

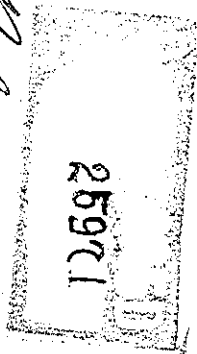
Augustus T. Crosby, Deceased, and
Heirs at Law of Amiel Sturdivant,
Deceased, and the Heirs at Law of
Willie Sturdivant, Deceased,
Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA

Depositions of Jalloway Crosby,
Joseph S. Crosby and John Pell, wit-
nesses for Complainant, taken before
Chas. L. Rehn, as Commissioner, by
virtue of a commission from the said
Circuit Court of Baldwin County, Ala.

Commissioner's fee \$10.00.

*Return Receipt
Demanded*



Edw. J. W. Richardson,

Clerk of Circuit Court,

Bay Minette,

Alabama.

*Filed
3/22/19*

*E. W. Richardson
Register*



The postmaster who delivers the registered article must see that this card is properly signed, legibly postmarked, and mailed to the sender, without envelope or postage.

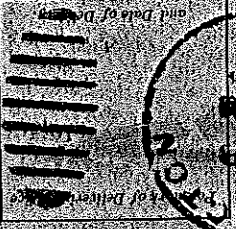
County

State

Post Office at

Street and Number
or Post Office Box

(Name of sender)



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

Post Office Department
OFFICIAL BUSINESS
Original Reg. No. 714

RETURN TO

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*W. W. ...
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Washington
D.C.*

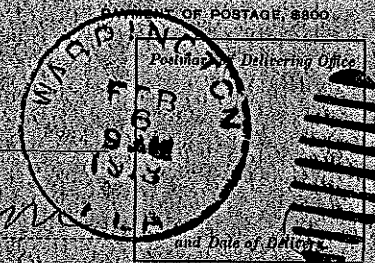
Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
OF POSTAGE \$300.

Original Reg. No.

720

*7-17-1918
Tulsa
Okla*



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Street and Number,
or Post Office Box,

Post Office at

*Bay Mills
Mich*

County

State

1-31-19
P. M. Robinson
P.O. Box 100
1-31-19
P.O. Box 100
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P.O. Box 100

1-31-19
P. M. Robinson
P.O. Box 100
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P.O. Box 100
1-31-19
P.O. Box 100

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

BALDWIN

County.

No.

66, April 8th, 1918

~~1919~~

Nannie Crosby

Complainant

The heirs at Law of Alijah Sturdevant, deceased, the heirs at law of
vs. Willis Sturdevant, deceased, and Augustus E. Crosby and Esme Crosby, Defendants.

In this cause it appears to the Register of this Court that the order of publication heretofore
made in this cause, was published for four consecutive weeks, commencing on the 31st, day of
January 1918, in the Baldwin Times,

a newspaper published in Baldwin County, Alabama, that a copy of said order was posted at
the Court House door in Baldwin County on the 31st, day of
January 1918, and that another copy was sent by mail on the 31st, day of
January 1918, to Augustus E. Crosby and Esme Crosby

at Pensacola, Florida, and it further appearing to the Register that
the names of the heirs at law of Alijah Sturdevant and of Willis
Sturdevant are unknown and over the age of twenty-one years and reside
without the State of Alabama, and that said heirs are herein sued as
unknown defendants.

And it now further appearing to the Register of this Court that the said
defendants hereinabove named

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-
fore, on motion of Complainant, ordered and decreed by the Register of this Court that the Bill of
Complaint in this cause be, and it hereby is in all things taken as confessed against the said above named
defendants

This 8th day of April 1918.

J. W. Williams

Register.

No. 66 Page.....

THE STATE OF ALABAMA,

..... County.

CIRCUIT COURT, IN EQUITY.

vs.

DECREE PRO CONFESSO ON
PUBLICATION.

Issued 4/8 1918

J. W. Rice
Register.

Recorded in..... Record

Vol..... Page.....

Register.

99 H

with said commission and the interrogatories, to the said Clerk of the Circuit Court whence the same emanated, as my full execution of said commission.

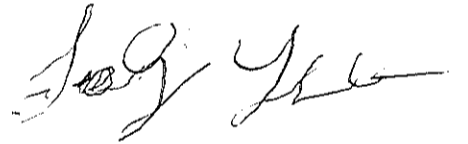
Given under my hand and seal this 20th day of March, 1919.

Chas. L. Rehm (SEAL)

Commissioner's fee \$10⁰⁰/₋

upon the place and cleared up about twenty acres of land. The head of the family was J. M. Crosby, and his wife was the Complainant, Nannie Crosby. I did not know anything about which member of the Crosby family claimed the land. However, the entire family occupied it as a home and cultivated the said farm from that time on, and Mrs. Crosby, the Complainant and widow of J. M. Crosby, still occupies the place as her home. The house is nearly a quarter of a mile back from the water front, and the field extends back of the house. I do not know anything about the deeds to the property and am merely testifying to who claimed the same, and how they claimed it, and as to the occupation of the property.

4. Answering the fourth direct interrogatory, the witness says:- It seems to me that I have already answered these questions. I can add, however, that during the last thirty years the property was the home of the Crosby family, actually occupied and used by them, and claimed by them as their property and their home and generally so recognized throughout the community.



I, Chas. L. Rehm, the Commissioner named under and by virtue of the commission hereto annexed, issued from the office of the Clerk of the Circuit Court of Baldwin County, State of Alabama, do hereby certify that I called and caused to come before me the said Calloway Crosby, Joseph C. Crosby and John Fell, the witnesses named in said commission, on this the 20th day of March, 1919, at my office, in the City Bank Building, Mobile, Alabama; that the said witnesses were duly cautioned and sworn by me to speak the truth, the whole truth, and nothing but the truth, that the foregoing testimony and answers, taken down and written by me in the words of the witnesses were read over to them; that they assented, swore to and subscribed the same in my presence, at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witnesses; that I am not of counsel or kin to either of the parties to said cause, nor interested in the result thereof. And I enclose the said testimony, together

occupied land at that time. My people got it about thirty years ago, and we built a five room dwelling house on it and cleared up a twenty acre field. The dwelling sits back from the water front nearly a quarter of a mile and the field adjoins the dwelling and runs back for a considerable distance. In my judgment, the dwelling is on Section 10 and most of the field on Section 9. I assisted in planting some pecan trees on this land in 1901, and the said trees have been bearing for a number of years. The property has been used as a home by my family for about thirty years, they have lived in the house mentioned, and have cultivated each year the said field. My Father was the head of the family during all of said time, up to his death about a year ago, but the property was owned and claimed by my Mother. She claimed to own the same absolutely and asserted such claim openly and adversely against every one. I never heard of there being any question about her ownership of the property. My Mother and Father paid all taxes on said property ever since she acquired the same.

