

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

BOOK  
266  
PAGE 528

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainants 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 Complainants 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 June , 1958, setting this cause for hearing on June 27, 1958, appointing James R. Owen 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 Complainants be taken in open court and transcribed in the manner provided by Equity Rule No. 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 H. H. Deck, O. P. Grubbs and Jack E. Dunlap, witnesses for the Complainants, taken in open court on this date and the exhibits to the testimony of said witnesses, all of which has been noted by the Register; upon consideration of all of which it appears

to the Court that all persons, firms and 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 Complainants are 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 Complainants, Herman Deck, also known as H. H. Deck and Edith Deck, are the lawful owners in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

- The Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 36, Township 5 South, Range 4 East;
- East half of Northwest Quarter of Northeast Quarter and Southeast Quarter of Northeast Quarter of Section 1, Township 6 South, Range 4 East;
- East half of Southwest Quarter of Northwest Quarter of Section 6, Township 6 South, Range 5 East;

that the absolute fee simple title to the said lands, and each and every part thereof, and all interest therein is in the said Complainants, Herman Deck, also known as H. H. Deck, and Edith Deck, 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 Complainants have and are 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 Complainants' title to the said lands is hereby quieted against Alabama Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Baldwin Land Holding Company, a corporation, its unknown officers, directors and stockholders; P. G. Baker; James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan; J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins, Trustee;

Victor Rosequist; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; C. N. Souther; Frederic Sanford White and Edwin F. Winegar, 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 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 name of Alabama Tobacco Company, a corporation; George Asmus; Irene Christine Asmus; Baldwin Land Holding Company, a corporation; P. G. Baker; James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan; J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins, Trustee; Victor Rosequist; Southern Plantation Development Company, a corporation; C. N. Souther; Frederic Sanford White and Edwin F. Winegar, Respondents.

5. Title hereby adjudged and decreed to be in the said Complainants, Herman Deck, also known as H. H. Deck and Edith Deck, 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 Complainants, 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 Complainants.

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

ORDERED, ADJUDGED AND DECREED on this the 27th day of June, 1958.

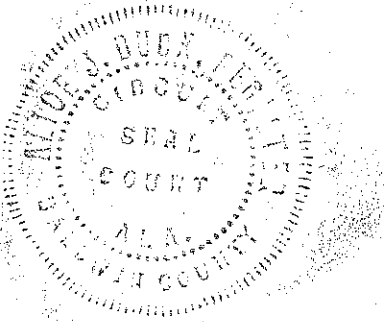
Hubert M. Hall  
Judge.

BOOK 266  
PAGE 531

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

WITNESS MY HAND AND SEAL THIS THE 27 day of June, 1958

*Alice J. Duck*  
Register of Circuit Court, in Equity



STATE OF ALABAMA, BALDWIN COUNTY

Filed 7-3-58 1:30 P.M.

Recorded *Hand* book 266 page 528-31

*M.R. Stuck*  
Judge of Probate

2

bound referred and necessary aid to state of N. H.

BOOK 589 PAGE 231

SLAN 404

PROPERTY, ADJUDICATED AND RECEIVED BY STATE OF NEW HAMPSHIRE

1887, June 20

Wm. M. Dredge

R-7<sup>50</sup>  
Mrs. Duck

Newman Duck  
N. H.  
Ed. W.  
W.  
Ala. Tib. Co.  
600 Adams  
Inventor  
Baldwin Holding Co.  
P. C. Baker  
Thomas Carroll  
Allen Co. Williams



RECEIVED BY CHIEF CLERK OF COURT

18-829-772

RECEIVED BY CHIEF CLERK OF COURT  
18-829-772  
18-829-772  
18-829-772  
18-829-772  
18-829-772

FOLEY, ALA. 4/30 1958

# HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

*Alice J. Wuck, Registered*  
*Raynolds, Ala*

BROUGHT FORWARD

*April 3*  
*10*  
*17*  
*24*

*51 09*

*Herman Deck.*

AFFIDAVIT OF PUBLICATION

I, E. M. Howell

Publisher of The Onlooker, published at  
Foley, Ala., do solemnly swear that a copy of the above notice,  
as per clipping attached, was published once each week in the  
regular and entire edition of said newspaper, and not in any  
supplement thereof, for 4 consecutive weeks, com-  
mencing with the issue dated April 3, 1958, and  
ending with the issue dated April 24, 1958.

E. M. Howell

Subscribed and sworn to before me this 19 day  
of April, 1958.

[Signature]

\_\_\_\_\_  
Notary Public.

MY COMMISSION EXPIRES JULY 18, 1959

4250



**LEGAL NOTICE**

Herman Deck, also known as H. H. Deck, and Edith Deck, Com-  
pounders. In the Circuit Court of  
ties hereinafter described, Res-  
pondents. In the Circuit Court or  
Baldwin County, Alabama in Equi-  
ty. 4250.

**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 encum-  
brance on the lands hereinafter  
described, or any part thereof, that  
Herman Deck, also known as H.  
H. Deck, and Edith Deck, did on  
the 31st day of March, 1958, file  
in the Circuit Court of Baldwin  
County, Alabama, in Equity, a  
verified Bill of Complaint against  
the following described real prop-  
erty situated in Baldwin County,  
Alabama, to-wit:

The Southwest Quarter of the  
Southwest Quarter of Southeast  
Quarter of Section 36, Township  
5 South, Range 4 East.

East half of Northwest Quar-  
ter of Northeast Quarter and  
Southeast Quarter of Northeast  
Quarter of Section 1, Township  
6 South, Range 4 East.

East half of Southwest Quar-  
ter of Northwest Quarter of Sec-  
tion 6, Township 6 South, Range  
5 East.

and against Alabama Tobacco  
Company, a corporation, its un-  
known officers, directors and  
stockholders; George Asmus; Irene  
Christine Asmus; Baldwin Land  
Holding Company, a corporation,  
its unknown officers, directors and  
stockholders; P. G. Baker; James  
Carroll; Allan G. Gilmour; Lilly  
Gilmour; Ada Harrigan; J. R.  
Harrigan; J. R. Harrington; Henry  
C. Ott; Henry C. Otte; Floyd R.  
Perkins, Trustee; Victor Rose-  
quist; Southern Plantation Devel-  
opment Company, a corporation,  
its unknown officers, directors and  
stockholders; C. N. Souther; Fred-  
eric Sanford White and Edwin F.  
Winegar, and against his heirs or  
devises, 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  
named above are unknown and can-  
not be ascertained after reason-  
able efforts and the making of dili-  
gent inquiry to ascertain the same

The said Bill of Complaint has  
been filed for the purpose of es-  
tablishing the title of the said  
Complainants to all of the said  
lands, for the purpose of quieting  
their title thereto and to clear up  
all doubts and disputes concerning  
the title to the said property.

Complainants claim the abso-  
lute, fee simple title to all of the  
said lands, under, from, by and  
through the following conveyances:

Deed from C. A. Gearhart and  
Ruby M. Gearhart, his wife, to H.  
H. Deck, dater aJnuard 13, 1939,  
and recorded in Deed Book 70 at  
page 170, Baldwin County, Alaba-  
ma Records;

Deed from A. F. Moseley and  
Melanie Moseley, his wife, to Her-  
man Deck, dated October 11, 1944,  
and recorded in Deed Book 92 at  
page 307, Baldwin County, Ala-  
bama Records;

Deed from Diram Pardue and  
Ella Mable Pardue, his wife, to  
H. H. Deck and Edith Deck, dated  
July 25, 1945, and recorded in Deed  
Book 97 at pages 312-13, Bald-  
win County, Alabama Records.

