

3394

CLAUDE PETTEY,
COMPLAINANT

VS

CERTAIN LANDS & ANNIE M.
JONES, ET AL
DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

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

This the 1st day of Feb, 1955.

BEERS & DWARREN

BY L. C. Beers
Solicitors for complainant.

Clause Pitet
Complainant
Vs

Certain louds +
Annie M. Jones
et al.
Defendants

Motion for final
Decree -

FILED

FEB 1 1955

ALICE J. NUCK, Register

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Madeline S. Brvars

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine

as witnesses in behalf of Claude Petest in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Claude Petest

_____, Complainant

and Annie M. Jones, Patrick J. Cooney, Mary E. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John V. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Virginia Schmidt, are Respondent

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

Witness 24 day of January, 1955

David J. [Signature]
Register.

Commissioner's Fee, \$ _____
Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Claude Pickett

Complainant—

vs.

*Annie M. Jones
& certain funds.*

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

CLAUDE PETEET,

IN THE CIRCUIT COURT OF

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAH, BAY LALAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF:

BALDWIN COUNTY, ALABAMA,

IN EQUITY

DEFENDANTS

To Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, Baldwin County, Alabama, and to J. Cummins, Jr. guardian ad litem for them;

Notice is hereby given that the testimony of Claude Peteet, witness for the complainant in the above styled cause will be taken orally before Madeline S. Bryars, commissioner, heretofore duly appointed, at the office of Beebe & Swearingen, solicitors for complainant, at _____ o'clock A.M. on the ___ day of _____, 19__.

Madeline S. Bryars
Commissioner

Beebe & Swearingen

BY W. Beebe
Solicitors for Complainant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

CLAUDE PETEET,
Complainant

vs.

The Southwest quarter and the South Half of Northwest quarter of section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama; and Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, A Corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt; and any and all persons, firms, Associations or Corporations claiming any title to, interest in, claim, lien or encumbrance on the said land or any part or parcel thereof:

Defendants.

Notice is hereby given to Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, Baldwin County, Alabama.

That Claude Peteet has filed his bill of complaint on the 2 day of November, 1954, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own that certain land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East:

Complainant alleges in his bill of complaint that he acquired title to the said lands from D. D. Golder, dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Book 104

Deed Book

interest in, claim, lien or encumbrance upon the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, or some part or parcel thereof.

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

And it appearing from said bill of complaint, the same being duly verified that the names, ages and places of residence and post office addresses of the said defendants, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, deceased, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained;

And it further appearing from said bill of complaint, that the defendant, Bay LaLaunch Orchards Company, a corporation, place of business and its officers and their names and place of business is unknown to complainant and cannot be ascertained upon diligent search and inquiry;

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

It is therefore ordered that the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, A Corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, deceased, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, are unknown and cannot be ascertained upon diligent search and inquiry;

And it appearing from said bill of complaint, the same being duly verified that the names, ages and places of residence and post office addresses of the said defendants, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, deceased, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, are unknown and cannot be ascertained upon diligent search and inquiry;



IN TIMES
COUNTY
's Best Newspaper
ALABAMA

FIDAVIT OF PUBLICATION

MA.

Minette, Ala., being duly sworn, deposes and says I am the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published in Baldwin County, Alabama; that the notice hereto attached of Claude Peteet

COST STATEMENT

ORDS @ 6 1/2 cents 19 \$ 60
this it correct, due and unpaid (paid).
E. R. Mouselle Jr
Editor Publisher.

newspaper for 4 consecutive weeks in the following issues:

- tion Nov. 4, 1954 Vol65 No 42
- tion Nov-11, 1954 Vol 65 No 43
- tion Nov 18, 1954 Vol 65 No 44
- tion Nov 25, 1954 Vol 65 No 45

orn before the undersigned this 24 day of Nov, 1954

Minette
win County.
E. R. Mouselle Jr
Editor Publisher.

CLAUDE PETEET,

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAN, BAY LaLAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF;

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

J. Connor Owens

TO *J. Connor Owens*, guardian ad litem for, and Mary F. Smith, Jean Gallagan, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, Baldwin County, Alabama;

Notice is hereby given that the complainant in the above styled cause has this day made application for the oral examination of *Claude Peteet*, witness for the complainant in the above styled cause and has suggested Madeline S. Bryars as a suitable person to act as commissioner in the taking of the deposition of said witness.

Witness this the 17 day of *January*, 1955.

Doris J. Swearingen
Register

Beebe & Swearingen

by *W. Beebe*
Solicitor for complainant

CLAUDE PETEET,
COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA; AND ARNIE W. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAN, BAY LALAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF;

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO J. Connor Owen Jr., guardian ad litem for, Mary F. Smith, Jean Gallagan, Bay Lalaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, Baldwin County, Alabama;

Notice is hereby given that the complainant in the above styled cause has this day made application for the oral examination of Claude Peteet, witness for the complainant in the above styled cause and has suggested Madeline S. Bryars as a suitable person to act as commissioner in the taking of the deposition of said witness.

Witness this the 17 day of June, 1955.

