H. ENGLAND, Complainant, VS. THE LANDS HEREINAFTER DESCRIBED, ET AL, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3707

DECREE PRO CONFESSO

In this cause it appears to the Register that an order of publication was made on the 26th day of January, 1956, ordering that the notice provided for in Section 119, Title 7 of the 1940 Code of Alabama, be published in the Baldwin Times, which is a newspaper having general circulation and published in Baldwin County, Alabama, which notice was duly published in the said Baldwin Times once a week for four consecutive weeks, commencing on the 2nd day of February, 1956, and which was directed to all of the Respondents named in the Bill of Complaint in this cause and which notice required the Respondents to plead, answer or demur to the Bill of Complaint in this cause before the 5th day of March, 1956, or at the expiration of thirty days from the said date decrees pro confesso would be taken against them; that a summons directed to the Respondent, W. F. Hadsell, together with a copy of the Bill of Complaint in this cause, was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at his place of residence as shown by the Bill of Complaint; the postage on said letter was prepaid and the same marked "For delivery only to the person to whom addressed;" and return receipt demanded; said demanded return receipt bearing the signature W. F. Hadsell was duly received and filed for record in this cause on the 7th day of February, 1956; that a summons directed to the Respondent, Mrs. W. J. Frost, together with a copy of the Bill of Complaint in this cause, was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at her place of residence as shown by the Bill of Complaint; the postage on said letter was prepaid and the same marked "For delivery only to the person to whom addressed", and return receipt demanded; said demanded

return receipt bearing the signature of Mrs. W. J. Frost was duly received and filed for record in this cause on the 2nd day of February, 1956; that a summons directed to the Respondent, Mary Hadsell, together with a copy of the Bill of Complaint in this cause, was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at her place of residence as shown by the Bill of Complaint; the postage on said letter or package was prepaid and the same marked "For delivery only to the person to whom addressed", and return receipt demanded; said demanded return receipt bearing the signature of Mary Hadsell was duly received and filed for record in this cause on the 2nd day of February, 1956; that a summons directed to the Respondent, Wellington Newton, together with a copy of the Bill of Complaint in this cause was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at his place of residence as shown by the Bill of Complaint; the postage on said letter was prepaid and the same marked "For delivery only to the person to whom addressed", and return receipt demanded; said demanded return receipt bearing the signature, Wellington Newton, was duly received and filed for record in this cause on the 3rd day of February, 1956, however, the register of this court received a letter on or about to-wit, February 8, 1956, from one Gertrude N. Cannady, 3161 Emerson Street, Evansville, Indiana, advising the register that the said Wellington Newton to whom the copy of the summons and complaint was delivered by registered mail was the grandson of the Wellington Newton on whom the copy of the said summons and complaint should have been served and the said letter further advises that the said Wellington Newton on whom the copy of the summons and complaint should have been served is now deceased and has been deceased since the year 1929; the said Respondents have to the date hereof failed to plead, answer or demur to the Bill of Complaint, all of which appears of record in this cause.

It is, therefore, on motion of Complainant, ordered and decreed, that the said Bill of Complaint in this cause be, and it hereby is, in all things, taken as confessed against the said Respondents and each of them.

Dated this 1st day of June, 1956.

Register.

DECREE PRO CONFESSO

H. ENGLAND,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3707

FILED

JUN 1 1956

ALICE J. DUCK, Register

Form 3877
Rev. 6-45

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

Alice L Duke Clk
(Name of sender) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of nonnegotiable securities.

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of one cent for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and endorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

	(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted—Fee paid	(7) Full value or cost of duplication if nonnegotiable securities *	(8) Surcharge on entire contents of article	(9) REMARKS †
1	4081	Mrs H. J. Frost Glenwood Spg Colo	3	7	40	20			
2	4082	Mary Hadsell " "	3	7	40	20			
3	4083	Mr Arthur Hadsell " "	3	7	40	20			
4	4084	Mr Wellington Marion McLaughlin	3	7	40	20			
5									
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* When an article contains matter declared for full value and that for which the cost of duplication is declared, enter in column (7) the sum of the declarations for "full value" and "cost of duplication."

† Show in "Remarks" column (9) class postage paid if other than first or if international mail. Also use this column to indicate "F" if "Fragile"; "SD" if "Special-Delivery"; "AM" if "Air Mail"; and "C. O. D." and amount due sender if registered C. O. D. mail.