Joseph Crosby

The witness, John Fell, being duly sworn, testified as follows:-

1. Answering the first direct interrogatory, the witness says:- My name is John Fell, I am seventy-four years of age, I reside in Pensacola, Florida, and my occupation is Truck Farmer.
2. Answering the second direct interrogatory, the witness says:- I have known the lands inquired about ever since I was sixteen years old. I was born, and have always lived, within about two miles of the said lands. I was frequently upon the said lands. Mr. Crosby was a friend of mine, and I was a frequent visitor to his place.
3. Answering the third direct interrogatory, the witness says:- When I first knew the said lands, they were unoccupied. They were then claimed by a Mr. Sturdivant, who I understood they called Bijah Sturdivant. He sold the land to Marion Millsted. Millsted did not improve the land, and he sold to Reuben Ard. The Crosbys purchased from Ard, and about thirty years ago built a five room house

2. Answering the second direct interrogatory, the witness says:- I am a son of the Complainant, Mannie Crosby, and I have known the land inquired about in the second interrogatory ever since I can remember, which is between thirty-five and forty years. My Mother and Father moved on this land about thirty years ago, when I was about fifteen years old. I stayed there steady for about three years thereafter, and then I went away to work, but came back home to make visits off and on, and have continued that course up to this time. For a long time, and until I married and established a permanent home of my own, I visited my Mother's home very frequently, but in later years, since I have had a family of my own, I have not been there so frequent as before, but yet I have made visits from time to time all along.

3. Answering the third direct interrogatory, the witness says:- When I first knew this land, which is as far back as I can remember, it was vacant and unoccupied. About thirty years ago, my Father and Mother built a house upon the land and cleared up and fenced a farm of about thirty acres and moved upon the land. My Father resided there with my Mother until his death about a year and a half ago. However, the property was conveyed to my Mother, and she owned it and claimed it. Her claim was absolute to the entire ownership of the property, and was asserted openly and generally. Reuben Ard and Abashaba Ard, his wife, conveyed the land to my brother, Augustus T. Crosby. I do not know the details of this transaction, other than that I have seen such a deed, and my Father, my Mother and my Brother, Augustus T. Crosby, always claimed that the property had been purchased from Reuben and Abashaba Ard, his wife, and conveyed by them to Augustus T. Crosby. About twenty-five years ago, my Brother, Augustus T. Crosby, gave this land to my Mother and made her a deed conveying the land to her. This deed has been lost, but I have seen it, and it was a deed in the usual form and described and conveyed the lands inquired about in the second interrogatory.

4. Answering the fourth direct interrogatory, the witness says:- When I first remember this property, which was as far back as I can recollect, it was claimed by one Millsted. After this, Ard claimed to have purchased it from Millsted. It was vacant and un-

Ard and his wife, Abashaba Ard, and to have a deed for it, but this was before I can recollect, and I have no personal knowledge of the transaction.

4. Answering the fourth direct interrogatory, the witness says: As before stated, I am thirty years old, and the transactions under and by which my Mother acquired the property took place before I can remember, but I know that she and the older members of the family, including my Father, claimed that my brother bought the property from Reuben Ard and his wife, Abashaba Ard, and got a deed for it, and that my brother, Augustus F. Crosby, then conveyed the property to my Mother. Ever since I can remember, my Mother has lived upon the property and claimed it as her own, such claim being notorious and adverse to everybody. As early as I can remember there was a five room frame dwelling house upon the place. I was told by my Father and my Mother that this house was built by them just before they moved upon the property, and that I was born only a few months after they moved into the house. The said house still stands upon the property and my Mother still occupies it as her home. There is a field of about twenty acres in cultivation, and it has been in cultivation ever since I can remember. There are a number of pecan trees on the place planted after my family moved there, and these trees have been bearing for many years. The house mentioned is near the north line of the property, and is probably nearly a quarter of a mile back from the water front. My judgment is that the house is on Fractional Section 10 and most of the field is on Section 9. The said farm is fenced and has been cultivated every year by my Father during his life time, and by my Mother, after his death, as far back as I can remember. They paid all all taxes on said property throughout said period.

Joseph C. Crosby

The witness, Joseph C. Crosby, being duly sworn, testified as follows:-

1. Answering the first direct interrogatory, the witness says: My name is Joseph C. Crosby, my age is forty-five years, my residence is Pensacola, Florida, and my occupation is a boilermaker.

Nannie Crosby,
Complainant,

-vs-

Augustus T. Crosby, Esme
Crosby, the heirs at law of
Alijah Sturdivant, deceased,
and the heirs at law of Willis
Sturdivant, deceased,
Respondents.

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

DEPOSITIONS OF CALLOWAY CROSBY, JOSEPH C. CROSBY, AND JOHN FELL,
WITNESSES FOR COMPLAINANT.

The witness, Calloway Crosby, being duly sworn, testified
as follows:-

1. Answering the first direct interrogatory, the witness
says: My name is Calloway Crosby, my age is thirty years, my resi-
dence is Pensacola, Florida, and my occupation is a carpenter.

2. Answering the second direct interrogatory, the witness
says: Yes sir. I was born and raised on this piece of land. I
moved off of it about last May.