Beede G. Swearingen
Register

Beede G. Swearingen

by W. C. Beube
Solicitor for complainant

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the complainant for oral examination of the said Claude P. Hunt, as witness for complainant and that notice of said motion was given to the defendants by entry on the order book of the register, said entry having been made on the 20 day of January, 1953

Alice J. Duck
Register

CLAUDE PETEET,

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAN, BAY LaLAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF:

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO 3394

BOOK 004 PAGE 129

Notice is hereby given to Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: The Southwest quarter and the South half of the Northwest quarter of Section 28, township 8 South, Range 4 East, in Baldwin County, Alabama.

That Claude Peteet has filed his bill of complaint on the 2 day of November, 1954, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own that certain land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East;

complainant alleges in his bill of complaint that he acquired title to the said lands from D. D. Golden by deed, dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin

County, Alabama, in Deed Book 106 at page 488; who acquired title from the State of Alabama by deed dated May 3, 1935 and recorded in the said Probate office in Deed Book 58 at page 247-8; that the State of Alabama acquired title to the said lands by sale for taxes June 13, 1932; that John U. Schmidt and Ursula Schmidt are dead, that the unknown heirs, devisees, personal representatives and assigns, of John U. Schmidt, deceased, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher and Bay LaLaunch Orchards Company, a corporation, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, or some part or parcel thereof.

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

And it appearing from said bill of complaint, the same being duly verified that the names, ages and places of residence and post office addresses of the said defendants, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, deceased, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained;

And it further appearing from said bill of complaint, that the defendant, Bay LaLaunch Orchards Company, a corporation, place of business and its officers and their names and place of business is unknown to complainant and cannot be ascertained upon diligent search

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PAGE 130

and inquiry;

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

It is therefore ordered that the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Callagah, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives, and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt; and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon said lands described as follows: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely the 4th day of November, 1954, at which time the said cause shall stand at issue.

Witness my hand this the 2 day of November, 1954.

Register, Circuit Court, Baldwin
County, Alabama, in equity.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Claude Peteet, is complainant, and Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and the following described lands, to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, are defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 2 day of Nov., 1954.

Witness my hand this the 2 day of November 1954.

Alice J. Duck
 Register

STATE OF ALABAMA, BALDWIN COUNTY
 Filed 11-2-54 3:10 P.M.
 Recorded Lis Per book 4 page 129-32
W. B. Stuart
 Judge of Probate
ES

CLAUDE PETEET

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAN, BAY LaLAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT: AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF;

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

This cause coming on to be heard is submitted for final decree upon behalf of the complainant, upon the original bill of complaint and upon the service, decree pro confesso, appointment, acceptance and answer of guardian ad litem, pleading and proof as noted by the register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of said bill of complaint against the said lands and the said defendants, Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagan, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt; and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the complainant is entitled to the relief as prayed for in the bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the complainant, Claude Peteet, is over the age of twenty-one years and a resident of Baldwin County, Alabama; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession, claiming to own the same absoltuely, and in fee sime of all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

The Southwest quarter and the South half of Northwest quarter of Section 28, Township 8 South, Range 4 East; in Baldwin County, Alabama;

That the complainant acquired title to the said lands from D. D. Golden by deed, dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 106 at page 488; who acquired title from the State of Alabama by deed dated May 3, 1935, and recorded in the said Probate office in Deed Book 58 at pages 247-8; that the State of Alabama acquired title to the said lands by sale for taxes June 13, 1932; that the title to the said lands and each parcel thereof stands in the name of the complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom he claims title to the said lands or any part thereof have assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Claude Peteet at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the defendants, Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, nor any other person, firm, association or corporation have any title to, interest in, claim, lien or encum-

brance on said lands or any part thereof.

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

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

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

Done at Bay Minette, Alabama, this the 1st day of February, 1955.

Hubert M. Hall

Judge

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and carried in my office. WITNESS MY HAND AND SEAL THIS 1st day of Feb, 1955.

Alice J. Duck
Register of Circuit Court, in Equity

STATE OF ALABAMA, BALDWIN COUNTY
Filed 3-15-55 10 A.M
Recorded Seal book 219 page 111-13
M. C. Stuart
Judge of Probate B

CLAUDE PETEET, | IN THE CIRCUIT COURT OF
COMPLAINANT |
VS | BALDWIN COUNTY, ALABAMA,
CERTAIN LANDS & ANNIE M. |
JONES, ET AL |
DEFENDANTS | IN EQUITY

Complainant having on the 20 day of January, 1955,
filed his motion and request for oral examination of Claude
Peteet, witness for complainant and due and
proper notice thereof having been given as required by law on
the Order Book of this Court and to J. Connor Owens Jr.
guardian ad litem for the said unknown defendants, and Madeline
S. Bryars of the Town of Bay Minette being a suitable person
to act as commissioner to take the deposition of said witness;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the
said motion for the oral examination of Claude Peteet,
witness for complainant, be and is hereby granted.

And that Madeline S. Bryars be and she is hereby appointed
as commissioner to take the deposition of said witness.

Witness my hand this the 24 day of Jan., 1955.

David J. Smith
Register

Clause Petet
Complainants

75

Annie M. Jones
et al. & Certain
lands.