The Complainants, in and by  
their said Bill of Complaint, allege  
and aver that they own the said  
lands in their own right, abso-  
lutely and in fee simple; that they  
are in the actual, peaceful posses-  
sion of the said lands under  
claim of ownership; that the title  
to the said lands stands upon the  
records in the office of the Pro-  
bate Judge of Baldwin County,  
Alabama, the County where the  
said lands are situated, in the  
names of the complainants; that  
no suit is pending to test com-  
plainants' title to, interest in, or  
right to possession of the said  
lands or any part thereof; that  
complainants and those through  
whom they claim title have held  
color of title to and have regularly  
assessed and paid taxes on the  
said lands and each and every part

the expiration of thirty days from  
the said date, decrees pro confesso  
will be taken against them, testi-  
mony will be thereafter taken and  
the said cause submitted for a final  
decree quieting complainants'  
title to the 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 said court on  
this the 31st day of March, 1958.

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

Telfair J. Mashburn, Jr., Solicitor  
for Complainants.

(4t, April 3- 10, 17, 24)

**FIDAVIT OF PUBLICATION**

*M. Howell*

*shw* of The Onlooker, published at

emply swear that a copy of the above notice,  
ached, was published once each week in the  
edition of said newspaper, and not in any

f, for 4 consecutive weeks, com-

mencing with the issue dated April 3, 1958, and

ending with the issue dated April 24, 1958

*M. Howell*

Subscribed and sworn to before me this 19 day

of April, 1958.

NOTARY COMMISSION EXPIRES JULY 18, 1959

Notary Public.



eric Sanford White and Edwin F. Winegar, 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 named above are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

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

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

Deed from C. A. Gearhart and Ruby M. Gearhart, his wife, to H. H. Deck, dater aJnuard 13, 1939, and recorded in Deed Book 70 at page 170, Baldwin County, Alabama Records;

Deed from A. F. Moseley and Melanie Moseley, his wife, to Herman Deck, dated October 11, 1944, and recorded in Deed Book 92 at page 307, Baldwin County, Alabama Records;

Deed from Diram Pardue and Ella Mable Pardue, his wife, to H. H. Deck and Edith Deck, dated July 25, 1945, and recorded in Deed Book 97 at pages 312-13, Baldwin County, Alabama Records.

The Complainants, in and by their said Bill of Complaint, allege and aver that they own the said lands in their own right, absolutely and in fee simple; that they are in the actual, peaceful 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 Probate Judge of Baldwin County, Alabama, the County where the said lands are situated, in the names of the complainants; that no suit is pending to test complainants' title to, interest in, or right to possession of the said lands or any part thereof; that complainants and those through whom they claim 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 thirteen or more consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations, other than the Complainants and those through whom they claim title to the 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 complainants and those through whom they claim title, have had possession of the said lands or any part thereof, within thirteen years next prior to the filing of the said Bill of Complaint.

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 15th day of May, 1958, or at

HERMAN DECK, also known  
as H. H. Deck, and EDITH  
DECK,

Complainants,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

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

BOOK  
004  
PAGE 417

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 Herman Deck, also known as H. H. Deck, and Edith Deck, did on the day of March, 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:

The Southwest Quarter of the Southwest Quarter of Southeast Quarter of Section 36, Township 5 South, Range 4 East.

East half of Northwest Quarter of Northeast Quarter and Southeast Quarter of Northeast Quarter of Section 1, Township 6 South, Range 4 East.

East half of Southwest Quarter of Northwest Quarter of Section 6, Township 6 South, Range 5 East.

and against Alabama Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Baldwin Land Holding Company, a corporation, its unknown officers, directors and stockholders; P. G. Baker; James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan; J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins, Trustee; Victor Rosequist; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; C. N. Souther; Frederic Sanford White and Edwin F. Winegar, 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 named above are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

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

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

Deed from C. A. Gearhart and Ruby M. Gearhart, his wife, to H. H. Deck, dated January 13, 1939, and recorded in Deed Book 70 at page 170, Baldwin County, Alabama Records;

Deed from A. F. Moseley and Melanie Moseley, his wife, to Herman Deck, dated October 11, 1944, and recorded in Deed Book 92 at page 307, Baldwin County, Alabama Records;

Deed from Hiram Pardue and Ella Mable Pardue, his wife, to H. H. Deck and Edith Deck, dated July 25, 1945, and recorded in Deed Book 97 at pages 312-13, Baldwin County, Alabama Records.

The Complainants, in and by their said Bill of Complaint, allege and aver that they own the said lands in their own right, absolutely and in fee simple; that they are 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 Probate Judge of Baldwin County, Alabama, the County where the said lands are situated, in the names of the complainants; that no suit is pending to test complainants' title to, interest in, or right to possession of the said lands or any part thereof; that complainants and those through whom they claim 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 thirteen or more consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations, other than

BOOK 004 PAGE 418

the Complainants and those through whom they claim title to the 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 complainants and those through whom they claim title, have had possession of the said lands or any part thereof, within thirteen years next prior to the filing of the said Bill of Complaint.

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 ~~15<sup>th</sup>~~ <sup>may</sup> day of ~~April~~, 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 complainants' title to the 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 ~~31<sup>st</sup>~~ day of March, 1958.

*Alice J. Duck*  
ALICE J. DUCK,  
As Register of the Circuit Court  
of Baldwin County, Alabama, in Equity.

Telfair J. Mashburn, Jr.  
Solicitor for Complainants.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 3-31-58 10A-M  
Recorded Lin. Prob. book 4 page 417-419  
MR. Stuart  
Judge of Probate h

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

MOTION FOR DECREE PRO CONFESSO:

Motion is hereby made for a decree pro confesso against Alabama Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Baldwin Land Holding Company, a corporation, its unknown officers, directors and stockholders; P. G. Baker; James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan; J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins, Trustee; Victor Rosequist; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; C. N. Souther; Frederic Sanford White and Edwin F. Winegar, 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 Foley Onlooker, a newspaper published at Foley, in Baldwin County, Alabama, which notice appeared in the issues of said paper which were published on April 3, April 10, April 17, and April 24, 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 15th day of May, 1958, or at the expiration of thirty days from the said date a decree pro confesso would be taken



against them; Complainants further show 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 in Baldwin County, Alabama, on the 3rd day of April, 1958; and thirty days having expired since May 15, 1958, and no person, firm or corporation named above has appeared in this cause, the Complainants are entitled to a decree pro confesso against all persons, firms and corporations named above.

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

DATED this 24<sup>th</sup> day of June, 1958.

FILED

JUN 24, 1958

ALICE J. DUCK, CLERK  
REGISTER

Julian G. Mansel  
Solicitor for Complainants.

FILED 3  
JUN 25 1958

ALICE J. BUCK, Register



HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

DECREE PRO CONFESSO:

In this cause it appears to the Register that the notice of pendency of Bill of Complaint heretofore made in this cause was published for four consecutive weeks commencing on the 3rd day of April, 1958, in the Foley Onlooker, a newspaper published at Foley, in Baldwin County, Alabama; that a copy of the said notice was posted at the Courthouse door in Baldwin County, Alabama, on the 3rd day of April, 1958; 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 Complainants, 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 Alabama Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Baldwin Land Holding Company, a corporation, its unknown officers, directors and stockholders; P. G. Baker; James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan; J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins, Trustee; Victor Rosequist; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; C. N. Souther; Frederic Sanford White and Edwin F. Winegar, 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 25 day of June, 1958.

*Annie J. Duck*  
Register.

FILED

JUN 125 1958

ALICE L. MOCK, Register

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

CERTIFICATE:

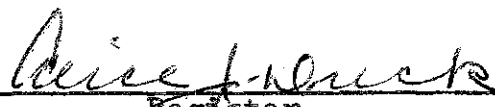
I, Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify as follows:

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 March 31, 1958.