Total number of pieces listed by sender Seven
(Write number here in words)

Total number of pieces received at post office 7

Postmaster, per H E Nelson
(Name of receiving employee)

16—8792-3

Affix stamp here for additional copies of this bill

BAY MINETTE JAN 26 1956 ALA.

Postmark and date of receipt

THE BALDWIN TIMES

BALDWIN COUNTY

JIMMY FAULKNER
PUBLISHER

Legal Notice

NOTICE OF PENDENCY OF BILL OF COMPLAINT

H. ENGLAND, Complainant,
vs.
THE LANDS HEREINAFTER DESCRIBED, ET AL,
Respondents.

In The Circuit Court of Baldwin County, Alabama, in Equity

Notice is hereby given to each and all of the Respondents named below and to all persons, firms or corporations claiming any right, title or interest in, lien or encumbrance on the lands hereinafter described, or any part thereof, that H. England, did, on the 25th day of January, 1956, 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:

Lots Numbered 1 and 2 in Block Numbered 11 in the First Addition to the Town of Robertsdale, Alabama, according to the official map or plat thereof which is recorded in Miscellaneous Book 1, pages 42-3, Baldwin County, Alabama Records.

and against Mary Theresia Newton; Mary T. Newton; Wm. Newton; Mary Newton; William Mapletop; Wellington Newton; Andrew J. Aubert; Mrs. W. J. Frost; Mary Hadsell and Wilbur Hadsell, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisee 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 all of the Respondents named above are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same, except Wellington Newton, whose last known address was McLeansboro, Illinois, Mrs. W. J. Frost, whose last known address was Glenwood Springs, Colorado; Mary Hadsell, whose last known address was Glenwood Springs, Colorado; and Wilbur Hadsell, whose last known address was Glenwood Springs, Colorado.

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

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

Deed from Marie Hardenstein and Charles J. Hardenstein, her husband, to H. England, dater October 20, 1945, and recorded in Deed Book 100 at page 105, Baldwin County, Alabama Records.

The Complainant, in and by his said Bill of Complaint, alleges and avers that he owns the said lands in his own right, absolutely and fee simple; that he is in the actual peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the office of the Judge of Probate of Baldwin County, Alabama, the County where the said lands are situated, in the name of your Complainant; that no suit is pending to test Complainant's title to, interest in, or right to the possession of said lands or any part thereof; that Complainant and those through whom he claims title have held color of title to and have regularly assessed and paid taxes on the said lands and each and every part thereof for ten or more consecutive years next prior to the filing of the said Bill of Complaint; that no persons, firms or corporations, other than the Complainant and those through whom he claims 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 Complainant and those through whom he claims title, have had possession of the said lands or any part thereof, within ten 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 5th day of March, 1956, or at the expiration of thirty days from the said date decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting Complainant's title to 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 this Court on this the 25th day of January, 1956.

ALICE J. DUCK(as Register of the Circuit Court of Badwin County, Alabama, in Equity.

J. B. Blackburn,
Solicitor for Complainant.

3-4

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sworn, deposes and says
Weekly Newspaper pub-
notice hereto attached of

$ 56 #2

paid).

Publisher.

ks in the following issues:

95 6 Vol. 67 No. 3
95 6 Vol. 67 No. 4
95 6 Vol. 67 No. 5
Date of 4th publication Feb 23, 195 6 Vol. 67 No. 6

Subscribed and sworn before the undersigned this 23 day of Feb, 195 6

Dorothy Martin
Notary Public, Baldwin County.

E. R. Mounsell
Editor Publisher.

Evansville, Ind.
Feb. 6 - 1936.

Alice J. Duck - Circuit Clerk,
Baldwin Co. - Bay Minette, Ala.

Dear Miss Duck:-

The Bill of Complaint against lots Numbered 1 & 2 in Block Numbered 11 in the First Addition to the Town of Robertsdale, Ala. was given to me by my nephew Wellington Newton of Evansville, Indiana. This was forwarded ~~by~~ to him by the Post master at McLeansboro, Ill. Thinking it was for him he opened it - and found that it was meant for his grandfather the elder Wellington Newton that was one of the heirs.