Order appointing
Commissioner

Filed 1-24-55

Archie French
Recy -

*Serve personally
on Mary F. Smith
1707 Dauphin St. Mobile*

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WE COMMAND YOU that you summon Annie M. Jones, Patrick J. Cooney, Mary F. Smith and Jean Gallagher to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction within sixty days after the service of the summons and there to answer, plead or demur without oath to a bill of complaint lately exhibited by Claude Peteet against the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith and Jean Gallagher, and further to do and perform what the said Judge shall order and direct in that behalf, and this the defendants shall in no wise omit, under penalty of the law, and we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

Witness, Alice J. Duck, Register of said Circuit Court
this the 2 day of November 1954.

Alice J. Duck
Register

CLAUDE PETEET,

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND
THE SOUTH HALF OF NORTHWEST
QUARTER OF SECTION 28, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST,
IN BALDWIN COUNTY, ALABAMA;
AND ANNIE M. JONES, PATRICK
J. COONEY, MARY F. SMITH,
JEAN GALLAGAH, BAY LaLAUNCH
ORCHARDS COMPANY, A CORPOR-
ATION, AND ITS ALIENEES,
SUCCESSORS AND ASSIGNS, THE
UNKNOWN HEIRS, DEVISEES, PER-
SONAL REPRESENTATIVES AND
ASSIGNS OF JOHN U. SCHMIDT AND
THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES AND
ASSIGNS OF URSULA SCHMIDT; AND
ANY AND ALL PERSONS, FIRMS,
ASSOCIATIONS OR CORPORATIONS
CLAIMING ANY TITLE TO, INTEREST
IN, CLAIM, LIEN OR ENCUMBRANCE
ON THE SAID LAND OR ANY PART
OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

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

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

The Southwest quarter and the South half of
the Northwest quarter of Section 28, Town-
ship 8 South, Range 4 East,

and against Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean
Gallagah, Bay LaLaunch Orchards Company, a corporation, its alienees,
successors or assigns, the unknown heirs, devisees, personal repre-
sentatives and assigns of John U. Schmidt, and the unknown heirs,
devisees, personal representatives and assigns of Ursula Schmidt, and
any and all persons, firms, associations or corporations claiming
any title to, interest in, claim, lien or encumbrance on said land
or any portion thereof and respectfully represents and shows unto
your honor as follows:

FIRST: That your complainant is over the age of twenty-
one years and a resident of the County of Baldwin, State of Alabama;
that Annie M. Jones, Patrick J. Cooney and Mary F. Smith are each

over the age of twenty-one years, and whose place of residence and post office addresses are as follows: Annie M. Jones, 1702 Dauphin Street, Mobile, Alabama; Patrick J. Cooney, 181 Louiselle Street, Mobile, Alabama; Mary F. Smith, 1702 Dauphin Street, Mobile, Alabama; that Jean Callagah is over the age of twenty-one years her last known address was Oak Street, Chicago, Illinois, a better address or her present address, if she does not there reside, cannot be ascertained upon diligent search and inquiry; that Bay LaLaunch Orchards Company, is a corporation organized under the laws of the State of Alabama, with its principal place of business at Foley, Alabama, that the said Bay LaLaunch Orchards Company, a corporation, does not now maintain an office at Foley, and complainant has made diligent search and inquiry at Foley and at the court house of Baldwin County, and at all other known places where such corporation, or the incorporators have been known to do business, or to reside, and upon such inquiry complainant has been unable to ascertain where the said corporation maintains an office and who and where its officers are; that John U. Schmidt and Ursula Schmidt are dead, that complainant has made diligent search to ascertain the names, ages and places of residence of their heirs, devisees, personal representatives and assigns; that he has inquired of numerous persons at Foley and in the vicinity in which such land is located and of persons in Bay Minette, including all of the officers and has searched the Probate and tax records and upon inquiry has been unable to ascertain their names, ages and post office address, but is informed and believes and upon such information and belief alleges that the heirs, devisees, personal representatives and assigns of the said John U. Schmidt and Ursula Schmidt are over the age of twenty-one years and are non-residents of the State of Alabama, their places of residence being unknown to complainant and cannot be ascertained.

SECOND: That your complainant is the owner of in fee simple and in the actual possession of the said lands in Baldwin County,

Alabama, described as follows, to-wit:

The Southwest quarter and the South half of the
Northwest quarter of Section 28, Township 8
South, Range 4 East, in Baldwin County, Alabama;

and that he and those through whom he claims have been in the continuous peaceable adverse possession of the said lands for more than ten years next preceding the filing of this bill of complaint and that he and those through whom he claims title to the said lands have for more than ten years next preceding the filing of this bill of complaint annually assessed and paid the taxes on the said lands and that during such period of time no other person has assessed the said lands for taxes or paid taxes thereon, and that no other person for such period has had, or attempted to exercise any possession over the said land or claimed any right to possession thereof or any title to, interest in, claim, lien or encumbrance thereon or to any part or parcel of the same.