3. Answering the third direct interrogatory, the witness
says: My Mother was in possession of the place, claiming it during
all of said time. My Mother is the Complainant, Nannie Crosby. It
was the family home, and, of course, my Father was there also up to
the time of his death about a year and a half ago, but the property
belonged to, and was claimed by, my Mother. My Mother, Nannie Crosby
the Complainant, always, as far back as I can recollect, claimed the
property as her own and I never knew of any other claim to it. Our
family was living on the place as far back as I can recollect, and
I was told by my Mother and Father that I was born there, and I know,
in the same way, that my Mother claimed that the property was given to
her and deeded to her by my older brother, Augustus T. Crosby. I
have seen a deed made by my said brother to my Mother conveying the
property to her many years ago. I saw this deed several years ago,
but it is now lost. I cannot undertake to recite the contents of the
deed, but I know that it was an ordinary deed conveying this property,
made by my brother, Augustus T. Crosby, to my Mother. My brother,
Augustus T. Crosby, claimed to have bought the property from Reuben

time about which you testify, acquired the same. If you know of any deed having been executed purporting to convey the said property to the complainant, Nannie Crosby, state when and by whom it was made and what has become of the same. State, if you know, whether or not any deed purporting to convey the said property was ever executed to Augustus T. Crosby, and if so, when and by whom. Also state, if you know, what has become of such deed.

FOURTH DIRECT INTERROGATORY TO EACH OF THE SAID WITNESSES:

State all that you know relative to any sales, purchases or transfers of the lands above described, giving the information as fully as you can. Also describe what improvements have been made upon the land, including not only houses, but clearings, fences, fields, etc., during the time that you have known the same, who made the said improvements, and by whom and how the same have been occupied and used throughout the period covered by your knowledge of the land. Also state as fully as you can under what claim each occupant of the said land claimed to be occupying the same. State whether or not each occupant about whom you testify claimed to own the land, asserting the said claim openly and adversely.

Stevens, McCoway & McLeod
Solicitors for Complainant.

Complainant suggests Chas. L. Rehm, of Mobile, Alabama, whose address is City Bank Building, Mobile, Alabama, as a suitable person to be appointed as Commissioner to take the depositions of the above named witnesses.

Stevens, McCoway & McLeod
Solicitors for Complainant.

Filed 3/7/1919
D. W. Peterson
Register

Nannie Crosby, Complainant,
: :
: :
: :

-vs-

Augustus F. Crosby, Esme Crosby,
the heirs at law of Alijah Stur-
divant, deceased, and the heirs
at law of Willis Sturdivant,
deceased,
: :
: :
: :

Respondents.
: :
: :
: :

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

INTERROGATORIES PROFOUNDED BY THE COMPLAINANT TO CALLOWAY CROSBY, WHO
RESIDES IN PENSACOLA, FLORIDA, JOSEPH C. CROSBY, WHO RESIDES IN PENSACOLA,
FLORIDA, AUGUSTUS F. CROSBY, WHO RESIDES IN PENSACOLA, FLORIDA,
JOHN FELL, WHO RESIDES IN MILLVIEW, FLORIDA, AND NANNIE CROSBY, WHO
RESIDES IN BALDWIN COUNTY, ALABAMA.

FIRST DIRECT INTERROGATORY TO EACH OF THE SAID WITNESSES:

State your name, age, residence and occupation.

SECOND DIRECT INTERROGATORY TO EACH OF THE SAID WITNESSES:

State whether or not you are familiar with and know the
land described as follows:-

"That certain tract of land beginning at the southwest corner
of Section 5, Township 8 South, Range 6 East, in Baldwin County, Alabama
otherwise known as the Francis Suarez Tract, and running South 25 chains
to a stake, thence east to a stake at high water mark on Perdido Bay,
thence up said Bay with its meanders to the southeast corner of said
Suarez Tract or Section 5, and thence west 40.51 chains, more or less,
to the place of beginning, containing 100 acres, more or less, and
being a part of the northeast quarter of Section 9, and North Fraction-
al half of Section 10, Township 8 South, Range 6 East."

If you state that you are familiar with and know the said
tract of land, state how long you have known the same, where you have
resided during said period, and during what period⁴, and about how often,
you have been upon the said land.

THIRD DIRECT INTERROGATORY TO EACH OF THE SAID WITNESSES:

State who was in possession of the said land when you first
knew the same, and describe the possession thereof, insofar as you are
familiar therewith, from that time on down to this date, giving, as
near as you can, the dates of any changes which may have taken place
in such possession, and also describing and defining whatever of actual
occupation there was of the property during the period about which you
testify. State, if you know, whether or not all, or any, of the
persons who have had possession of the said land claim^d to own the same,
and how and to what extent the said claim was asserted. State, if
you know, how each one in possession of the said property, during the

Filed 2/7/1919
D. W. Peterson
Register

The State of Alabama,

CIRCUIT COURT.

Baldwin, COUNTY.

Equity, Division.

To Chas. I. Rehm,

or such of you as may act herein, of Mobile, County, State of Alabama, Greeting:

KNOW YE, That we, reposing confidence in your integrity, skill, and ability have appointed you Commissioners to take the testimony of

Calloway Crosby, Pensacola, Fla., Joseph C Crosby, Pensacola, Fla.,

John Fell, Millview, Fla., Nannie Crosby, Baldwin Co, Ala,

material witnesses in a suit now pending in our Circuit Court of Baldwin County, wherein

Nannie Crosby,

Plaintiff, and

Augustus Crosby, Esme Crosby, the heirs at law of Alijah Sturdivant, deceased, and the heirs at law, of Willis Sturdivant, deceased.

Defendant, and we hereby authorize and empower you to call and cause to come before you Calloway Crosby, Joseph C Crosby, John Fell, Nannie Crosbie,

the said

witnesses and deposition on the Holy Evangelists to take, as well for the

Complainant as for the touching their knowledge of the matters and things in controversy in said suit, which deposition, when so taken, shall be signed by said witness and certified by such of you Commissioners as may act herein; and you are further commanded, the deposition, when so taken, with this commission, to return under your hands and seals to the Clerk of said Court, with all convenient speed, and any one or more of you Commissioners, are authorized to act alone in the premises.

Witness my hand, this 19th day of March 1919

Witness' Fees, - - - \$

Commissioners' Fees, \$10.00

T. W. Richardson Clerk.

No.