The elder Wellington Newton was my father and has been deceased for many years - died Feb. 14 - 1929

The younger Wellington Newton living here in Evansville, Indiana, knows nothing about this, as he was a very small child at the time. I am the only one left in the family and I will tell you all I know about it:-

My father (Wellington Newton)

was a younger brother of William Newton the owner of these lots in Robertsdale Ala. And on one of my fathers visits to Robertsdale his brother (William Newton) told him he was going to will my father (Wellington Newton) these lots. After William Newton's death my father (Wellington Newton) made a trip to Robertsdale and made the mistake of paying all of his brother's (William Newton's) funeral expenses out of his own pocket. I suppose this was done before the will was read and of course he was the loser - and my father never did receive one cent. He thought he would at least receive enough from the sale of the lots to pay him the money he spent on his brother's funeral expenses. I remember he made several trips to Robertsdale after his brother's death trying to get this all straightened out - finally his health failed and he gave up.

I was under the impression that some dishonest person in Robertsdale had cheated my father out of this - didn't know all these names were in the will.

I notice another one of the heirs is William Mapletoft - he is a nephew of Wellington & William Newton and lived in Canada - but I understand he has been deceased for many years.

As to the other heirs - I believe they are William Newton's wife & her children - they were William Newton's step-children. I have never seen any of them.

What I can't understand is Why this wasn't settled when the heirs were all living. Why have they waited all these many years? It is such a small estate that it should have been settled in a short time.

How did the first party buying these lots get a clear title and who received the money for the property?

I am enclosing the envelope to show you that this was forwarded to Evansville Ind.

If there are any other questions you would like to ask - Write me and I will answer them if possible. Sincerely,

Gertrude M. Cannady.
Nee - Gertrude M. Newton -
3161 Emerson St.
Evansville - 12 - Indiana.

H. ENGLAND, Complainant, VS. THE LANDS HEREINAFTER DESCRIBED, ET AL, Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3707

MOTION FOR DECREE PRO CONFESSO

Now comes the Complainant, by his attorney, and shows unto the Register that an order of publication was made on the 26th day of January, 1956, ordering that the notice provided for in Section 119, Title 7 of the 1940 Code of Alabama, be published in the Baldwin Times, which is a newspaper having general circulation and published in Baldwin County, Alabama, which notice was duly published in the said Baldwin Times once a week for four consecutive weeks, commencing on the 2nd day of February, 1956, and which was directed to all of the Respondents named in the Bill of Complaint in this cause and which notice required the Respondents to plead, answer or demur to the Bill of Complaint in this cause before the 5th day of March, 1956, or at the expiration of thirty days from the said date decrees pro confesso would be taken against them; that a summons directed to the Respondent, W. F. Hadsell, together with a copy of the Bill of Complaint in this cause, was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at his place of residence as shown by the Bill of Complaint; the postage on said letter was prepaid and the same marked "For delivery only to the person to whom addressed;" and return receipt demanded; said demanded return receipt bearing the signature W. F. Hadsell was duly received and filed for record in this cause on the 7th day of February, 1956; that a summons directed to the Respondent, Mrs. W. J. Frost, together with a copy of the Bill of Complaint in this cause, was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at her place of residence as shown by the Bill of Complaint; the postage on said letter was prepaid and the same marked "For delivery only to the person to whom addressed", and return receipt demanded; said

demanded return receipt bearing the signature of Mrs. W. J. Frost was duly received and filed for record in this cause on the 2nd day of February, 1956; that a summons directed to the Respondent, Mary Hadsell, together with a copy of the Bill of Complaint in this cause, was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at her place of residence as shown by the Bill of Complaint; the postage on said letter or package was prepaid and the same marked "For delivery only to the person to whom addressed", and return receipt demanded; said demanded return receipt bearing the signature of Mary Hadsell was duly received and filed for record in this cause on the 2nd day of February, 1956; that a summons directed to the Respondent, Wellington Newton, together with a copy of the Bill of Complaint in this cause was issued and forwarded by registered mail on the 25th day of January, 1956, directed to said Respondent at his place of residence as shown by the Bill of Complaint; the postage on said letter was prepaid and the same marked "For delivery only to the person to whom addressed", and return receipt demanded; said demanded return receipt bearing the signature, Wellington Newton, was duly received and filed for record in this cause on the 3rd day of February, 1956, however, the register of this court received a letter on or about to-wit, February 8, 1956, from one Gertrude N. Cannady, 3161 Emerson Street, Evansville, Indiana, advising the register that the said Wellington Newton to whom the copy of the summons and complaint was delivered by registered mail was the grandson of the Wellington Newton on whom the copy of the said summons and complaint should have been served and the said letter further advises that the said Wellington Newton on whom the copy of the summons and complaint should have been served is now deceased and has been deceased since the year 1929; the said Respondents have to the date hereof failed to plead, answer or demur to the Bill of Complaint, all of which appears of record in this cause.