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

FOURTH: That the title to the said lands stands on the records of Baldwin County, Alabama, in the name of your complainant; that he obtained title from D. D. Golden by deed, dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 106 at page 488; who acquired title from the State of Alabama by deed dated May 3, 1935 and recorded in the said Probate office in Deed Book 58 at page 247-8; that the State of Alabama acquired title to the said lands by sale for taxes June 13, 1932; that for more than ten years next preceding the filing of this bill of complaint no person other than those through whom he claims title to the said lands or any portion thereof, have assessed or paid taxes thereon and that he and those through whom he claims title as aforesaid, have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same, under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint, and that he and those

through whom he claims have fenced the said lands, cultivated and harvested crops thereon in person or by tenant; that Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some part or parcel thereof.

WHEREFORE, your complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process make the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the said lands, to-wit: The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, or any part or parcel thereof, to be made parties defendant to this bill of complaint and by appropriate process require them and each of them separately and severally to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of liens, claims and encumbrances to the said lands and each part and parcel thereof, is vested in your complainant, Claude Peteet, as against Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, its successors, alienees

or assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, and the unknown heirs, devisees, personal representatives and assigns of Ureula Schmidt, and as against any and all persons, firms, associations, or corporations, claiming any title to, interest in, claim, lien or encumbrance upon said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your complainant prays for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BEEBE & SWEARINGEN

BY W. C. Beebe
Solicitor for complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared W. C. Beebe, who is known to me, and who, having been by me first duly sworn, deposes and says that he is solicitor for the complainant in the above styled cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true, and from such information obtained he verily believes, and so states, the same to be true.

W. C. Beebe

Sworn to and subscribed before me on this the 2 day of

November 1954.

Mableine Burkus
Notary Public, State of Alabama at
large.

[Handwritten notes and signatures in the bottom section of the document, including a circular notary seal on the left and various scribbles and signatures across the bottom.]

CLAUDE PEREET,

COMPLAINANT

VS

CERTAIN LANDS & ANNIE K.
JONES, ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

This cause is submitted for final decree upon the bill of complaint, service by publication, personal service, decree pro confesso, appointment of guardian ad litem, acceptance and answer of guardian ad litem and deposition of Claude Pereet, witness for complainant.

This the 10th day of Feb, 1935.

BEEBE & SWEARINGEN

BY

W. C. Beebe

Solicitors for complainant

W. J. Swearingen

Register

RECORDED

Claude Pitet
Complainant

75

Certain lands of
Annie M. Jones
et al.

Note of testimony

FILED

FEB 1 1955

ALICE J. DICK, Register

CLAUDE PETEET,

COMPLAINANT

VS

CERTAIN LANDS & ANNIE M.
LAWRE, RE AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Comes the complainant in the above styled cause and requests the oral examination of Claude Peteet, as witness for the complainant, who resides in Baldwin County, State of Alabama, and suggests Madeline S. Bryars of the Town of Bay Minette, as a suitable person to act as commissioner to take the deposition of the said witness.

Witness my hand this the 17 day of January

1955.

BEENE & SHEPHERD

W. C. Beene
Solicitors for Complainant

CLAUDE PETEET

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAH, BAY LaLAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF;

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

This cause coming on to be heard is submitted for final decree upon behalf of the complainant, upon the original bill of complaint and upon the service, decree pro confesso, appointment, acceptance and answer of guardian ad litem, pleading and proof as noted by the register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of said bill of complaint against the said lands and the said defendants, Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt; and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the complainant is entitled to the relief as prayed for in the bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the complainant, Claude Peteet, is over the age of twenty-one years and a resident of Baldwin County, Alabama; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

The Southwest quarter and the South half of Northwest quarter of Section 28, Township 8 South, Range 4 East; in Baldwin County, Alabama;

That the complainant acquired title to the said lands from D. D. Golden by deed, dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 106 at page 488; who acquired title from the State of Alabama by deed dated May 3, 1935, and recorded in the said Probate office in Deed Book 58 at pages 247-8; that the State of Alabama acquired title to the said lands by sale for taxes June 13, 1932; that the title to the said lands and each parcel thereof stands in the name of the complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom he claims title to the said lands or any part thereof have assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Claude Peteet at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the defendants, Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, nor any other person, firm, association or corporation have any title to, interest in, claim, lien or encum-

brance on said lands or any part thereof.

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

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

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

Done at Bay Minette, Alabama, this the 1st day of

February, 1955.

Hubert M. Hall
Judge

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

5/21
WE COMMAND YOU that you summon Annie M. Jones, Patrick J. Cooney, Mary F. Smith and Jean Gallagher to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction within sixty days after the service of the summons and there to answer, plead or demur without oath to a bill of complaint lately exhibited by Claude Feteet against the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith and Jean Gallagher, and further to do and perform what the said Judge shall order and direct in that behalf, and this the defendants shall in no wise omit, under penalty of the law, and we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

Witness, Alice J. Duck, Register of said Circuit Court
this the 2 day of Nov, 1954.

Alice J. Duck
Register

EXECUTED

This 5th day of Nov, 1954

by serving a copy of the within on

Annie M. Jones + Patrick J. Cooney

W. H. HOLCOMBE, Sheriff

By *W. H. Ferguson*, Sec

MOBILE COUNTY, ALA.