2. Notice of pendency of Bill of Complaint in this cause was published once a week for four successive weeks in the Foley Onlocker, a newspaper published at Foley, in Baldwin County, Alabama, which notice appeared in the issues of said paper published on April 3, April 10, April 17, and April 24, 1958.

3. 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 April 3, 1958.

DATED this 24<sup>th</sup> day of June, 1958.

  
\_\_\_\_\_  
Register.

FILED

APR 25 1958

W. J. BUCK, Registrar

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,  
Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. No. 4250.

MOTION:

Now come the Complainants, by their Solicitor, and show 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, Complainants pray that the Court will make and enter a proper order or decree setting the 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**

JUN 25 1958

**ALICE J. DUCK, CLERK  
REGISTER**

J. J. A. Madalena  
Solicitor for Complainants.

FILED

JUN 25 1958

ALICE L. BRICK, Register

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

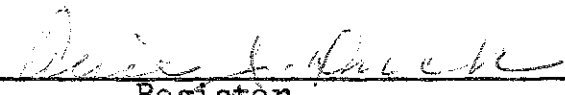
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

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

TO: JAMES R. OWEN.

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 25<sup>th</sup> day of June, 1958.


  
\_\_\_\_\_  
Register.

\*\*\*\*\*

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

I, the undersigned, do hereby accept appointment as guardian ad litem 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 25<sup>th</sup> day of June, 1958.

  
\_\_\_\_\_  
As guardian ad litem and as attorney representing parties in Military Service of the United States.

FILED

JUN 28 1958

ALICE J. BOCK, Register



HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,


Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

ANSWER OF GUARDIAN AD LITEM FOR UNKNOWN MINORS AND INSANE  
PERSONS, AND AS ATTORNEY FOR ANY UNKNOWN PERSON INTERESTED  
IN THIS PROCEEDING WHO MAY BE IN THE MILITARY SERVICE OF  
THE UNITED STATES.

I, James R. Owen, having been heretofore appointed as  
guardian ad litem to represent any unknown minors or insane persons  
interest in this proceeding, and as attorney to represent any un-  
known 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 25<sup>th</sup> day of June, 1958.

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

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FILED  
JUN 125 1958

ALICE J. BUCK, Register

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainants 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 Complainants 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 June , 1958, setting this cause for hearing on June 27, 1958, appointing James R. Owen 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 Complainants be taken in open court and transcribed in the manner provided by Equity Rule No. 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 *N. H. Deck, O. P. Grubb and Jack E. Dunlap*, witnesses for the Complainants, taken in open court on this date and the exhibits to the testimony of said witnesses, all of which has been noted by the Register; upon consideration of all of which it appears

to the Court that all persons, firms and 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 Complainants are 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 Complainants, Herman Deck, also known as H. H. Deck and Edith Deck, are the lawful owners in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 36, Township 5 South, Range 4 East;

East half of Northwest Quarter of Northeast Quarter and Southeast Quarter of Northeast Quarter of Section 1, Township 6 South, Range 4 East;

East half of Southwest Quarter of Northwest Quarter of Section 6, Township 6 South, Range 5 East;

that the absolute fee simple title to the said lands, and each and every part thereof, and all interest therein is in the said Complainants, Herman Deck, also known as H. H. Deck, and Edith Deck, 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 Complainants have and are 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 Complainants' title to the said lands is hereby quieted against Alabama Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Baldwin Land Holding Company, a corporation, its unknown officers, directors and stockholders; P. G. Baker; James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan; J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins, Trustee;

Victor Rosequist; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; C. N. Souther; Frederic Sanford White and Edwin F. Winegar, 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 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 name of Alabama Tobacco Company, a corporation; George Asmus; Irene Christine Asmus; Baldwin Land Holding Company, a corporation; P. G. Baker; James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan; J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins, Trustee; Victor Rosequist; Southern Plantation Development Company, a corporation; C. N. Souther; Frederic Sanford White and Edwin F. Winegar, Respondents.

5. Title hereby adjudged and decreed to be in the said Complainants, Herman Deck, also known as H. H. Deck and Edith Deck, 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 Complainants, 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 Complainants.

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

ORDERED, ADJUDGED AND DECREED on this the 27<sup>th</sup> day of June, 1958.

Hubert M. Steele  
Judge.



4. Next we offer in evidence, Patent, U. S. A. by Grover Cleveland, President, Attested by M. M. McKeon, Secretary, to George W. Robinson, which patent is dated October 24, 1882, filed for record February 17, 1900 and recorded in Deed Book 2 at page 262, and which conveys the  $S\frac{1}{2}$  of  $NW\frac{1}{4}$ ;  $SE\frac{1}{4}$  of  $NE\frac{1}{4}$  of Section 6, Township 6 South, Range 5 East, and ask that it be marked Complainant's Exhibit 4.

5. Next I offer in evidence Deed from C. A. Gearhart and wife, Ruby M. Gearhart, to H. H. Deck, dated January 13, 1939, filed for record August 1, 1939, and redcorded in deed Book 70 at page 170 of the Baldwin County Probate Records, and ask that it be marked Complainants' Exhibit 5.

6. Next I offer in evidence deed from A. F. Moseley and wife, Melinie Mosley, to Herman Deck, dated 1st day of october 1944, conveying the following lands:  $SW\frac{1}{4}$  of  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$ , Section 36, Township 5 South, Range 4 East, Baldwin County, Alabama, which instrument was filed for record on the 27th day of June, 1945, and recorded in Deed Book 92 at page 307, and ask that the same be marked Complainants' Exhibit 6.

7. Next, I offer in evidence deed from Hiram Pardue and wife, Ella Mable Pardue, to H. H. Deck and wife, Edith Deck, dated July 25, 1945, which deed is recorded in deed Book 97 at page 312-313,, Probate Office of Baldwin County, Alabama, and which deed conveys the  $E\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of Sec. 6, Township 6 South Range 5 East, Baldwin County, Alabama, and ask that the same be identified as Complainants' Exhibit 7.

HERMAN DECK, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Mashburn.

Q. You are Mr. Herman H. Deck?

A. Yes sir.

Q. You are one of the Complainants in this cause here, Mr. Deck?

A. Yes sir.

Q. You are also some times known and do you do business as



H. H. Deck?

A. Yes sir.

Q Is Edith Deck your wife?

A. Yes sir.

Q. Is she one of the Complainants in this cause?

A. Yes sir.

Q. Now Mr. Deck are you and your wife owners of the following described parcel of land: SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 36, Township 5 South, Range 4 East?

A. Yes sir.

Q. Do you remember who you bought that piece of land from, Mr. Deck?

A. Well I'm not going to be able to follow you on legal descriptions; that is the northern most 10 acres --- I bought that from Moseley.

Q. When did you buy that land from Mr. Moseley?

A. Some where around 1944.

Q. Was it the 11th day of October, 1944?

A. Yes sir.

Q. Do you and your wife also own the E $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , and SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 1, Township 6 South, Range 4 East?