WHEREFORE, Complainant moves that a decree pro confesso be entered against the said Respondents and each of them.

This the 31st day of May, 1956.

J. B. Blackburn
Solicitor for Complainant.

filed June 1, 1956
Alice J. Muck,
Register

MOTION FOR DECREE PRO CONFESSO

H. ENGLAND,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3707

FILED

JUN 1 1956

ALICE J. DUCK, Register

H. ENGLAND, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
THE LANDS HEREINAFTER DESCRIBED, ET AL, Respondents.	)	IN EQUITY

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 H. England, did, on the 25th day of January, 1956, 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:

> Lots Numbered 1 and 2 in Block Numbered 11 in the First Addition to the Town of Robertsdale, Alabama, according to the official map or plat thereof which is recorded in Miscellaneous Book 1, pages 42-3, Baldwin County, Alabama Records.

and against Mary Theresia Newton; Mary T. Newton; Wm. Newton; Mary Newton; William Mapletop; Wellington Newton; Andrew J. Aubert; Mrs. W. J. Frost; Mary Hadsell and Wilbur Hadsell, 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 all of the Respondents named above are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same, except Wellington Newton, whose last known address was McLeansboro, Illinois, Mrs. W. J. Frost, whose last known address was Glenwood Springs, Colorado; Mary Hadsell, whose last known address was Glenwood Springs,Colorado; and Wilbur Hadsell, whose last known address was Glenwood Springs, Colorado.

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

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

> Deed from Marie Hardenstein and Charles J. Hardenstein, her husband, to H. England, dated October 20, 1945, and recorded in Deed Book 100 at page 105, Baldwin County, Alabama Records.

The Complainant, in and by his said Bill of Complaint, alleges and avers that he owns the said lands in his own right, absolutely and fee simple; that he is in the actual peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the office of the Judge of Probate of Baldwin County, Alabama, the County where the said lands are situated, in the name of your Complainant; that no suit is pending to test Complainant's title to, interest in, or right to the possession of said lands or any part thereof; that Complainant and those through whom he claims title have held color of title to and have regularly assessed and paid taxes on the said lands and each and every part thereof for ten or more consecutive years next prior to the filing of the said Bill of Complaint; that no persons, firms or corporations, other than the Complainant and those through whom he claims 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 Complainant and those through whom he claims title, have had possession of the said lands or any part thereof, within ten 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 5th day of March, 1956, or at the expiration of thirty days from the said date decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting Complainant's title to 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 this Court on this the 25th day of January, 1956.

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

J. B. BLACKBURN,
Solicitor for Complainant

STATE OF ALABAMA, BALDWIN COUNTY
Filed 1-25-56 9:30 A.M.
Recorded Lo Pendis book 4 page 249-51
M. C. Stuart
Judge of Probate

filed Jan. 25, 1956
Alice J. Duck, Register

H. ENGLAND, Complainant, VS. THE LANDS HEREINAFTER DESCRIBED, ET AL, Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3707

CERTIFICATE

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

1. The notice of pendency of bill of complaint in this cause was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on January 25, 1956.

2. Notice of pendency of bill of complaint in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, which said notice appeared in the issues of said paper published on February 2, February 9, February 16 and February 23, 1956.

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 January 25, 1956.

Dated this 27th day of Oct., 1958.

Alice J. Duck
Register.

CERTIFICATE

H. ENGLAND,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3707

H. ENGLAND, Complainant, VS. THE LANDS HEREINAFTER DESCRIBED, ET AL, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3707

MOTION

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

Wherefore, Complainant prays that the court will make and enter a proper order or decree setting this cause for hearing, appointing a guardian ad litem to represent any unknown minors 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 of the United States, and prescribe the method of taking testimony in this cause.

J. B. Blackburn

Solicitor for Complainant.

MOTION

H. ENGLAND,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3707

H. ENGLAND, Complainant, VS. CERTAIN LANDS HEREIN DESCRIBED, ET AL., Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. No. 3707

TESTIMONY TAKEN ORE TENUS ON TUESDAY, OCTOBER 28, 1958, IN BAY MINETTE, ALABAMA.

MR. H. ENGLAND, THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Direct Examination by Mr. Owen.