RETURNED 12-13-54

Not found in my County after diligent search and inquiry. *Mary H. Smith*

W. H. HOLCOMBE, Sheriff

By *W. H. Ferguson* D.S.

MOBILE COUNTY, ALA.

FILED

11-2-54

ALICE J. DUCK, Register

CLAUDE PETEET,

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND
THE SOUTH HALF OF NORTHWEST
QUARTER OF SECTION 28, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST,
IN BALDWIN COUNTY, ALABAMA;
AND ANNIE M. JONES, PATRICK
J. COONEY, MARY F. SMITH,
JEAN GALLAGAH, BAY LALAUNCH
ORCHARDS COMPANY, A CORPOR-
ATION, AND ITS ALIENEES,
SUCCESSORS AND ASSIGNS, THE
UNKNOWN HEIRS, DEVISEES, PER-
SONAL REPRESENTATIVES AND
ASSIGNS OF JOHN U. SCHMIDT AND
THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES AND
ASSIGNS OF URSULA SCHMIDT; AND
ANY AND ALL PERSONS, FIRMS,
ASSOCIATIONS OR CORPORATIONS
CLAIMING ANY TITLE TO, INTEREST
IN, CLAIM, LIEN OR ENCUMBRANCE
ON THE SAID LAND OR ANY PART
OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

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

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

The Southwest quarter and the South half of
the Northwest quarter of Section 28, Town-
ship 8 South, Range 4 East,

and against Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean
Gallagher, Bay LaLaunch Orchards Company, a corporation, its alienees,
successors or assigns, the unknown heirs, devisees, personal repre-
sentatives and assigns of John J. Schmidt, and the unknown heirs,
devisees, personal representatives and assigns of Ursula Schmidt, and
any and all persons, firms, associations or corporations claiming
any title to, interest in, claim, lien or encumbrance on said land
or any portion thereof and respectfully represents and shows unto
your honor as follows:

FIRST: That your complainant is over the age of twenty-
one years and a resident of the County of Baldwin, State of Alabama;
that Annie M. Jones, Patrick J. Cooney and Mary F. Smith are each

over the age of twenty-one years, and whose place of residence and post office addresses are as follows: Annie M. Jones, 1702 Dauphin Street, Mobile, Alabama; Patrick J. Cooney, 181 Louiselle Street, Mobile, Alabama; Mary F. Smith, 1702 Dauphin Street, Mobile, Alabama; that Jean Gallagher is over the age of twenty-one years her last known address was Oak Street, Chicago, Illinois, a better address or her present address, if she does not there reside, cannot be ascertained upon diligent search and inquiry; that Bay LaLanch Orchards Company, is a corporation organized under the laws of the State of Alabama, with its principal place of business at Foley, Alabama, that the said Bay LaLanch Orchards Company, a corporation, does not now maintain an office at Foley, and complainant has made diligent search and inquiry at Foley and at the court house of Baldwin County, and at all other known places where such corporation, or the incorporators have been known to do business, or to reside, and upon such inquiry complainant has been unable to ascertain where the said corporation maintains an office and who and where its officers are; that John U. Schmidt and Ursula Schmidt are dead, that complainant has made diligent search to ascertain the names, ages and places of residence of their heirs, devisees, personal representatives and assigns; that he has inquired of numerous persons at Foley and in the vicinity in which such land is located and of persons in Bay Minette, including all of the officers and has searched the Probate and tax records and upon inquiry has been unable to ascertain their names, ages and post office address, but is informed and believes and upon such information and belief alleges that the heirs, devisees, personal representatives and assigns of the said John U. Schmidt and Ursula Schmidt are over the age of twenty-one years and are non-residents of the State of Alabama, their places of residence being unknown to complainant and cannot be ascertained.

SECOND: That your complainant is the owner of in fee simple and in the actual possession of the said lands in Baldwin County,

Alabama, described as follows, to-wit:

The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama;

and that he and those through whom he claims have been in the continuous peaceable adverse possession of the said lands for more than ten years next preceding the filing of this bill of complaint and that he and those through whom he claims title to the said lands have for more than ten years next preceding the filing of this bill of complaint annually assessed and paid the taxes on the said lands and that during such period of time no other person has assessed the said lands for taxes or paid taxes thereon, and that no other person for such period has had, or attempted to exercise any possession over the said land or claimed any right to possession thereof or any title to, interest in, claim, lien or encumbrance thereon or to any part or parcel of the same.

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

FOURTH: That the title to the said lands stands on the records of Baldwin County, Alabama, in the name of your complainant; that he obtained title from D. D. Golden by deed, dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 106 at page 488; who acquired title from the State of Alabama by deed dated May 3, 1935 and recorded in the said Probate office in Deed Book 58 at page 247-8; that the State of Alabama acquired title to the said lands by sale for taxes June 13, 1932; that for more than ten years next preceding the filing of this bill of complaint no person other than those through whom he claims title to the said lands or any portion thereof, have assessed or paid taxes thereon and that he and those through whom he claims title as aforesaid, have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same, under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint, and that he and those

through whom he claims have fenced the said lands, cultivated and harvested crops thereon in person or by tenant; that Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some part or parcel thereof.