The State of Alabama

County

CIRCUIT COURT,

DIVISION

Equity

Nannie Crosby

Plaintiff

vs.

Augustus T. Crosby et al

Defendants

COMMISSION TO TAKE DEPOSITION ON SEVERAL INTERROGATORIES.

Issued this _____ day _____

191

County

WITNESSES:

MARSHALL & BRUCE CO., NASHVILLE

DIRECTIONS:

TO THE COMMISSIONERS IN EXECUTING AND RETURNING THE COMMISSION.

1. If the time and place of executing the commission are not named therein, the Commissioners will subpoena the witness to appear before them at such time and place as they may appoint, and administer the oath to witness.
2. Either the Commissioners, witness, or some impartial persons, must reduce the answer of witness to writing, as near as may be in the language of the witness.
3. State the caption of the cause at the beginning, and then the following heading or title:

By virtue of the Commission hereto annexed, issued from the office of the Clerk of the Circuit Court of _____ County, State of Alabama, we, the Commissioners therein named, have called and caused to come before us the said A B, the witness named in said commission, on this _____ day of _____ 191____, at the _____; and having duly cautioned and sworn the said witness to speak the truth, the whole truth, and nothing but the truth, A B, the said witness, deposeseth and saith as follows:

- First.—To first interrogatory he saith:
 Second.—To second interrogatory he saith:
 First.—To first cross-interrogatory he saith:

4. When the deposition is finished, it must be subscribed by the witness and certified as follows:
 We, C D and E F, the Commissioners in said commission named, do hereby certify that the foregoing testimony and answers, taken down and written by us in the words of the witness, A B, were read over to him; that he assented, swore to, and subscribed the same in our presence, at the time and place herein mentioned: that we have personal knowledge of the personal identity of said witness [or, if unacquainted with the witness, that proof hath been made before us of the identity of the said witness]; that we are not of counsel or kin to either of the parties to said cause, nor interested in the event thereof. And we inclose the said testimony, together with said commission and the interrogatories, direct and cross, to the said Clerk of the Circuit Court whence the same emanated, as our full execution of said commission.

Given under our hands and seals, this _____ day of _____ 191____
 _____ [L. S.]
 _____ [L. S.]

Next unite the commissions, interrogatories, and answers together, with wafers or tape; second, envelope all, sealed with three seals; third, write each Commissioner's name across each seal; and, fourth, write on the envelope the names of the parties and witnesses, and direct it thus:

C D v. E F	To <u>T. W. Richerson</u> Esq., CLERK OF THE CIRCUIT COURT.
DEPOSITION OF	<u>Bay Minette,</u>
A B	<u>Baldwin,</u> County, Ala.

The package may be sent by mail or private conveyance.

THE STATE OF ALABAMA,
Baldwin, County.

CIRCUIT COURT, IN EQUITY.

Nannie Crosby,

Complainant.

vs.

Augustus T Crosby, Esme Crosby, the heirs at law, of Alijah Sturdivant, deceased, and the heirs at law of Willis Sturdivant, deceased.

Defendant.

To Augustus T Crosby, Esme Crosby, the heirs at law of Alijah Sturdivant, deceased, and the heirs at law of Willis Sturdivant, deceased.

or

Hon. George B. Cleveland, J., Solicitor of Record:

You are hereby notified that interrogatories have this day been filed by

Nannie Crosby in the office of the Clerk of the Circuit Court of

Baldwin, County, to be propounded to Calloway Crosby, Pensacola, Fla.

Joseph C Crosby, Augustus T Crosby, John Fell, Nannie Crosby, Baldwin, Co, Ala

witnesses for the Complainant, in the above stated cause. A copy of which are attached interrogatories may be had upon application to said Clerk; and you can file cross-interrogatories, if you think proper, within ten days after service of this notice, at the expiration of which time a commission will issue to take the deposition of said witnesses. The witnesses reside as above stated,

in the County of Baldwin and Pensacola, Fla in the State of

and the Commissioner proposed by the Complainant, to-wit:

Hon. Chas L Rehm,

reside in City Bank Bldg, Mobile in the County of Mobile,

in the State of Alabama.

Witness my hand, at office in Bay Minette, Ala., this the 7th day of

March 1919.

Register.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Nannie Crosby,

Complainant.....

vs.

Augustus T Crosby, et al.

Defendant.....

NOTICE OF INTERROGATORIES.

To Augustus T Crosby et al

or George B Cleveland, Jr.,
Attorney of Record.

Received in office this 8th

day of March, 1919.

J. H. Holcomb Jr

By M. Ernest D. Sheriff.

Executed on this 8th

day of March, 1919.

by leaving a copy of the within notice,
with copy of interrogatories attached,
with Hon. George B. Cleveland, Jr.,

Solicitor of Record for August T Crosby
~~at law of August T Crosby, et al.~~
~~the said August T Crosby, et al.~~
~~in and to the said case.~~

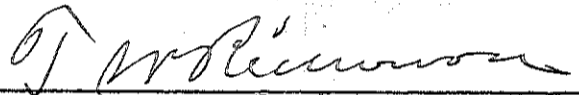
J. H. Holcomb Jr

By M. Ernest D. Sheriff.

decreed that Complainant has a good and perfect title to all of said lands as against the defendants, and each of them, and it be further decreed that none of the defendants have any right, title or interest in, or hold any lien or encumbrance upon, the said lands:

It is, therefore, ordered that publication be made in The Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks requiring the defendants the said Augustus T Crosby, Esme Crosby, the heirs at law of Alijah Sturdevant, deceased, and the heirs at law of Willis Sturdevant, deceased, to answer or demur to the bill of complaint in this cause by the first day of March, 1918, or after thirty days therefrom a decree pro confesso may be taken against them.

Done and ordered at Bay Minette, Alabama, this 28th day of January, 1918.



Register.

No. 66.

Nannie Crosby,
Complainant,

-vs-

Augustus T. Crosby, et al.,
Defendants.

ORDER OF PUBLICATION.

Filed this 28th day of
January, 1918..