Q. Your name is H. England?

A. Yes sir

Q. You are over 21 years of age and a resident of Baldwin County, Alabama?

A. I am.

Q. Do you personally know any of these individual Respondents, and I will read their names: Mary Theresa Newton, Mary T. Newton, William Newton, Mary Newton, William Mapletop, Wellington Newton, Andrew B. Aubert, Mrs. W. J. Frost, Mary Hadsell and Wilbur Hadsell - Do you know any of those people personally?

A. No.

Q. Mr. England, if any of those people are still living would they be over the age of 21 years?

A Yes, they should be over 21.

Q. Those people, where they appear, was back in the 1920's?

A. That is correct.

Q. Of course, you are familiar with the property described in this suit, which is Lots Numbered 1 and 2, Block number 11 in the First Addition to the Town of Robertsdale, Alabama, According to the official map or plat thereof recorded in Misc. Book 1 pages 42-3?

A. I am.

Q. Do you claim to own this property in your own right, absolutely and in fee simple?

A. I do.

Q. I will ask you if you got a deed from Marien Hardenstein and Charles J. Hardenstein on or about October 20, 1945?

A. I did.

Q. Since that period of time have you paid the taxes on these two lots?

A. I have.

Q. Has any one else - any other person, firm or corporation, other than you paid the taxes on this property since the year 1945?

A. No.

Q. Have you been in possession of these two lots for 10 consecutive years?

A. I have.

Q. Since 1945?

A. I have.

Q. Is any suit pending to test your title to this property, or your right to possession of said land?

A. No.

Q. Just what does your possession of this property consist of, Mr. England?

A. I have a sign approximately 12 x 24, advertising my business on it and have kept it mowed all during that time.

Q. Is there a fence around the property?

A. No.

Q. No other improvements on it other than this large sign 12 by 24 feet, or about that size, and mowing the grass on it?

A. Yes sir.

Q. Mr. England, I will ask you if you have made any kind of search to ascertain the names, ages and residences of any person, firm or corporation, who might make any claim to these

lsnfd or who might have any interest?

A. I have asked around twwn and could find no one that knew anything about it.

Q. I will ask you if you have employed an abstractor to examine the records of Baldwin County and prepare an abstract of title to this property?

A. I have.

Q. Did you employ an attorney to examine this abstract and to examine the records of the court house here in Bay Minette?

A. I did.

Q. Did you cause your Attorney to make inquiry about the ages, addresses and heirs of any persons interested or who might be interested in this property?

A. I did.

Q. All of the information that your Attorney was able to get and that you were able to get is as set out in this bill of complaint, is that true?

A. Correct.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Wilson Hayes, Guardian ad Litem.

Q. When did you put your sign up, Mr. England?

A. I have had it up over 10 years that I know of; I don't remember the exact date.

Q. You put it up before 1948?

A. Yes sir.

q. Is this sign on one of the lots or both lots?

A. Both lots; it is setting antigoglin

Q. Has your name on it?

A. Yes sir.

Q. Briefly what does the sign say?

A. It says: "GONE TOO FAR - TURN AROUND. H. ENGLAND LUMBER COMPANY".

Q. This lot is not farm land?

A. No.

Q. They are city lots?

A. Yes, in the City limits.

Q. Now you say you don't know the where-a-abouts of these persons who are named as Respondents in the bill of complaint?

A. I do not.

Q. Have you asked in Robertsdale and around?

A. I have made inquiry, but that is all and I found nothing.

Q. No one knows anything about them or where they are?

A. No sir.

Q. As to who their heirs might be, or devisees, if any?

A. No.

Q. Have you paid the taxes on these lots since 1945?

A. Paid it up to date.

Q. Have you assessed it during that time?

A. Every year.

Q. Has any one else assessed or paid the taxes?

A. Not that I know of.

MR. DOVARD LONG, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. Is this Mr. Dovard Long?

A. Yes sir.

Q. Mr. Long, are you familiar with the property that is described in the bill of complaint in this case;that is Lots 1 and 2, Block 11, in the First Addition to the Town of Robertsdale, Alabama?

