaint; order designating newspaper in which notice of pendency of bill of complaint shall be published; notice of pendency of bill of complaint; proof of publication of notice of pendency of bill of complaint; register's certificate as to service; motion for decree pro confesso; decree pro confesso; motion of complainant for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States; decree dated March 19, 1958, setting this cause for hearing on March 21, 1958, appointing Floyd Swearingen as guardian ad litem to represent any unknown minor or person of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the testimony of the witnesses for the complainant be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended; notice of appointment of guardian ad litem and attorney to represent parties in the Military Service and acceptance of such appointment; answer of guardian ad litem and attorney for unknown parties interested in this proceeding who may be in the Military Service of the United States; and the testimony of Hans Lindoerfer and William Haupt, witnesses for the complainant, taken in open court on this date, all of which has been noted by the Register;

upon consideration of all of which it appears to the court that all persons, firms or corporations named in the Bill of Complaint filed in this cause have permitted a decree pro confesso to be taken against them; that the allegations of the said Bill of Complaint are true, and that the Complainant is entitled to a decree quieting title to the lands described in the said Bill of Complaint upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Complainant, Hans Lindoerfer, is the lawful owner in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 20, Township 7 South, Range 5 East, and run thence North 2021 feet; run thence South 79 degrees 45 minutes East 1352.5 feet to a point; run thence South 47 degrees 49 minutes East 683.6 feet to a point; run thence East 825.4 feet to a point; run thence South 1321 feet to a point; run thence West 2664 feet to the point or place of beginning.

That the absolute fee simple title to the said lands and each and every part thereof, and all interest therein is in the Complainant, Hans Lindoerfer, free and clear of and from the claim or claims of all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, or any interest therein; that the said Complainant has and is hereby given judgment against the said lands and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

2. The Complainant's title to said lands is hereby quieted against Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and all such claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

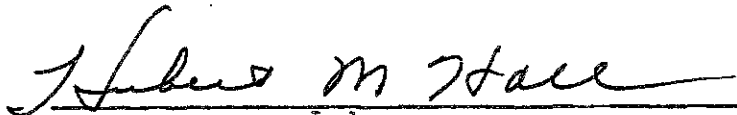
3. The Register of this Court shall, within thirty days from the rendition of this decree, file a certified copy hereof in the Office of the Judge of Probate of Baldwin County, Alabama, for record therein, and tax the cost of such recording as a part of the costs of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama, shall record the said certified copy of this decree in the same book and manner in which deeds are recorded, and shall index the same in the direct indexes in the names of Emilio Longhi, Francis L. Longhi, Francis Longhi and Inez Longhi and shall index the same in the indirect or reverse index of said records in the name of Hans Lindoerfer.

5. The title hereby adjudged and decreed to be in the said Complainant, Hans Lindoerfer, shall inure to the benefit of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said Complainant and such title or interest shall be at all times treated and considered as though it had been established in favor of the person or persons so procuring or deriving title from the said Complainant.

6. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 21st day of March, 1958.



Judge.