WHEREFORE, your complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process make the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the said lands, to-wit: The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, or any part or parcel thereof, to be made parties defendant to this bill of complaint and by appropriate process require them and each of them separately and severally to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of liens, claims and encumbrances to the said lands and each part and parcel thereof, is vested in your complainant, Claude Peteet, as against Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, its successors, alienees

or assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and as against any and all persons, firms, associations, or corporations, claiming any title to, interest in, claim, lien or encumbrance upon said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your complainant prays for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BEEBE & SWEARINGEN

BY W. C. Beebe
Solicitor for complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared W. C. Beebe, who is known to me, and who, having been by me first duly sworn, deposes and says that he is solicitor for the complainant in the above styled cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true, and from such information obtained he verily believes, and so states, the same to be true.

W. C. Beebe

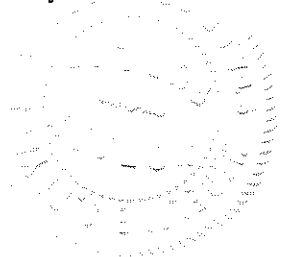
Sworn to and subscribed before me on this the 2 day of November, 1954.

Madeline L. Baynes
Notary Public, State of Alabama at
large.

FILED

11-2-54

ALICE J. DICK, Register



CLAUDE PETEET,

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGHER, BAY LALAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF:

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Notice is hereby given to Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: The Southwest quarter and the South half of the Northwest quarter of Section 28, township 8 South, Range 4 East, in Baldwin County, Alabama.

That Claude Peteet has filed his bill of complaint on the 2 day of November, 1954, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own that certain land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East;

complainant alleges in his bill of complaint that he acquired title to the said lands from D. D. Golden by deed, dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin

County, Alabama, in Deed Book 106 at page 488; who acquired title from the State of Alabama by deed dated May 3, 1935 and recorded in the said Probate office in Deed Book 58 at page 247-8; that the State of Alabama acquired title to the said lands by sale for taxes June 13, 1932; that John U. Schmidt and Ursula Schmidt are dead, that the unknown heirs, devisees, personal representatives and assigns, of John U. Schmidt, deceased, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher and Bay LaLaunch Orchards Company, a corporation, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, or some part or parcel thereof.

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

And it appearing from said bill of complaint, the same being duly verified that the names, ages and places of residence and post office addresses of the said defendants, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, deceased, and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained;


And it further appearing from said bill of complaint, that the defendant, Bay LaLaunch Orchards Company, a corporation, place of business and its officers and their names and place of business is unknown to complainant and cannot be ascertained upon diligent search

and inquiry;

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

It is therefore ordered that the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives, and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt; and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon said lands described as follows: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely the 4th day of November, 1954, at which time the said cause shall stand at issue.

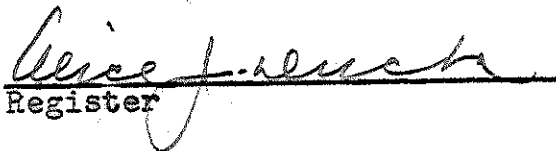
Witness my hand this the 2 day of November, 1954.



Register, Circuit Court, Baldwin
County, Alabama, in equity.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Claude Peteet, is complainant, and Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and the following described lands, to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, are defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 2 day of Nov., 1954.

Witness my hand this the 2 day of November, 1954.



Register

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Claude Petee, is complainant and Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and the following described land, to-wit: the southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama; and any and all persons, firms, corporations or associations claiming any title to, interest in, claim, lien or encumbrance on the said land are defendants, as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 2nd day of Nov., 1954, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of November 4, 1954, November 11, 1954, November 18, 1954 and November 25, 1954.

And I do further certify that the foregoing notice was filed by me for record in the office of the Judge of Probate of Baldwin County, Alabama, recorded by the said Judge of Probate in Lis Pendens 004, page 129 on the 2 day of Nov, 1954.

Witness my hand this the 1st day of Dec, 1954.

Alice J. Duck
Register

NO 3394

Claude Pateet
Complainant

vs

Annie M. Janek et al
& certain lands

Notice

CLAUDE PETRET,

COMPLAINANT

VS

CERTAIN LANDS, AND
ANNIE M. JONES, ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

In this cause, it appears to the Register, that service was had on the respondents, Annie M. Jones and Patrick J. Cooney by the sheriff of Mobile County, on the 5th day of November, 1954;

And it further appears that the order of publication of notice to the non-resident respondents, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, and its alienees successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, heretofore made in this cause, was published for four consecutive weeks, commencing on the 4th day of November, 1954, in the Baldwin Times, a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the court house door in Baldwin County, on the 27th day of September, 1954, and notice of the pendency of the suit was filed and recorded in the office of the Judge of Probate of Baldwin County on the 29th day of September, 1954;

And it now further appearing to the register, that the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company; a corporation, its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, the respondents, having to the date hereof, failed to

plead, demur to or answer the bill of complaint filed in this cause, it is now, therefore, on motion of Beebe & Swearingen, solicitors for complainant, ordered, and decreed by the register that the bill of complaint in this cause be, and it hereby is, in all things taken as confessed against the said Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, and the unknown heirs, devisees, personal representatives, and assigns of Ursula Schmidt,

This 15 day of January, 1955.