A. Yes sir.

Q. How long have you known that property, Mr. Long?

A. Well I have been knowing it since 1940 - that's when we first moved to Robertsdale.

Q. Do you recall the approximate time when Mr. England purchased this property?

A. It was in 1945.

Q. Do you know of your own knowledge who has been in possession of thatproperty since the year 1945?

A. Yes sir.

Q. Who has been in possession?

A. Mr. England.

Q. Has that possession been exclusive and continuous from 1945 up to the present time?

A. Yes sir.

Q. Of what did that possession consist of, Mr. Long? --That is, what did he do with the property?

A. Just kept it cleaned up and built the sign on there.

Q. Do you remember when the sign was placed on the property?

A. It was 1948 or there-abouts.

Q. I believe you said he kept the lot cleaned off and the grass mowed since 1945?

A. Yes sir

Q. Has any other person, firm or corporation had any possession of this property since the year 1945 other than Mr. England?

A. No sir.

Q. How often do you see this property, Mr. Long?

A. Every day.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Hayes, Guardian ad Litem

Q. How often did Mr. England mowe that lot?

A. Whenever it is necessary to keep the grass down.

Q. More than once a year?

A. Oh yes.

Q. Has any other person claimed ownership or any interest in those lots since 1945 other than Mr. England?

A. No sir.

Q. This land is close to The Highway leading from Foley to Bay Minette, through Robertsdale?

A. It fronts the highway; right on the highway.

Q. And you see it every day?

A. Yes sir.

Q. Is that sign with Mr. England's name on it easy to see from the highway?

A. Yes sir.

Q. This land is not suitable for farming or any other use other than town lots?

A. That's all.

MR. OWEN: We introduce as Complainant's Exhibit A. a certified copy of the deed from Marie Harden stein and Charles J. Hardenstein, husband and wife to H. England, dated October 20, 1945, and recorded in deed Book 100 at page 105, Baldwin County, Alabama Records.

I hereby certify that the foregoing, consisting of pages 1 to 6, both inclusive, correctly sets forth a true and correct transcript of the testimony as taken by me on this day in the above styled cause.

This 28th day of October, 1958.

Louise Nussbaumer
Official Court Reporter

1/00

BOOK 100 PAGE 105

STATUTORY WARRANTY DEED

STATE OF ALABAMA

BALDWIN COUNTY

THIS INDENTURE, made and entered into on this the 20th day of October, 1945, by and between Marie Hardenstein and Charles J. Hardenstein, hereinafter referred to as the party of the first part, and H. England hereinafter referred to as the party of the second part, WITNESS:

The party of the first part, for and in consideration of the sum of One Dollar ($1.00) and other valuable consideration to them this day in hand paid by the party of the second part, the receipt whereof is hereby acknowledged has GRANTED, BARGAINED AND SOLD and by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the said party of the second part, the following described property situated in Baldwin County, Alabama, to-wit:

Lots Numbered One (1) and Two (2) in Block Numbered Eleven (11) in the First Addition to the Town of Robertsdale, Alabama, according to the official plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama.

TO HAVE AND TO HOLD unto the said party of the second part, his heirs and assigns, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF the said party of the first part has hereunto set her hand and affixed her seal on this the day and year first above written.

Marie Hardenstein (SEAL)

Charles J. Hardenstein (Seal)

STATE OF ILLINOIS

COOK COUNTY

I, Lincoln K. Nelson, a Notary Public, within and for said County in said State, hereby certify that Marie Hardenstein and Charles J. Hardenstein, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 20th day of October, 1945.

Lincoln K. Nelson

Notary Public, Cook County, Illinois.

My Commission expires Nov. 9, 1945.

Affix Seal.

STATE OF ALABAMA, BALDWIN COUNTY

Filed October 31, 1945 1 P. M.

Recorded ..... book ..... page .....

and I certify that the following Privilege Tax has been paid.

Deed Tax ..... .50

Mortgage Tax .....

W. R. Stuart

Judge of Probate

By E.H.

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 One photostatic pages contain a full, true and complete copy of the Deed from Marie Hardenstein to H. England,

as the same appears of record in my office in Deed Book No. 100 page 105.

Given under my hand and seal of office, this 28th day of October, 1958.

W. R. Stuart
Judge of Probate.

MOORE PRINTING CO., BAY MINETTE, ALA.

H. ENGLAND, Complainant, VS. THE LANDS HEREINAFTER DESCRIBED, ET AL, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3707

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

TO Wilson Hayes, ESQUIRE:

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 27th day of Oct., 1958.

[illegible]
As Register of the Circuit Court of Baldwin County, Alabama, in Equity.

* *

STATE OF ALABAMA)
*
BALDWIN COUNTY)

I, the undersigned Wilson Hayes, 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 27th day of Oct., 1958.

Wilson Hayes
As Guardian ad litem and as Attorney representing the parties in military service.