T. W. Peterson
Register.

 Nannie Crosby, :
 Complainant, :
 : :
 -vs- : :
 : :
 Heirs at law of Alijah Sturdevant, :
 deceased, Heirs at law of Willis :
 Sturdevant, deceased, Augustus T. :
 Crosby and Esme Crosby, :
 Defendants. :

IN THE CIRCUIT COURT OF BALDWIN
 COUNTY, ALABAMA.
 IN EQUITY. *11, 66,*

In this cause it being made to appear to the Register of this Court by the affidavit of the Complainant, Nannie Crosby, that the defendants, Augustus T. Crosby and Esme Crosby, are non-residents of the State of Alabama, over the age of twenty-one years, and reside in Pensacola, Florida; that the names of the heirs at law of Alijah Sturdevant, deceased, and of Willis Sturdevant, deceased, are unknown to her and cannot be ascertained on diligent inquiry; that she has made diligent inquiry to ascertain the same; that their residences, as she believes, are not in the State of Alabama; that she believes them to be over the age of twenty-one years; and that she has made them unknown parties defendant to her bill of complaint in the above stated cause because they are necessary parties, and she has been unable to ascertain their names and residences.

And it appearing from the said bill of complaint that the Complainant claims to own, and is in the peaceable possession of, the following described lands, namely:-

That certain tract of land beginning at the southwest corner of Section 3, Township 8 South, Range 6 East, in Baldwin County, Alabama, otherwise known as the Francis Suarez Tract, and running south 25 chains to a stake, thence east to a stake at high water mark on Perdido Bay, thence up said Bay with its meanders to the southeast corner of said Suarez Tract or Section 3, and thence west 40.51 chains, more or less, to the place of beginning, containing 100 acres, more or less, and being a part of the northeast quarter of Section 9, and North Fractional half of Section 10, Township 8 South, Range 6 East.

That each of the defendants claims, or is reputed to claim, some right, title or interest in, or encumbrance upon, the said lands; that no suit is pending to test the validity of such title, claim or encumbrance; that the Complainant calls upon each defendant to set forth and specify his title, claim, interest or encumbrance upon the said lands, or any part thereof, and how and by what instrument the same is derived and created, and prays that her title to the said lands be quieted as against the defendants, and each of them; that it be

Nannie Crosby,
Complainant,

-vs-

Augustus E. Crosby, Esq
Crosby, the heirs at law of
Alijah Sturdivant, deceased,
and the heirs at law of Willis
Sturdivant, deceased,
Respondents.

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

It appearing to the Court from the affidavit of the Com-
plainant on file in this cause that she cannot determine whether or
not the unknown defendants brought in by publication, other than the
three who have answered and filed a cross bill, are, or have been, in
the military or naval service of the United States, and it not having
been otherwise shown to the Court that the said unknown defendants are
not in the military or naval service of the United States, but there
being nothing to indicate that any of said defendants are, or have
been, in such service,

It is hereby decree, ordered and directed by the Court that
a final decree by default be entered in the said cause.

Done in term time this 22nd day of May, 1919.

W. J. Gamble
Judge.

Filed May 22nd 1919
D. W. Richmond
Register

J
R

Recorded on ~~Register~~
Register

State of Florida
County of Escambia

Before me, J. H. Anderson, a Notary Public in and for said State and County, personally appeared Nannie Crosby, who, being duly sworn, deposes and says that she is the Complainant in that certain cause now pending, in Equity, in the Circuit Court of Baldwin County, Alabama, styled Nannie Crosby, Complainant, -vs- Augustus F. Crosby, Esme Crosby, the heirs at law of Alijah Sturdivant, deceased, and the heirs at law of Willis Sturdivant, deceased; that the said Augustus F. Crosby from the beginning of this suit has resided in Pensacola, Florida; that he has been engaged solely in civil pursuits at and since the filing of said suit; that he has not, at any time, been in the military or naval service of the United States; that the defendant, Esme Crosby, is the wife of the said Augustus F. Crosby; that she likewise has been engaged in civil pursuits throughout the said period; that she has not been in the military or naval service of the United States; that the heirs at law of Alijah Sturdivant, deceased, and the heirs at law of Willis Sturdivant, deceased, except the three who have appeared in this cause and answered the bill and filed a cross bill, are unknown to complainant; that, consequently, it is impossible for her to determine whether or not such unknown defendants are, or have been, in the military or naval service of the United States; and that she has no information of any kind indicating that such unknown defendants, or any of them are, or have been, in such service.

Nannie Crosby

Sworn to and subscribed before me this 22nd day of March,



J. H. Anderson
Notary Public, Escambia County, Florida

NOTARY PUBLIC
COMMISSION EXPIRES



Filed 3/24/1919.

D. Meier

Register

Nannie Crosby, :
: :
-vs- : :
: :
Augustus T. Crosby, et al. :

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
A L A B A M A.

Come s the Complainant, Nannie Crosby, and for answer to the cross-bill of the respondents, J. E. Ray, W. E. Kirwin, Jr., and A. H. Sturdevant, answering says:-

1. This cross-respondent denies that the said cross-complainants are heirs at law of Willis Sturdevant, deceased, and denies that the said Willis Sturdevant at the time of his death owned any of the lands described in the original bill of complaint in this cause.

2. This cross-respondent reiterates the claim to said lands set forth in her original bill of complaint, and denies that either of said cross-respondents ^{Complainants} is entitled to the said lands, or any part thereof, *or to any relief under their cross-bill.*

And now having fully answered the said cross-bill as fully as she is advised is necessary, this cross-respondent prays that the said cross-bill be dismissed, and that she be given the relief prayed for in her original bill of complaint in this cause.

Stevens, McCoy & Nichol
Solicitors for Nannie Crosby, original
Complainant and Cross-Respondent.

Friend 5/15/1918

D. W. Williams
Regents

Nannie Crosby,

Complainant,

-vs-

IN THE CIRCUIT COURT, BALDWIN
CO., ALA., IN EQUITY.

August Crosby et--als.

Defendants.

Answer.