A. Yes sir.

Q. Is that the Gearhart land?

A. Yes sir.

Q. Do you recall when you bought that from the Gearharts?

A. When I first bought my farm there -- back in 1939.

Q. Do you own the E $\frac{1}{2}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 6, Township 6 South Range 5 East?

A. Yes sir, I bought that from Pardue some where about the time I bought from Mosley -- 1944 or 1945.

Q. In otherwords, you have owned the last piece of that land that you bought for more than 13 years?

A. Yes sir - be 13 years in Nuly.

Q. After you bought that land what did you do with it, Mr. Deck?

A. I cleared it and fenced it.

Q. Did you take actual possession of it?

A. Yes sir.

Q. Has it been cultivated?

A. It is now.

Q. How long have you been cultivating it?

A. Close to 10 years.

Q. The part you bought from Mosley, you have been cultivating that since you bought it?

A. Yes sir.

Q. What about the part you bought from Pardue?

A. That isn't in cultivation.

Q. You fenced it?

A. Yes sir.

Q. Right after you bought it?

A. Yes sir.

Q. And have you rented a part of it to Mr. Price?

A. Yes sir, since he got out of the army.

Q. The part you bought from Gerhart, how many acres are there in that tract?

A. 40 -- No there are 60 acres--

Q. Is that in cultivation?

A. About half of it is in cultivation.

Q. You bought that when?

A. 1939.

Q. And have you been using it ever since you bought it?

A. Yes sir.

Q. Now you and your wife are both over the age of 21 years?

A. Yes sir.

Q. And both residents of Baldwin County?

A. Yes sir.

Q. You live in the vicinity of this land?

A. Yes sir.

Q. It adjoins some of your other land?

A. Yes sir.

Q. Have you made an effort to find any of the original owners of this property, Mr. Duck?

A. I never heard of them.

Q. You have searched in the area of the land for them?

A. Yes sir.

Q. Did you hire you an abstractor and a lawyer to attempt to straighten out the title?

A. Yes sir.

Q. You hired me, didn't you?

A. Yes sir.

Q. And you hired Mr. Teter to make you an abstract?

A. Yes sir.

Q. They have made a diligent search -- You knew that this was tax title land when you bought it?

A. Yes sir.

Q. They have made a diligent search to find people who have have title in or to this land?

A. Yes sir.

Q. Have you read a copy of the bill of complaint filed in this cause?

A. Yes sir.

Q. You read the whole thing?

A. Yes sir.

Q. Are the statements therein true and correct to the best of your knowledge, information and belief?

A. Yes sir.

Q. During the whole time you have owned this land and been in possession of it, have you been claiming to own it --- you and your wife, without regard to the claim of anybody else?

A. Yes sir.

Q. Held yourself out to the world as the owners of this land?

A. Yes sir.

ON CROSS EXAMINATION OF THIS WITNESS HE TESTIFIED:

Examination by MR. OWEN, GUARDIAN AD LITEM.

Q. You have paid the taxes on all of this property - you and your wife?

A. Yes sir.

Q. Ever since you bought it?

A. Yes sir.

Q. You have been in the actual possession, either having it fenced or cultivating parts of the property ever since you bought it?

A. That's correct.

Q. And continuously claiming it since that time?

A. Yes sir.

MR. O. P. GRUBBS, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Mashburn

Q. Is this Mr. O; P. Grubbs?

A. Yes sir.

Q. You have heard me read the description of these various pieces of land?

A. Yes sir.

Q. Are you familiar with the land Mr. Deck bought from Mosley, Gerhart and Pardue?

A. Yes sir.

Q. How long have you been familiar with those lands?

A. I have farmed it since '46 or '47.

Q. Who did you recognize as the owner of that land?

A. The Decks.

Q. I will ask you if you are familiar with the Alabama Tobacco Company, a Corporation, George Asmus, Irene Christine Asmus; Baldwin Land Holding Company, a corporation, P. G. Baker, James Carroll; Allan G. Gilmour; Lilly Gilmour; Ada Harrigan, J. R. Harrigan; J. R. Harrington, Henry C. Otte, Henry C. Ott; Floyd R. Perkins, Trustee; Victor Rosequist; Souther Plantation Development Company, a Corporation, C. N. Souther; Frederic Sanford White and Edwin F. Winegar, or any of their people?

A. No.

Q. Did you ever know of them being there and having possession of any of this land?

A. No sir.

Q. And during the time you have known it has anybody else claimed to own it except Mr. Deck and his wife?

A. No sir.

ON CROSS EXAMINATION OF THIS WITNESS HE TESTIFIED:

NO Cross examination by Guardian Ad Litem.

MR. JACK E. DUNLAP, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Mashburn.

Q. Is this Mr. Jack E. Dunlap?

A. Yes sir.

Q. Where do you live, Mr. Dunlap?

A. Just below this land in question.

Q. Are you familiar with the lands that have been described here?

A. Yes sir.

Q. How long have you known it, Mr. Dunlap?

A. Back from the Mitchell Naval Stores time.

Q. Now for the last 14 or 15 years has any one claimed to own those land other than Mr. Deck and his wife?

A. No sir.

Q. Have they been in the open, notorious, peaceable possession thereof claiming to own them as their own?

A. Yes sir.

-----  
I hereby certify that the foregoing is a true and correct transcript of the testimony taken in open court in the above styled matter on this the 27th day of June, 1958.

*Louise Dussubessing*  
Official Court Reporter







The State of Alabama,  
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify  
that the within and foregoing \_\_\_\_\_ pages  
contain a full, true and complete copy of the Patent from The United States of America  
to George W. Robinson

as the same appears of record in my office in Deed Book No. 2  
page 250.

Given under my hand and seal of office, this 27th day of June, 19 58

W. R. Stuart  
Judge of Probate  
By: Lela D. Brown, Clerk





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No. 5.

The United States of America.

To all to whom these presents shall come, Greeting: Whereas by the act of Congress, approved September 28th, 1850, entitled, "An act to enable the state of Arkansas and other states to reclaim the 'Swamp Lands' within their limits" it is provided that all the "Swamp and Overflowed Lands," made unfit thereby for cultivation, within the state of Alabama which remained unsold at the passage of said act, shall be granted to said state.

And whereas, in pursuance of instructions from the General Land Office of the United States, the several tracts or parcels of land hereinafter described have been selected as "Swamp and Overflowed Lands," lying to the said state under the act aforesaid, being situated in the district of land subject to sale at Mobile, formerly at St Stephens, to-wit:-

Township one south of range one east:-The west half of the north east quarter, the south east quarter, and the east half of the south west quarter of section two; the part of the south east quarter east of river of section five; the whole of fractional section ten, east of Tombigbee river; the north west quarter of the north east quarter, the north half of the north west quarter, the south west quarter of the north west quarter, the north east quarter of the south east quarter, the south half of the south east quarter and the north west quarter of the south east quarter of section twelve; the north east fractional quarter and the north fractional half of the northwest quarter of section fourteen; the part of fractional section seventeen east of Mobile river; the south east quarter of the north east quarter, the north west quarter, and the south east quarter of section twenty-two; the east fractional half of section twenty-four, and the northwest quarter of the north west quarter of section twenty-six, containing one thousand six hundred and eighty-one acres, and thirty-nine hundredths parts of an acre.

Township two south of range one east:-The south half of the northeast quarter, the north half of the southeast quarter, the south west quarter of the south east quarter, the east half of the south west quarter and the south west quarter of the south west quarter of section two; the north east fractional quarter of the north east quarter east of Lizard creek, the south west fractional part of the north east quarter east of Lizard creek, the south east fractional quarter east of Lizard creek, and the part of the west fractional half east of Lizard creek of section ten; the whole east of Lizard creek of fractional section fourteen; the whole east of Lizard creek of fractional section twenty-four; the whole of section twenty-eight; the north half, and the north half of the south west fractional quarter east of Tombigbee river of section thirty; the south east quarter of the north west quarter, the south east quarter and the south west quarter of the south west quarter of section thirty-two; and the fraction east of Lizard creek of section thirty-six, containing two thousand four hundred and forty-seven acres and fifty-five hundredths parts of an acre.

Township three south range one east:-The north west quarter of the north east quarter and the north half of the north west quarter of section four; the north west quarter of the north east quarter and the north half of the north west quarter of section six; the whole east of Mobile river of fractional section eight; the whole south of Raft river of fractional section twenty-two; the west fractional part of section twenty-six; the east half, and the south half of the south west quarter of section twenty-seven; the north east quarter of the north east quarter, and the lot A of section twenty-eight; the east half of the north east quarter, the south west quarter of the north east quarter, and lots A, B, C, D, E, F, G and H of section thirty-three; the whole on both sides of river of section thirty-four; the whole of fractional section thirty-five; and the whole west of river of fractional section thirty-six, containing two thousand eight hundred and ninety-nine acres and seventy-three hundredths parts of an acre.