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

H. ENGLAND,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3707

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3707

Jan. TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon WELLINGTON NEWTON, ET AL

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

WELLINGTON NEWTON, ET AL, Defendant

by

H. ENGLAND, Plaintiff

Witness my hand this 25 day of Jan. 19 56

Alice J. Welch, Clerk

No. 3707 Page .....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

H. ENGLAND

Plaintiffs

vs.

WELLINGTON NEWTON, ET AL

Defendants

SUMMONS and COMPLAINT

Filed .....JAN. 25....., 1956

Alice J. DUCK, Clerk

JAMES RO OWEN
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

....., 19.....

....., Sheriff

I have executed this summons

this ....., 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff

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

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

> Lots Numbered 1 and 2 in Block Numbered 11 in the First Addition to the Town of Robertsdale, Alabama, according to the official map or plat thereof which is recorded in Miscellaneous Book 1, pages 42-3, Baldwin County, Alabama Records.

and against Mary Theresia Newton; Mary T. Newton; Wm. Newton; Mary Newton; William Mapletop; Wellington Newton; Andrew J. Aubert; Mrs. W. J. Frost; Mary Hadsell and Wilbur Hadsell, 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 deceased, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and, thereupon, your Orator complains and shows unto the court and your Honor as follows:

1. The said H. England is over twenty-one years of age and a resident of Baldwin County, Alabama.

2. Each of the individual respondents specifically named herein 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, except Wellington Newton, whose last known address was McLeansboro, Illinois, Mrs. W. J. Frost, whose last known address was Glenwood Springs, Colorado; Mary Hadsell, whose last known address was Glenwood Springs, Colorado, and Wilbur Hadsell, whose last known address was Glenwood Springs, Colorado.

3. Your Orator is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said property in his own right, absolutely and in fee simple.

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

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

7. Your Orator has and claims to have the absolute, unemcumbered, fee simple title to all of the real property herein described by and through the following instrument of writing which is 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 Marie Hardenstein and Charles J. Hardenstein, her husband, to H. England, dated October 20, 1945, and recorded in Deed Book 100 at page 105, Baldwin County, Alabama Records.

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

Minette, Alabama; that he has made and caused his attorney to make an inquiry about the ages, addresses and heirs of any persons interested or who may be interested in the said property; that your Orator has made and caused a thorough inquiry to be made in the community where the said property is situated for the purpose of ascertaining any claimants to it and for anyother information having any bearing upon the title to the said property. 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 is as hereinabove set out.

PRAYER FOR PROCESS

Your Orator prays that the said lands hereinabove described, the respondents named herein and their heirs and devisees, if deceased, and 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 respondent to this Bill of Complaint and be brought into Court by the usual and proper process.

PRAYER FOR RELIEF

Your Orator prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of 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 Orator, at the time

of the filing of this Bill of Complaint, had the fee simple title to all of the above described lands, and that none of the respondents named specifically herein, 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 Orator's title to the said lands be fully and completely quieted. Your Orator prays for such other, further and general relief as he may be equitably entitled to, the premises considered.

J. B. Blackburn
Solicitor for Complainant

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared H. England, who first being duly and legally sworn, deposes and says: That he is the Complainant in the above styled cause; that he has read over the foregoing Bill of Complaint, and that the facts stated therein are true.

× H. England

Sworn to and subscribed before me
on this the 19th day of January, 1956.

James R. [illegible]
Notary Public, Baldwin County, Alabama.

filed Jan. 25, 1956
Alice J. Luck, Register

H. ENGLAND, Complainant, VS. THE LANDS HEREINAFTER DESCRIBED, ET AL, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3707

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

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

Dated this 27th day of Oct., 1958.

Wilson Hayes

As guardian ad litem as aforesaid, and as attorney to represent persons in the military service as aforesaid.

ANSWER OF GUARDIAN AD LITEM

H. ENGLAND,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3707

H. ENGLAND, Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
THE LANDS AND PARTIES HEREINAFTER DESCRIBED, Respondents.	)	IN EQUITY. NO. 3707.