J.B. Ray, W.E. Kerwin Jr. and A.H. Sturdevant, for answer to the bill of complaint filed herein, deny the allegations thereof, except in so far as it states that they claim an interest in the property described in the bill.

In response to the clause requiring them to set up their claims, they state that in so far as the said land takes in any part of section ten, township eight south of range six east, and fractions A, B, C and D. of section nine, same township and range, all in Baldwin Co., Alabama, they claim each and separately and respectively as heirs of Willis Sturdevant. That J.B. Ray claims the same as an heir of Susan Ray, formerly Susan Sturdevant, and a daughter of Willis Sturdevant, deceased, the said Susan Ray dying previous to the said Willis Sturdevant and leaving the said J.B. Ray, her child.

That W.E. Kerwin Jr. claims the said property as an heir and son of Eliza Kerwin, who was a daughter of Willis Sturdevant, both dead.

That A.H. Sturdevant claims the property as a son of W.S. Sturdevant, deceased, who was a son of Willis Sturdevant, deceased.

~~That Willis Sturdevant received the same from the United States~~

The said defendants ask that this be taken as a cross-bill and that the said complainant be required to answer the same and that she be decreed to have no right, title or interest in the said property and that the said defendants, cross-complainants, are entitled to the possession of the same, if the complainant is held to be in possession.

They pray for special and general relief.

Geo. B. Chisholm Jr.

Attorney for said J.B. Ray, W.E. Kerwin Jr. & A.H. Sturdevant

Filed 5/6/1914

T. W. Beaman

Register

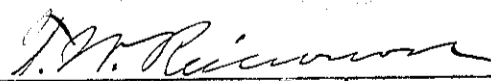
 Nannie Crosby, :
 Complainant, :
 -vs- :
 Augustus F. Crosby, Esme :
 Crosby, the heirs at law of :
 Alijah Sturdivant, deceased, :
 and the heirs at law of Willis :
 Sturdivant, deceased. :

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

J. B. Ray, W. E. Kerwin, Jr., and A. E. Sturdivant having
 this day filed a motion alleging that they are heirs at law of Willis
 Sturdivant, deceased, and praying that the decree pro confesso hereto-
 fore rendered against them under the general description of heirs at
 law of Willis Sturdivant, deceased, be set aside, and they having
 filed with their said motion an answer and cross bill, and the com-
 plainant consenting to the granting of the said motion and the filing
 of the said answer and cross bill,

It is hereby ordered and decreed by the Register that the
 said motion be granted; that the decree pro confesso rendered in this
 cause as aforesaid on the 8th day of April, 1918, be, and the same
 hereby is, set aside as to the said J. B. Ray, W. E. Kerwin, Jr., and
 A. E. Sturdivant; that said answer and cross bill be, and the same
 hereby is, allowed to be filed and is now filed; and that the said
 decree pro confesso be, and the same hereby is, ratified and continued
 in full force and virtue as to the defendants Augustus F. Crosby, Esme
 Crosby, the heirs at law of Alijah Sturdivant, deceased, and the
 heirs at law of Willis Sturdivant, deceased, other than the said
 J. B. Ray, W. E. Kerwin, Jr., and A. E. Sturdivant.

Done and ordered this 6th day of May, 1918.



 Register.

4

Filed
5/6 1918
T. O. Robinson
Register

1918

Nannie Crosby,

Complainant,

- vs -

IN THE CIRCUIT COURT FOR BALDWIN CO., ALA.,
IN EQUITY.

August T Crosby ^{et-als}
Defendants.

Comes J. B. Ray, W. E. Kerwin Jr. and A. H. Sturdevant and move the Court to set aside the decree pro confesso heretofore entered in this cause, they being heirs of Willis Sturdevant, and no service had on them other than publication, not mentioning their names, although J. B. Ray and W. E. Kerwin Jr. are residents of Alabama and A. H. Sturdevant until recently a resident of Alabama, but now a non-resident, and none of whom had notice of the pendency of this suit in time to answer the same before the said decree was taken. An answer accompanies this motion, offered for filing upon the setting aside of the decree pro confesso.

Attorney for J. B. Ray, W. E. Kerwin
Jr. and A. H. Sturdevant.

Filed 5/6-1918
T. W. Richmond
Register

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
No. 66, April 8th, 1918.

MANNIE CROSBY,
Complainant.

Vs.

Heirs at Law of Alijah
Sturdevant, deceased, et al.,
Defendants.

Motion is hereby made for a Decree Pro Confesso against the heirs at law of Alijah Sturdevant, deceased, and against the heirs at law of Willis Sturdevant, deceased, and against Augustus T. Crosby and Esme Crosby, defendants in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said defendants, Augustus T. Crosby and Esme Crosby, are non-residents of the State of Alabama, and the heirs at law of Alijah Sturdevant, deceased, and of Willis Sturdevant, deceased, defendants, are unknown to complainant and cannot be ascertained on diligent inquiry, and that complainant believes the residence of said unknown heirs are not in the State of Alabama, said defendants have failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 8th day of April, 1918.

Stewart McLeone & McLeod
Solicitors for Complainant.

Filed 7/8-1918
J. J. McInerney
Register

Samuel Crosby

vs.

Esme Crosby

CIRCUIT COURT OF
Baldwin COUNTY,
IN EQUITY.

I, *T W McKeown*

Register of said Court. do hereby certify that I

did, on the *31st* day of *Jan* 1918, send to

Esme Crosby Defendant.

whose address was *Princeton Fla*

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such receipt was duly received and filed by me in this cause, on the

2nd day of *Feb* 1918

Witness my hand, this *7* day of *Feb* 1918

T W McKeown
Register.

No. *62*

CIRCUIT COURT OF

Baldwin COUNTY,
IN EQUITY.

Anna Crosby

vs.