FILED

1-15-55

ALICE I. DECK, Register

Alice I. Deck
Register

Claude Petitt
Complainant

vs

Certain lands
Annie M. Jones
et al
Defendants

Decree pro
Confesso

FILED

JAN 15 1955

ALICE J. BUCK, Register

CLAUDE PETSET,		IN THE CIRCUIT COURT OF
COMPLAINANT		
VS		BALDWIN COUNTY, ALABAMA,
CERTAIN LANDS AND ANNIE		
M. JONES, ET AL		
DEFENDANTS		IN EQUITY

Motion is hereby made for a decree pro confesso against Annie M. Jones and Patrick J. Dooney, defendants in the above styled cause, on the ground that more than six days have elapsed since service of summons upon said defendants; and that said summons was duly served according to law; and against Mary F. Smith, Jean Gallagher, Bay LaLunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, defendants in the above stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this court; and it having been shown by due proof to the court that said defendants are non-residents of the State of Alabama, and that said defendants have failed to demur, plead to or answer the bill of complaint in this cause to this date.

This the 15 day of January, 1955.

BEEBE & SWEARINGEN
 BY W.C. Beebe
 Solicitors

FILED

1-15-55

ALICE J. DOCK, Register

Claude Petet
Complainant

vs

Certain lands +
Annie M. James
et al -
Defendants

Motion for
Decree pro confesso

FILED

JAN 15 1955

ALICE J. DUCK, Register

CLAUDE PETEET,

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, in BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAN, BAY LALAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE OF THE SAID LAND OR ANY PART OR PARCEL THEREOF;

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

It appearing that in the above styled cause Annie M. Jones, Patrick J. Cooney, Mary F. Smith, Jean Callagah, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives, and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations claiming any title to, interest, in, claim, lien or encumbrance upon the following described lands: The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, in Baldwin County, Alabama, are parties defendant, and that due and proper notice of the pendency of the said action has been given in the manner and for the time required by law and that decree pro confesso has been taken against them and it is necessary and proper that guardian ad litem be appointed to represent Mary F. Smith, Jean Callagah, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns,

the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, corporations or associations claiming any title to, interest in, claim, lien or encumbrance on the following described Land: the Southwest quarter and the South half of the Northwest quarter of Section 26, Township 8 South, Range 4 East, in Baldwin County, Alabama;

Now therefore, it is Ordered, Adjudged and Decreed that J. Connor Owen esquire, who is learned in the law and a practicing lawyer at this bar, be and he is hereby appointed as guardian ad litem for and to represent Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands: The Southwest quarter and the South half of the Northwest quarter of Section 26, Township 8 South, Range 4 East, in Baldwin County, Alabama, in the said cause.

Done this the 15 day of Jan, 1955.

Hubert M Hall

FILED
1-15-55
ALICE I. DECK, REGISTRAR

Claude Petitt
Complainant

vs

Certain lands &
Annie M. Jones
et al
Defendants

Order appointing
Guardian ad
litem

FILED

JAN 15 1955

ALICE J. DUCK, Register

CLAUDE FETEET,

COMPLAINANT

VS

THE SOUTHWEST QUARTER AND
THE SOUTH HALF OF NORTHWEST
QUARTER OF SECTION 28, TOWN-
SHIP 8 SOUTH, RANGE 4 EAST,
IN BALDWIN COUNTY, ALABAMA;
AND ANNIE K. JONES, PATRICK
J. COONEY, MARY F. SMITH,
JEAN GALLAGAH, BAY LALAUNCH
ORCHARDS COMPANY, A CORPOR-
ATION, AND ITS ALIENEES,
SUCCESSORS AND ASSIGNS, THE
UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES AND
ASSIGNS OF JOHN U. SCHMIDT AND
THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES AND
ASSIGNS OF URSULA SCHMIDT; AND
ANY AND ALL PERSONS, FIRMS,
ASSOCIATIONS OR CORPORATIONS
CLAIMING ANY TITLE TO, INTEREST
IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LAND OR ANY PART OR
PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Whereas, Claude Feteet has filed his bill of complaint on the 2 day of November, 1954, in this Court on the Equity side, claiming to be in actual peaceable possession, owning and claiming to own those certain lands, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

The Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East;

Complainant alleges in his bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County, in his, Claude Feteet's name; that he acquired title to the said lands from D. D. Golden by deed dated the 25th day of June, 1943, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 106 at page 468; who acquired title from the State of Alabama by deed dated May 3, 1935 and recorded in the said Probate office in Deed Book 56 at page 247-8; that the State of Alabama acquired title to the said lands by sale for taxes June 13, 1932; that Annie K. Jones, Patrick J. Cooney, Mary F. Smith, Jean Gallagah, Bay LaLaunch Orchards Company, a corporation, the unknown heirs, devisees, personal representatives and assigns of

John U. Schmidt and the unknown heirs, devisees, personal representatives of Ursula Schmidt claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the aforesaid lands, or some portion thereof.