Township four south of range one east:-The whole of fractional section two; the east half of the north west quarter, and the south half of the south west fractional quarter of section three; the north east fractional quarter on both sides of river, the west fractional part, and the north west fractional part of the south east quarter west of river of section four; the whole of fractional section five; the whole of fractional section eight; the north fractional part of the north west quarter on island, the west fractional part of the north west quarter, and the south west fractional quarter on both sides of river of section nine; the whole of fractional section ten; the east fractional half and the north west fractional quarter of section eleven; the whole of fractional section thirteen; the whole of fractional section fourteen; the whole of fractional section fifteen; the whole of fractional section seventeen; the whole of fractional section twenty; the whole of fractional section twenty-two; the whole of fractional section twenty-three; the whole on island of fractional section twenty-four; the whole on island of fractional section twenty-five; the whole on island of fractional section twenty-six; the whole on island of fractional section twenty-seven; the whole on island of frac-



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north east quarter and the south half of the north west quarter of section twenty-four; the north east quarter of the north east quarter, the south west quarter of the north west quarter, and the west half of the south west quarter of section thirty; the south half of the south east quarter of section thirty-two; the north west quarter of the north east quarter, and the south east quarter of the north east quarter of section thirty-four, and the west half of the north west quarter of section thirty-six, containing one thousand three hundred and twenty-nine acres.

Township five south of range three east:—The north west quarter of section two; the east half of section four; the north east quarter of the south east quarter, the west half of the south east quarter, and the south west quarter of section six; the south east quarter of the south east quarter of section ten; the south half of the north west quarter, and the south half of section twelve; the east half, the east half of the north west quarter, and the east half of the south west quarter of section twenty-four; the north half of the north east quarter, and the west half of the north west quarter of section twenty-six; the north east quarter of section thirty; the north west quarter of the north west quarter, and the south half of the south west quarter of section thirty-two; and the north half of section thirty-six, containing two thousand four hundred and thirty-six acres and sixteen hundredths parts of an acre.

Township eight south of range three east:—The lots eleven, twelve and fourteen of section eighteen; the lot two of section nineteen; the lots eleven, twelve and fourteen of section twenty; the lots three, six, nine, ten and fourteen of section twenty-eight, containing five hundred and twenty-one acres and sixty-two hundredths parts of an acre.

Township nine south of range three east:—The lot B. of section one; the lots A. and B. of section twelve; the lots A. and B. of section fourteen; the south fractional half or lots A, B, C, and D of section nineteen; the lots A. and C. and D. of section twenty; and the lots C. and D. of section twenty-three; containing seven hundred and thirty-four acres.

Township one south of range four east:—The south half of section two; the north west quarter of the north west quarter, and the south half of section four; the south half of section six; the south west quarter of the north east quarter, the south east quarter of the north west quarter, the north half of the south east quarter and the south west quarter of the south east quarter of section eight; the whole of section ten; the north east quarter of section twelve; the west half and the south east quarter of section fourteen; the whole of section sixteen; the west half and the south east quarter of section twenty; the west half of the north west quarter, and the south half of section twenty-two; the north west quarter of section twenty-four; the north west quarter of section twenty-six; the whole of section twenty-eight; the whole of section thirty; the west half, and the west half of the south east quarter of section thirty-two; and the whole of section thirty-four, containing six thousand four hundred and eighty-one acres and eighty-one hundredths parts of an acre.

Township two south of range four east:—The south half of the north west quarter and the south west quarter of section two; the whole of section four; the south half of the north east quarter of section six; the north half of the south west quarter, and the north half of the south west quarter of section eight; the north east quarter, the east half of the south east quarter, the south west quarter of the south east quarter and the south west quarter of section ten; the east fractional half, and the east fractional half of the south west quarter of section twelve; the west half of the north east quarter, the north east quarter, and the south east quarter of section fourteen; the south half of section twenty; the whole of fractional section twenty-four; the south west quarter of section twenty-eight; the north half of the north east quarter, the north half of the north west quarter, the west half of the south east quarter and the south east of the south east quarter of section thirty-six; containing three thousand and eighty-five acres, and eighty-one hundredths part of an acre.

Township three south of range four east:—The west half of the north east quarter, the east half of the north west quarter, the south half of the south east quarter and the north half of the south west quarter of section four; the west half of section six; the south half of the north east quarter and the west half of the south east quarter of section fourteen; the east half of section twenty-two; the north west quarter of section twenty-four; the north east quarter and the west half of section twenty-six; the west half of the north east quarter, the north west quarter of the south east quarter, and the north east quarter of the south west quarter of section twenty-eight; the south west quarter of the north east quarter, the north east quarter of the south west quarter, and the west half of the south west quarter of section thirty; the south west quarter of section thirty-two; and the north east quarter of section thirty-four containing two thousand three hundred and eighty-seven acres and eighty-three hundredths parts of an acre.

Township four south of range four east:—The east half, and the east half of the south west quarter of section two; the north east quarter, the north east quarter of the south east quarter and the south west quarter of section four; the south half of the north east quarter, the north west quarter, the south east quarter, and the north half of the south west quarter of section six; the north east quarter and the west half of section eight; the west half of the north east quarter and the east half of the north west quarter of section ten; the east half of section fourteen; the whole of section eighteen; the south half of the north east quarter, and the west half of section twenty; the east half and the south west quarter of section twenty-two; the whole of section twenty-four; and the west half of section twenty-six; the south half of section twenty-eight; the north east quarter, the west half of the south east quarter, and the east half of the south west quarter of section thirty; the east half of the north east quarter, the south west quarter of the north east quarter, the west half of the north west quarter, of the north west quarter, the east half of the south east quarter, the north-

west quarter of the south east quarter, the north east quarter of the south west quarter, and the west half of the south west quarter, of section thirty-two; the north half of the north east quarter, and the north half of the north west quarter of section thirty-four; and the whole of section thirty-six; containing six thousand, five hundred and fifty nine acres and sixty four hundredths part of an acre.

Township five South of Range four east:- The whole of section one, the south half of the south east quarter, and the south half of the south west quarter of section two; the south half of the south east quarter, and the south half of the south west quarter of section three; the north west quarter of the north west quarter of section four; the south east quarter of the north west quarter, the south east quarter, and the north east quarter of the south west quarter of section six; the west half of the north west quarter, the east half of the south east quarter, and the west half of the south west quarter of section eight; the west half of the south west quarter of section nine; the north half of the north west quarter, and the south half of the south east quarter of section ten; the north half of the north east quarter, the north half of the north west quarter, and the south half of the south west quarter of section eleven; the south west quarter of the north east quarter, the north west quarter and the south east quarter of section thirteen; the north east quarter, the south half of the north west quarter, and the south west quarter of section fourteen; the south east quarter of section fifteen; the south west quarter of section seventeen; the whole of section eighteen the south west quarter of the north east quarter, the east half of the north west quarter, the north west quarter of the south east quarter and the south west quarter of section twenty; the west half of section twenty-one; the east half of the south east quarter, and the east half of the south west quarter of section twenty-two; the north east quarter and the south half of section twenty-four; the east half, the north west quarter, the east half of the south west quarter, and the north west quarter of the south west quarter of section twenty-five; the north half and the south west quarter of section twenty-seven, the west half and the south half of the south east quarter of section twenty-eight; the north half and the north half of the south east quarter of section twenty-nine; the south half of the north east quarter of section thirty; the south east quarter of section thirty-one; the south half of section thirty-two; the east half of section thirty-three; the south east quarter, the east half of the south west quarter, and the south west quarter of the south west quarter of section thirty-four; the south west quarter of the north east quarter, the south east quarter, and the north east quarter of the north west quarter of section thirty-five; the east half, the north west quarter and the north half of the south west quarter of section thirty-six; containing eight thousand seven hundred and forty-four acres and eighty-eight hundredths part of an acre.