Anna Crosby
et al

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this *7th*
day of *Feb* 19*19*

J. W. Peterson
Register.

The State of Alabama
Baldwin County 3

This Indenture made the
day of November in the
year of our Lord one thousand
eight hundred and thirty, between
Ruben Ara and Abashaba Ara
his wife of Baldwin County
State of Alabama of the first part,
and Augustus, J. Crosby of the
aforesaid State and County, of
the second part, witnesseth; That
the said parties of the first part,
for and in consideration of the sum
of seventy five dollars, to them
in hand paid by the said party
of the second part, the receipt
whereof is here by acknowledged,
hath bargained and sold, and
by these presents doth bargain
and sell, unto the said party of
the second part, and to his heirs
and assigns, forever, all a certain
tract or parcel of land described
as follows, Commencing at the
South West Corner of the Crosby
Tract thence running twenty five
chains due South, thence also
east to high water mark on
Perdido Bay thence north up
said Bay to the South East
corner of said Crosby tract thence
up the line of said Crosby tract to
point of beginning containing one
hundred acres more or less

Situations of lying in the North West portion of fractional Section Ten and North East portion of Section Nine in Township Eight and Range Six East, together with all and singular the hereditaments and appurtenances thereto belonging, or in any wise appertaining; and the reversion or reversions remainders or remainders thereof, and also all the estate, right, title, interest, claims, or demands whatsoever, of them, the said parties of the first part, either in law or equity, of, in and to the above bargain, premises and every part and parcel thereof.

In witness whereof, the said parties of the first part has hereunto set their hands and seal, the day and year first above written

Sealed and delivered, }
in presence of } Aurora Ord S.S.
} Barkaba Ord S.S.
}
W. J. Kee J.P.
} Baldwin County
} Ala. 25-1890

The State of Alabama } J. W. J. Kee a Justice of the Peace
Baldwin County } In and for said County, hereby
certify that Aurora Ord and Barkaba Ord his
wife whose names are signed to the foregoing
conveyance & 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

Living under my hand this 22nd day of March
A.D. 1890

W. B. Kee J. P. B. S.

Open Aug 10th 1892

Revised Aug

10th 1892 m. Born S.

P. 159.

W. B. Kee
Judge of Probate
Bellevue.

Aug 10 1892

Largest Weekly Circulation in South Alabama

Bay Minette, Ala.,

February 22nd, 1918

NOTICE TO NON-RESIDENTS

Nannie Crosby, Complainant

vs

Stevens, McCorvy & McLeod
Attorneys for Plaintiff.

Heirs at Law of Alijah Sturdevant, et al

THE BALDWIN TIMES

ABNER J. SMITH, PROPR.

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

To publishing above Notice to Non Residents in The
Baldwin Times in issues of January 31st and
February 7th, 14th and 21st, 1918:

569 words @ 4 1/2 cents per word..... \$24.60

Crosby, Complainant, vs. Heirs at law of Alijah Sturdevant, deceased, Heirs at law of Willis Sturdevant, deceased, Augustus T. Crosby and Esme Crosby, Defendants. No. 66. In the Circuit Court of Baldwin County. In this cause it being made to appear to the Register of this Court by affidavit of the Complainant, Nannie Crosby, that the defendants, Augustus T. Crosby and Esme Crosby, are non-residents of the State of Alabama, over the age of twenty-one years, and reside in Pensacola, Florida, and that the names of the heirs at law of Alijah Sturdevant, deceased, of Willis Sturdevant, deceased, are unknown to her and cannot be ascertained on diligent inquiry; that she has made diligent inquiry to ascertain the same; that their residences, as she believes, are not in the State of Alabama; that she believes them to be over the age of twenty-one years; and that she has made diligent inquiry of the unknown parties defendant to the bill of complaint in the above cause because they are necessary parties, and she has been unable to ascertain their names and residences from the said bill of complaint that the Complainant desires to own, and is in the possession of, the following descriptions, namely:

That certain tract of land beginning at the southwest corner of Section 3, Township 8 South, Range 6 East, in Baldwin County, Alabama, and running south 25 degrees 15 minutes east to a stake, thence east to a high water mark on Perdido Bay thence up said Bay with its shores to the southeast corner of Suarez Tract of Section 3, and thence west 40.51 chains, more or less, to the place of beginning, containing 100 acres, more or less, and being a part of the northeast quarter of Section 9, and North Fractional of Section 10, Township 8 South, Range 6 East.

That each of the defendants claims, or is reputed to claim, some right, title or interest in, or encumbrance upon the said lands; that no suit is pending to test the validity of such claim or encumbrance; that the Complainant calls upon each defendant to set forth and specify his title, interest or encumbrance upon the said lands, or any part thereof, and by what instrument the same is derived and created, and that her title to the said lands is quieted as against the defendants, each of them; that it be decreed that the Complainant has a good and perfect title to all of said lands as against the defendants, and each of them; and it be further decreed that the defendants have no title or interest in, or hold any right or encumbrance upon, the said

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE NO. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

ABNER J. SMITH, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

NOTICE TO NON-RESIDENTS

Nannie Crosby, Complainant

VS

Heirs at Law of Alijah Sturdevant, deceased, et al.

Was published in said Newspaper for 4 consecutive weeks

issues:

Publication

January 31st, 1918

Vol. 28 No. 50

February 17th, 1918

Vol. 28 No. 51

February 14th, 1918

Vol. 28 No. 52

February 21st, 1918

Vol. 29 No. 1

Returned to before the undersigned

of Feb 1918.

W. R. Rice
Clerk Circuit Court

Abner J. Smith
Publisher.

25-3

12

3036

1

6-11

Filed 2/23/918

J. M. Minner

Clark

decree be recorded in the office of the Judge of Probate of Baldwin County, State of Alabama; that a certified copy of this decree be mailed by the Register to each defendant who has not appeared and whose address is known; that at the expiration of one year, this decree, unless sooner vacated, shall become absolute as against the defendants brought in by publication, who have not appeared, it being now absolute as against the defendants who have appeared; and that the Complainant do pay the costs of this cause, for which let execution issue.

June ~~16~~ ¹⁷, 1919.

A. E. Gandy
JUDGE

Filed 6/17/1919

J. H. Richardson

Register

Decree

Recorded

72
minutes

17

-----X
Nannie Crosby,

Complainant.

-vs-

Augustus T. Crosby, Esme Crosby,
the heirs at law of Alijah Sturdivant,
deceased, and the heirs at law of Wil-
lis Sturdivant, deceased.