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainant upon the original verified Bill of Complaint; order designating newspaper in which notice of pendency of Bill of Complaint shall be published; notice of pendency of Bill of Complaint; proof of publication of notice of pendency of Bill of Complaint; Register's certificate as to service; motion for decree pro confesso; decree pro confesso; motion of complainant for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding, and an attorney to represent any unknown parties interested in this proceeding who may be in the military service of the United States, decree dated October 27, 1958, setting this cause for hearing on this date, appointing Wilson Hayes as guardian ad litem to represent any unknown minor or person of unsound mind interested in this proceeding and as attorney to represent any persons interested in this proceeding who may be in the military service of the United States, and ordering that the testimony of the witnesses for the complainant be taken in open court and transcribed in the manner provided by Equity Rule Number 56, as amended; notice of appointment of guardian ad litem and attorney to represent parties in 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. England and Dovard Long, witnesses for the Complainant, taken in open court on this date; and the Exhibit to the testimony of the 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 or corporations named

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

1. That the Complainant, H. England, is the lawful owner in fee simple of the following described land situated in Baldwin County, Alabama, to-wit:

> Lots numbered 1 and 2 in Block numbered 11 in the First Addition to the Town of Robertsdale, Alabama, according to the official map or plat thereof which is recorded in Miscellaneous Book 1 at pages 42-3, Baldwin County, Alabama Records,

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

2. The Complainant's title to the said lands is hereby quieted against Mary Theresia Newton; Mary T. Newton, Wm. Newton; Mary Newton, William Mapletop; Wellington Newton; Andrew J. Aubert; Mrs. W. J. Frost; Mary Hadsell and Wilbur Hadsell, and against the heirs and devisees of such of said parties as may be dead and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and all such claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

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

4. The Judge of Probate of Baldwin County, Alabama, shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of Mary Theresia Newton; Mary T. Newton, Wm. Newton; Mary Newton, William Mapletop, Wellington Newton, Andrew J. Aubert, Mrs. W. J. Frost, Mary Hadsell and Wilbur Hadsell, and shall index the same in the indirect or reverse index of said records in the name of H. England.

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

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

ORDERED, ADJUDGED AND DECREED on this the 28th day of October, 1958.

Hubert M Hall

Judge.

H. ENGLAND, Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
THE LANDS AND PARTIES HEREINAFTER DESCRIBED, Respondents.	)	IN EQUITY. NO. 3707.

NOTE OF TESTIMONY:

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

1. Original, verified Bill of Complaint.

2. Order designating newspaper in which notice of pendency of Bill of Complaint shall be published.

3. Notice of Pendency of Bill of Complaint.

4. Proof of Publication of Notice of Pendency of Bill of Complaint.

5. Register's Certificate as to service.

6. Motion for decree pro confesso.

7. Decree pro confesso.

8. Motion of Complainant for an order or decree setting this 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 October 27, 1958, setting this cause for hearing on this date, appointing Wilson Hayes as guardian ad litem to represent any unknown minors or persons of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the military service of the United States, and ordering that the testimony of the witnesses for the Complainant be taken in open court and transcribed in the manner provided by Equity Rule number 56 as amended.

10. Notice of appointment of guardian ad litem and attorney to represent parties in military service and acceptance of such sppointment.

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. England and Dovard Long, witnesses for the Complainant, taken in open court in the manner provided by Equity Rule number 56, as amended.

13. Exhibit numbered 1 to the testimony of Complainant's witnesses.

DATED this 28th day of October, 1958.

Register.

J. B. BLACKBURN,
Solicitor for Complainant.

H. ENGLAND, Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
THE LANDS AND PARTIES HEREINAFTER DESCRIBED, Respondents.	)	IN EQUITY. NO. 3707

DECREE:

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

1. This cause shall be and it is hereby set for hearing at 9:00 o'clock A. M. on the 28th day of October, 1958.

2. Wilson Hayes, an attorney 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. Wilson Hayes, 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 persons interested in this proceeding who may be in the military service of the United States.

4. Testimony of the witnesses for Complainant shall be taken orally in open court and transcribed in the manner provided by Equity Rule Number 56, as amended.

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

Hubert M Hall

Judge.

H. ENGLAND, Complainant, VS. THE LANDS HEREINAFTER DE- SCRIBED, ET AL, Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

ORDER OF PUBLICATION

It is ordered in this cause that the notice provided for in Section 119, Title 7 of the 1940 Code of Alabama, be published in the Baldwin Times, which is a newspaper having general circulation and published in Baldwin County, Alabama, where the lands described in the Bill of Complaint lie.

ORDERED this the 25th day of January, 1956.

Hulert M. Hall
Judge.

ORDER OF PUBLICATION

H. ENGLAND,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed 1-26-64
[illegible]
Reg

3707