Township six South of Range four East:- The South West quarter of the north east quarter, the north east quarter of the north west quarter and the south east quarter of section one; the west half of the north east quarter, the east half of the north west quarter, and the west half of the south east quarter of section two; the north east quarter of the north east quarter, the south west quarter of the north east quarter, the north west quarter of the north west quarter, the south east quarter, and the north half of the south west quarter of section three; the north west quarter, the north half of the south east quarter, and the east half of the south west quarter of section four; the north half of section five; the north half of the north east quarter of section six; the north east quarter of section eleven; the east half of the north east quarter and the south west quarter of section twelve; the whole of section thirteen; the south half of the north east quarter, the north half of the north west quarter, the north half of the south east quarter and the north half of the south west quarter of section fourteen; the south half of the north east quarter and the north half of the south west quarter of section fifteen; the south half of section twenty-five; the west half of the north west quarter, and the west half of the south west quarter of section twenty-seven; the south east quarter of the north east quarter, and the south east quarter of section twenty-eight; the south west quarter of section thirty-one; the east half of section thirty-two; the west half of the north east quarter; the east half of the south east quarter, the west half of the north east quarter, and the east half of the south west quarter of section thirty-six; containing six thousand one hundred and eighteen acres and eighty four hundredths part of an acre.

Township seven South of Range four East:- The west half of the north east quarter, the north west quarter, and the east half of the south west quarter of section two; the north half of section three; the south half of the north west quarter and the west half of the south west quarter of section eleven; the south west quarter of section thirteen; the north half of the north west quarter, the north half of the south east quarter, and the west half of the north west quarter of section fourteen; the north west quarter of the north west quarter, the north west quarter of the south east quarter, the south half of the south east quarter, and the south east quarter of the south west quarter of section fifteen; the north half of the north west quarter, the north west quarter of section twenty-two; the north west quarter of the north west quarter of section twenty-three; the north half of the north east quarter, the west half, the east half of the south east quarter, and the south west quarter of the south east quarter of section twenty-four; the north east quarter of the north west quarter, and the west half of the north west quarter of section twenty-five; containing two thousand two hundred and forty eight acres and eighty nine hundredths of an acre.

Township eight South of Range four East:- The west half of the south east quarter, and the south west quarter of section four; the north east quarter of section nine; the north half of the south east quarter of section fourteen; the north west quarter and the south half of section twenty-three; the south west quarter of section twenty-five; the north east quarter and the west half of section twenty-six; the south east quarter and the east half of the south west quarter of section twenty-seven; the south half of the north west quarter and the south west quarter of section twenty-eight; the south east quarter of section thirty-one; the lots one, two, eight, twelve, thirteen, and fourteen, of section thirty-two; the east half of

the east half of section thirty-four; the west half of section thirty-five; the east half of section thirty-six; and the south half of the south-west quarter of section thirty-six; containing three thousand, five hundred and twenty-eight acres and fifty-two hundredths part of an acre.

9-4

of section

Township nine south of Range four East:- The west half to the south east quarter and the north half of the south west quarter of section two; the south half of the south east quarter, and the south half of the south west quarter of section three; the south west quarter of the north west quarter, the west half of the south east quarter, and the south west quarter of section four; the south east quarter of the north east quarter, the north east quarter, and the south half of section five; the east half, and the south east quarter of the south west quarter of section six; the whole of section eight; the north east quarter the west half and the east half of the south east quarter of section nine; the whole of section ten; the south half of section eleven; the whole of section twelve; the lots A and B of section thirteen; the north half and the south west quarter of lot B of section fourteen; the whole of section fifteen; the south fractional half of section seventeen, the lots A and B of section eighteen; the whole of fractional section section nineteen; the lot A of section twenty; the lots A and B of section twenty-one; the whole of fractional section twenty-two and the whole of fractional section twenty-three; containing seven thousand one hundred and thirty-eight acres and eighty hundredths of an acre; containing in the aggregate seventy nine thousand and forty two acres and fifty hundredths parts of an acre, according to the official plat of survey of said lands returned to the General Land Office by the Surveyor General, and for which the Governor of the said State of Alabama, did, on the twenty first day of February in the year eighteen hundred and seventy, request a patent to be issued to the said state as required in the aforesaid act. Now therefore know ye that the United States of America in consideration of the premises, and in conformity with the act of congress aforesaid, have given and granted and by these presents do give and grant, unto the said State of Alabama, the lands above described, subject to the provisions of the Legislature thereof, the rights, privileges, immunities and appurtenances thereto belonging, unto the said State of Alabama, in fee simple and to its heirs forever.

In Testimony Whereof I, Higgins S. Grant, president of the United States of America have caused these letters to be made patent and the seal of the General Land Office to be hereunto affixed. Given under my hand at the City of Washington the eleventh day of July in the year of our Lord one thousand eight hundred and seventy, and of the Independence of the United States the ninety fifth.

H. S. Grant, Secretary.  
J. W. Grant, Recorder of the General Land Office.

M.L. 13314

R.M.

DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE

Washington, D.C., June 9, 1902.

I, Binger Herman, Commissioner of the General Land Office, do hereby certify that the annexed paper, being a copy of Alabama, Swamp Land Patent No. 13314, issued July 11, 1878, is a true and literal exemplification of the record of the original patent in this office.

In Testimony Whereof I have hereunto subscribed my name and caused the seal of this office to be affixed, at the CITY OF WASHINGTON, on the day and year above written.

(Seal) Binger Herman,  
Commissioner of the General Land Office.

Filed for record June 10th, 1902 at 10:15 A.M.  
Recorded June 15th, 1902.

Chas. Hall,  
Judge of Probate.

The State of Alabama,  
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify  
that the within and foregoing \_\_\_\_\_ pages  
contain a full, true and complete copy of the Patent from The United States of America  
to State of Alabama

as the same appears of record in my office in Deed Book No. 5  
page 222-226.

Given under my hand and seal of office, this 27th day of June, 19 58

W. R. Stuart

Judge of Probate

By: Lela D. Brown, Chief Clerk

#5

Com E. 13

Certificate No 231  
Recorded Vol 1 Page 2

Map Book No 1  
Page 2

The State of Alabama

Whereas Robert H. Duval, Genl. St. Duval, and Sarah A. Duval jointly, has deposited in the office of the Secretary of State of Alabama a Certificate of the Recorder of the Swamp and Overflowed Lands of Alabama in and for the District of Mobile, whereby it appears that full payment has been made by the said Robert H. Duval, Genl. St. Duval and Sarah A. Duval, jointly, according to the Official Act of Session of 1800, providing for the sale of the Swamp and Overflowed Lands of the State of Alabama, and for the purchase approved by the said Act, for the following tract of land, to wit: To wit, a certain tract of land, containing one hundred and twenty acres, more or less, situated in the County of Baldwin, and according to the Official Act of Session of 1800, in the General Land Office of the United States, a certificate of purchase, to wit, in full, in the office of the Recorder of the said State of Alabama, which same has been purchased by the said Robert H. Duval and Sarah A. Duval, jointly, in the name of the said State of Alabama, in the satisfaction of the swamp and overflowed lands, the several Acts of Congress, relating to swamp and overflowed lands, and of the several Acts of the General Assembly of Alabama, thereunto referred, and also other acts relating to such swamp and overflowed lands, have granted and conveyed and by their private to grant and convey, unto the said Robert H. Duval, Genl. St. Duval and Sarah A. Duval, jointly, and to their heirs, the tract above described to have and to hold the same together with all the rights, privileges, immunities, and advantages, of whatsoever nature thereunto belonging, unto the said Robert H. Duval and Sarah A. Duval, jointly, and to their heirs, forever, and Robert H. Duval, Genl. St. Duval and Sarah A. Duval, jointly, and to their heirs, forever, do hereby certify, that the said State of Alabama, have granted these lands to be made Patent, and the said State of the Swamp and Overflowed Land Office, to be returned by the said State of Alabama, at the City of Mobile, on the 20th day of May, 1802.