Respondents.
-----X

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

This cause is submitted in term time for final decree upon the pleadings, decree "pro confesso" and proof as noted by the Register:

And it being shown by affidavit that none of the defendants, brought in by publication, who have not appeared, are in the military or naval service of the United States, and the court having previously ordered by separate decree that a final decree by default be entered against them in this cause, and the court being of the opinion that the complainant is entitled to the relief for which she prays in her bill of complaint;

IT IS ORDERED, ADJUDGED AND DECREED by the court, that none of the defendants, namely, Augustus T. Crosby, Esme Crosby, the heirs at law of Alijah Sturdivant, deceased, J. B. Ray, W. E. Zerwin, Jr., A. H. Sturdivant and the heirs at law of Willis Sturdivant, deceased, have any right, title or interest in, or hold any lien or encumbrance upon, the following described land, namely:

That certain tract of land beginning at the southwest corner of Section three (3), Township eight (8) south of range six (6) East, in Baldwin County, State of Alabama, otherwise known as the "Francis Suarez Tract", and running south (S) twenty-five (25) chains to a stake, thence East (E) to a stake at high water mark on Perdido Bay, thence up said Bay with its meanders to the southeast (SE) corner of said Suarez tract or Section three (3), and thence west (W) forty and fifty-one one-hundredths (40.51) chains, more or less, ^{TO THE PLACE OF BEGINNING} and being a part of the northeast quarter (NE $\frac{1}{4}$) of Section nine (9) and north (N) fractional half of section ten (10), township eight (8) south of range six (6) east. Containing 100 acres, more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the title of the Complainant to said land is good and perfect as against the defendants, and each of them; that a certified copy of this

Filed 6.7.1919
J. H. Richardson
Registrar

Decree
recorded
47
minutes

Filed 1/26/18
T. W. Pearson
Register

STEVENS, M^CCORVEY & M^CLEOD
ATTORNEYS AT LAW
503-7 CITY BANK BUILDING
MOBILE, ALA.

G. R.

PRAYER FOR PROCESS.

That the heirs at law of Alijah Sturdevant, deceased, the heirs at law of Willis Sturdevant, deceased, Augustus T. Crosby and Esme Crosby be made parties defendant to this bill of complaint, and that they all be brought into Court by publication, or such other process, as may be appropriate in the premises.

PRAYER FOR RELIEF.

That upon a final hearing of this cause it be adjudged and decreed that the defendants, and none of them, have any right, title or interest in, or hold any lien or encumbrance upon, the lands hereinabove described, or any part thereof, and that as against the said defendants and each of them, your oratrix has a good and perfect title to all of said lands, and that her said title to said lands be forever quieted as against the defendants and each of them.

Your oratrix prays for such further and other relief as she may be equitably entitled to receive, the premises considered. And your oratrix will ever pray, etc.

Stevens McCovey & McLeod
Solicitors for Complainant.

FOOT NOTE: Each of the defendants is required to answer each paragraph of the foregoing bill of complaint numbered from 1 to 4, inclusive, but not under oath, the benefit whereof is hereby expressly waived.

Stevens McCovey & McLeod
Solicitors for Complainant.

State of Alabama,
Baldwin County.

Before me, Frank Fesler, a Notary public in and for said State and County, personally appeared Nannie Crosby, who being duly sworn deposes and says that she is the Complainant in the foregoing bill of complaint; that the defendants Augustus T. Crosby and Esme Crosby are each over the age of twenty-one years and reside in the City of Pensacola, in the State of Florida; that the names of the heirs at law of Alijah Sturdevant and Willis Sturdevant are unknown to her and cannot be ascertained on diligent inquiry; that she has made diligent inquiry to ascertain the same; that their residences, as she believes, are not in the State of Alabama; that she believes them to be over the age of twenty-one years; and that she has made them unknown parties defendant to the foregoing bill of complaint because they are necessary parties and she has been unable to ascertain their names and residences.

1918.

Sworn to and subscribed before me this 24 day of January,

Nannie Crosby
Frank Fesler
Notary public, BALDWIN CO., ALA.

TO THE HONORABLE A. E. GAMBLE, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA:

Nannie Crosby, a resident of Baldwin County, Alabama, and over the age of twenty-one years, brings this her bill of complaint against the heirs at law of Alijah Sturdevant, deceased, and against the heirs at law of Willis Sturdevant, deceased, and against Augustus T. Crosby and Esme Crosby, and thereupon your oratrix complains and says:-

1. That Alijah Sturdevant and Willis Sturdevant are dead; that each of them died intestate; that the names of their heirs at law are unknown to oratrix and can not be ascertained on diligent inquiry; that she believes that said heirs at law are each over the age of twenty-one years and reside without the State of Alabama; that she sues them herein as unknown defendants; and that the said Augustus T. Crosby and Esme Crosby are each over the age of twenty-one and reside in Pensacola, Florida.

2. That your oratrix claims to own in her own right, and has been continuously for more than twenty years, and still is, in the peaceable possession of the following described lands, always claiming to own them, namely:-

That certain tract of land beginning at the southwest corner of Section 3, Township 8 South, Range 6 East, in Baldwin County, Alabama otherwise known as the Francis Suarez Tract, and running south 25 chains to a stake, thence east to a stake at high water mark on Perdido Bay, thence up said Bay with its meanders to the southeast corner of said Suarez Tract or Section 3, and thence west 40.51 chains, more or less, to the place of beginning, containing 100 acres, more or less, and being a part of the northeast quarter of Section 9, and North Fractional half of Section 10, Township 8 South, Range 6 East.

3. That each of the defendants claims, or is reputed to claim, some right, title or interest in, or encumbrance upon, the said lands, and your oratrix hereby calls upon each of the defendants to set forth and specify his title, claim, interest, or encumbrance upon the said lands, or any part thereof, and how and by what instrument the same is derived and created.

4. That no suit is pending to test the validity of such title claim or encumbrance asserted by the defendants, or either of them, or by anyone else, there being no pending litigation involving in any way the title to the said lands.

Wherefore, the premises considered your oratrix respectfully prays the Court as follows:-