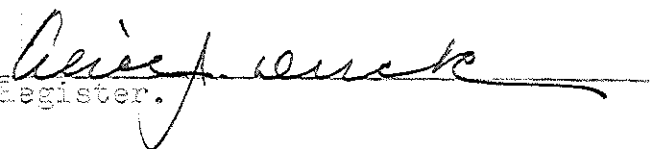
Complainant further alleges that he and those through whom he claims have for more than ten years next preceding the filing of said bill of complaint been in the actual peaceable adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no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

And it appearing from the said bill of complaint, the same being duly verified, that the names, ages and places of residence and post office addresses of the defendants, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, deceased and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, deceased, are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained; and it further appearing that the defendant, Bay LaLaunch Orchards Company, a corporation, place of business and its officers and their names and place of business is unknown to complainant and cannot be ascertained upon diligent search and inquiry;

It is therefore ordered, adjudged and decreed that notice of the pendency of said suit be given by publication once a week for four week consecutively in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama.

WITNESS my hand and seal this the 2 day of November

1957


Register.

3394

Claude Ribert
Compliment

75

Annex M. Jones et al
7 certain bonds

Order

FILED

NOV 2 1954

ALICE J. BUCK, Register

CLAUDE PETEST,
COMPLAINANT

VS

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, IN BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAN, BAY LaLAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF;

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

DEFENDANTS

So J. Connor Devens, Attorney:

Under and by virtue of an order of the Honorable Hubert

M. Hall, Judge of the Circuit Court of Baldwin County, sitting in equity, rendered in the above styled cause on the 15 day of

January, 1953, you are hereby appointed as guardian

ad litem for and to represent Mary F. Smith, Jean Gallagher, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, corporations or associations claiming any title to, interest in, claim, lien or encumbrance on the

following described lands, to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, Baldwin County, Alabama, defendants in the above styled cause.

Witness this the 15 day of January, 1953.

FILED

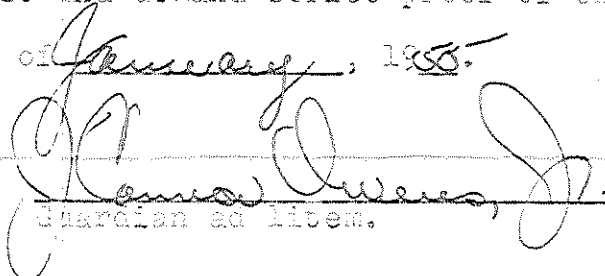
1-15-53

W. I. BOCK, Register

Alice J. Devens

I hereby accept the foregoing appointment as guardian ad litem for Mary F. Smith, Jean Callagah, Bay LaLouch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt and the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on the following described land to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, Baldwin County, Alabama, defendants in the above styled cause, and do hereby file this denial of the allegations made in the bill of complaint in the said cause and demand strict proof of the same.

This, the 17th day of January, 1955.


Guardian ad litem.

FILED

1-15-55

LICE I. DECK, Register

Claude Pettit
Complainant

vs

Certain lands
Annie M. Jones
et al
Defendants

Appointment & accept-
ance of question
ad litem

FILED

JAN 15 1955

ALICE J. DUCK, Register

CLAUDE PETBET,

COMPLAINANT

VS

IN THE CIRCUIT COURT OF

THE SOUTHWEST QUARTER AND THE SOUTH HALF OF NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; AND ANNIE M. JONES, PATRICK J. COONEY, MARY F. SMITH, JEAN GALLAGAN, BAY LaLAUNCH ORCHARDS COMPANY, A CORPORATION, AND ITS ALIENEES, SUCCESSORS AND ASSIGNS, THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF JOHN U. SCHMIDT AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF URSULA SCHMIDT; AND ANY AND ALL PERSONS FIRMS, ASSOCIATIONS OR CORPORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON THE SAID LAND OR ANY PART OR PARCEL THEREOF:

BALDWIN COUNTY, ALABAMA,

IN EQUITY

DEFENDANTS

To Mary F. Smith, Jean Callagah, Bay LaLaunch Orchards Company, a corporation, and its alienees, successors and assigns, the unknown heirs, devisees, personal representatives and assigns of John U. Schmidt, the unknown heirs, devisees, personal representatives and assigns of Ursula Schmidt, and any and all persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: the Southwest quarter and the South half of the Northwest quarter of Section 28, Township 8 South, Range 4 East, Baldwin County, Alabama, and to J. Lannan Owen, Jr. guardian ad litem for them;

Notice is hereby given that the testimony of Claude Petbet, witness for the complainant in the above styled cause will be taken orally before Madeline S. Bryars, commissioner, heretofore duly appointed, at the office of Beebe & Swearingen, solicitors for complainant, at 10:00 o'clock A.M. on the 28 day of January, 1935.

Madeline S. Bryars
Commissioner

Beebe & Swearingen

BY W. C. Beebe
Solicitors for Complainant

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing notice of the time and place of taking deposition of complainant's witness was filed and entered on the order book of the Register on the 24 day of January, 1955.

Alice J. Duck
Register.

Claude Pickett
Complainant

vs

Certain lands &
Annie M. Jones et al

Notice of time &
place of taking
testimony

Filed 1-24-55
Annie French
Clerk

3394