Witness my hand and seal, this 20th day of May, 1802.  
 Robert H. Duval,  
 Genl. St. Duval,  
 Sarah A. Duval,  
 Jointly.

Received for Record, in the office of the  
 Recorder, December 11, 1802.

The State of Alabama,  
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify  
that the within and foregoing \_\_\_\_\_ pages

contain a full, true and complete copy of the Patent from the State of Alabama to

Robert F. Queal and Ann H. Queal and Sarah K. Scott

as the same appears of record in my office in Deed Book No. "J"  
page 206.

Given under my hand and seal of office, this 27th day of June, 19 58

*W. R. Stuart*

Judge of Probate  
By: *L. S. Stone, Chief Clerk*







The State of Alabama,  
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify  
that the within and foregoing \_\_\_\_\_ pages  
contain a full, true and complete copy of the Patent from the United States of America  
to George W. Robinson

as the same appears of record in my office in Deed Book No. 2  
page 262.

Given under my hand and seal of office, this 27th day of June, 1958

W.R. Stuart  
Judge of Probate  
By: Lela D. Sloner, Clerk

Com Ex 5

#1

STATE OF ALABAMA  
BALDWIN COUNTY

THIS DEED made this 13th day of January 1939 between C. A. Gearhart and wife Ruby M. Gearhart, of the first part, and E. H. Deck of the second part WITNESSETH, that the parties of the first part, in consideration of One Dollar to them in hand paid by the party of the second part, the receipt of which is hereby acknowledged, have remise, released and quit-claimed and by these presents do remise, release and forever quit-claim unto the said party of the second part his heirs and assigns forever, all the real property in Baldwin County, Alabama, described as follows to wit:

"The Southeast quarter (SE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) Section One (1), Township Six (6) South of Range Four (4) East; and the northeast quarter (NE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of Northeast quarter (NE $\frac{1}{4}$ ) Section One (1), Township Six (6) South of Range Four (4) East; and the southeast quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Northeast quarter (NE $\frac{1}{4}$ ) of Section One (1) Township Six (6) South of Range Four (4) East, all in Baldwin County, Alabama.

TO HAVE AND TO HOLD the said released premises unto the said E. H. Deck his heirs and assigns forever; So that neither the party of the first part their heirs or assigns nor any other person in trust for them or in their name shall or will, can or may, by any ways or means whatsoever, hereafter, have or claim any right or title thereto; but that the said parties of the first part heirs and assigns, each and every one of them from all estate, right, title, interest or claim, and demand whatsoever, in or to the said premises, or any part thereof, see, is, and shall be, by these presents, FOREVER EXCLUDED AND EXTINGUISHED.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seal the day and year first above written.

Signed, Sealed and Delivered  
in the presence of  
Orvis W. Brown

C. A. GEARHART                      SEAL  
RUBY M. GEARHART                  SEAL

STATE OF ALABAMA  
BALDWIN COUNTY

I, Orvis W. Brown, a Notary Public in and for said County and State, hereby certify that C. A. Gearhart and wife Ruby M. Gearhart whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date. Given under my hand and official seal this 13th day of January A. D. 1939.

SEAL

Orvis W. Brown  
Notary Public  
My Commission expires April 2nd 1939

STATE OF ALABAMA  
BALDWIN COUNTY

I, Orvis W. Brown a Notary Public in and for said County and State, do hereby certify that on the 13th day of January 1939 came before me the within named Ruby M. Gearhart known to me to be the wife of the within named C. A. Gearhart who being examined separate and apart from her husband, touching her signature to the within conveyance acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband. IN WITNESS WHEREOF, I hereunto set my hand and official seal this 13th day of January 1939.

seal

Orvis W. Brown  
Notary Public  
My Commission Expires April 2nd 1939.

STATE OF ALABAMA  
BALDWIN COUNTY

PROBATE COURT.  
Filed in office this 1 day of August 1939, at 10:00 A. M. and duly recorded in Deed Book No. 70 N. E. at page 170; and I certify that ad valorem deed tax has been paid as required by law.  
J. W. Robertson, Judge of Probate.

J. W. ROBERTSON, JUDGE OF PROBATE.

-----00000000000000000000-----

The State of Alabama,  
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify  
that the within and foregoing \_\_\_\_\_ pages  
contain a full, true and complete copy of the Deed from C. A. Gearhart and Ruby M. Gearhart  
to H. H. Deck

as the same appears of record in my office in Deed Book No. 70  
page 170.

Given under my hand and seal of office, this 27th day of June, 19 58

W. R. Stuart

Judge of Probate.

By: Lila S. Klover, Chief Clerk

Be it Known, THAT A. F. Moseley and Melanie Moseley, his wife,

for and in consideration of the sum of ONE & 00/100 (\$1.00) Dollars,  
to them in hand paid by Herman Deck

the receipt whereof is hereby acknowledged, do remise, release, quit claim and convey unto the said Herman Deck

his heirs and assigns, forever, ALL AND SINGULAR, the following described real property, situated in the County of Baldwin, State of Alabama, to-wit:  
The Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Southeast Quarter (SE $\frac{1}{4}$ ) of Section Thirty-Six (36), Township Five (5) South of Range Four (4) East.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed for Record 37-1945 7:15 P.M.  
Recorded Book  
and I certify that the following Privilege Tax has been paid.  
Deed Tax \$50  
Mortgage Tax  
Judge of Probate  
W. R. Stewart

To Have and to Hold the same forever.

In Witness Whereof, we have hereunto set OUR hand and seal this 11th day of October 1944

Signed, Sealed and Delivered in Presence of

A. F. Moseley SEAL  
Melanie Moseley SEAL

The State of Alabama,

J. Alyce C. Bill  
Notary Public in and

BALDWIN County.

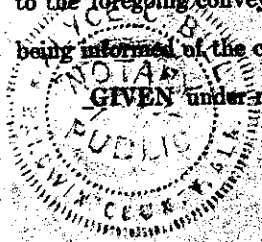
for said State and County, hereby certify that A. F. Moseley and Melanie Moseley, his

wife whose name s are signed

to the foregoing conveyance, and who are known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 11th day of October A. D., 1944

Alyce C. Bill



The State of Alabama,  
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

that the within and foregoing \_\_\_\_\_ pages

contain a full, true and complete copy of the Deed from A. F. Moseley and Melanie

Moseley to Herman Deck

as the same appears of record in my office in Deed Book No. 92

page 307.

Given under my hand and seal of office, this 27th day of June, 1958

W. R. Stuart

Judge of Probate.

By: L. S. Glover, Chief Clerk

#3

*Com East 7*

STATE OF ALABAMA }  
Baldwin COUNTY }

QUIT CLAIM DEED  
For Sale by GILL PTG. & STA. CO., MOBILE

Know All Men By These Presents, That we, Hiram Pardue  
and wife, Ella Mable Pardue, - - - - -

in consideration of the sum of ONE DOLLAR AND OTHER CONSIDERATIONS DOLLARS,  
to us in hand paid by H. H. Deck and wife, Edith Deck,  
the receipt whereof is hereby acknowledged. we do remise, release, quit-claim, and convey to the said  
H. H. Deck and wife, Edith Deck, - - - - -

- - - - - all our right title,  
interest and claim, in or to the following described real estate (or lands), to-wit:

East half (E $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ )  
of the northwest quarter (NW $\frac{1}{4}$ ) of section six (6)  
Township six (6) south, Range five (5) east, in  
Baldwin County, Alabama.

BOOK 097 PAGE 610

to have and to hold, to the said H. H. Deck and wife, Edith Deck,  
their heirs and assigns forever.

GIVEN under our hand and seal this 25th day of July 19 45  
EXECUTED IN PRESENCE OF

Hiram Pardue (Seal.)  
Ella Mable Pardue (Seal.)

STATE OF ALABAMA,  
Baldwin County.

I, Claude Peteet, a Notary

Public in and for said County and State, do hereby certify that

Hiram Pardue and wife, Ella Mable Pardue,  
whose names are signed to the foregoing conveyance, and who are known to me, acknowledged  
before me, on this day, that being informed of the contents of the said conveyance they executed the  
same voluntarily on the day the same bears date.

Given under my hand and official seal, this 25th day of July 19 45

*Claude Peteet*  
Baldwin County Ala.  
My Commission Expires Sept. 10, 194

The State of Alabama,  
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify  
that the within and foregoing \_\_\_\_\_ pages

contain a full, true and complete copy of the Deed from Hiram Pardue and Ella Mable  
Pardue to H. H. Deck and Edith Deck

as the same appears of record in my office in Deed Book No. 97  
page 312-313.

Given under my hand and seal of office, this 27th day of June, 19 58

*W. R. Stuart*

Judge of Probate

By: *Lila A. Blount, Clerk*



Filed 6-27-54  
Avery J. Lewis  
Respectfully

*Herman Deck, also known as H. H. Deck & Edith Deck  
vs  
certain lands & parties in Baldwin County, Ala.*

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

Your Orators, Herman Deck, also known as H. H. Deck,  
and Edith Deck, present this Bill of Complaint against the follow-  
ing described lands situated in Baldwin County, Alabama, to-wit:

The Southwest Quarter of the Southwest  
Quarter of Southeast Quarter of Section  
36, Township 5 South, Range 4 East.

East half of Northwest Quarter of North-  
east Quarter and Southeast Quarter of  
Northeast Quarter of Section 1, Township  
6 South, Range 4 East.

East half of Southwest Quarter of North-  
West Quarter of Section 6, Township 6  
South, Range 5 East,

and against Alabama Tobacco Company, a corporation, its unknown  
officers, directors and stockholders; George Asmus; Irene Christine  
Asmus; Baldwin Land Holding Company, a corporation, its unknown  
officers, directors and stockholders; P. G. Baker; James Carroll;  
Allan G. Gilmour; Lilly Gilmour; Ada Harrigan; J. R. Harrigan;  
J. R. Harrington; Henry C. Ott; Henry C. Otte; Floyd R. Perkins,  
Trustee; Victor Rosequist; Southern Plantation Development Company,  
a corporation, its unknown officers, directors and stockholders;  
C. N. Souther; Frederic Sanford White and Edwin F. Winegar, 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, and,  
thereupon, your Orators complain and show unto the Court and your  
Honor as follows:

1. Your Orators are both over the age of twenty-one  
years and are residents of Baldwin County, Alabama.

2. Alabama Tobacco Company was a corporation, which  
formerly did business in Baldwin County, Alabama, but the place  
where the said corporation was incorporated, the present place of  
business and Post Office address of the said corporation, the names  
and addresses of its officers, directors and stockholders are un-  
known, and it has no known agent in the State of Alabama.

Baldwin Land Holding Company is a corporation that was organized under the Laws of the State of Alabama, and formerly did business in Baldwin County, Alabama, but complainants allege on information and belief that the said corporation is not now in business. If in business, its place of business and post office address is unknown, the names of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

Southern Plantation Development Company was a corporation which formerly did business in Baldwin County, Alabama, but the place where the said corporation was incorporated, the present place of business and post office address of the said corporation, the names and addresses of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

Each of the other individual respondents specifically named herein and those which are sued in their capacity as trustee, are, if living, over twenty-one years of age, but their respective places of residence and post office addresses are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto.

3. Your Orators are in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claim to own the said lands in their own right, absolutely and in fee simple.

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

5. Title to all of 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 names of your Orators.

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

7. Your Orators have and claim to have the absolute unencumbered 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 C. A. Gearhart and Ruby M. Gearhart, his wife, to H. H. Deck, dated January 13, 1939, and recorded in Deed Book 70 at page 170, Baldwin County, Alabama Records;

Deed from A. F. Moseley and Melanie Moseley, his wife, to Herman Deck, dated October 11, 1944, and recorded in Deed Book 92 at page 307, Baldwin County, Alabama Records;

Deed from Hiram Pardue and Ella Mable Pardue, his wife, to H. H. Deck and Edith Deck, dated July 25, 1945, and recorded in Deed Book 97 at pages 312-13, Baldwin County, Alabama Records.

8. Your Orators have 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 Orators further aver that these inquiries have continued faithfully and diligently for the past several years; that within the past year they have 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 they have employed an Attorney to examine the said abstract, the records in the Courthouse in Bay Minette, Alabama; that they have made and caused their said attorney to make inquiry about the ages, addresses and heirs of any persons interested or who may be interested in the said property; that Your Orators have

made and caused a thorough inquiry to be made in the community 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 the said property; that your Orators have caused the records in the Probate Office of Baldwin County, Alabama to be examined to determine if the companies or firms who are named as respondents herein were incorporated in Baldwin County, Alabama, and in making this search the original corporation records of Baldwin County, Alabama, which is known as "Corporate Record A", Corporation Records 1 and 2 and all subsequent corporate records in the said office were examined; that these efforts by your Orators, their 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 all of the said firms or companies is as hereinabove set out.

PRAYER FOR PROCESS:

Your Orators pray 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 on the said lands, or any part thereof, be made parties respondents to this Bill of Complaint and be brought into court by the usual and proper process.

PRAYER FOR RELIEF:

Your Orators pray 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 and corporations who claim to own the said lands, or any part thereof, or any interest therein, or any 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 Orators, 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 has 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 the said lands be fully and completely quieted. Your Orators pray for such other, further and general relief as they may be equitably entitled to, the premises considered.

**FILED**

*Nov 31, 1958*

**ALICE L. DUCK, CLERK  
REGISTER**

*J. J. Madeline*  
Solicitor for Complainant.

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,  
Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,  
Respondents.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

NOTE OF TESTIMONY:

This cause is submitted for a final decree on behalf of the Complainants 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 Complainants 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 June 25, 1958, setting this cause for hearing on June 27, 1958, appointing James R. Owen 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 Complainants be taken in open court and transcribed in the manner provided by Equity Rule No. 56, as amended.



10. Notice of appointment of guardian ad litem 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 of the United States.

12. Testimony of H.H. Bush, O.P. Grubbs and Jack E. Dunlap, witnesses for the Complainants taken in open court in the manner provided by Equity Rule No. 56, as amended.

13. Exhibits numbered One through 7 to testimony of Complainants' witnesses.

DATED this 27<sup>th</sup> day of June, 1958.

Alvin J. ...  
Register.

Justin P. ...  
Solicitor for Complainants.



FILED  
MAR 31 1958  
WACE J. DUCK, Register

HERMAN DECK, also known as  
H. H. Deck, and EDITH DECK,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4250.

ORDER:

This cause coming on to be heard on this date is submitted on the written motion of the Complainants 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 two o'clock P. M. on the 27th day of June, 1958.

2. James R. Owen, 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. James R. Owen, 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 Complainants 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 25 day of June, 1958.

  
Judge.

