

#10.50

ALONZA O'BANNON, JR,
and HENRIETTA O'BANNON,

Complainants,

VS.

SARAH O. HADLEY, ET AL.,

Respondents.

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

13752

PRESTON BELL, BEING FIRST DULY SWORN, TESTIFIED, AS FOLLOWS:

Direct Examination by Mr. Owens.

Q.

Q. Will you state your name?

A. Earl Preston Bell.

Q. What is your business?

A. Real Estate and Insurance.

Q. Mr. Bell, how long have you been in the real estate business?

A. Five years.

Q. Have you, during that time, made appraisals of land?

A. Yes, I make appraisements on houses and land.

Q. Are you familiar with timber lands?

A. Yes sir.

Q. Have you bought and sold timber lands?

A. Yes.

Q. Farm lands?

A. Yes sir.

Q. Where do you reside, Mr. Bell?

A. Bay Minette.

Q. Have you examined the land described as the $W\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 26, and the $NW\frac{1}{4}$ of $SW\frac{1}{4}$, of Section 26, Township 2 ~~Nxxxx~~ South, Range 2 East?

A. I have.

Q. Mr. Bell, what type of land is that?

A. It is sandy loam land.

Q. Any timber on it?

A. The timber is mostly young pine timber on the east side of the land is pretty level and the timber is very scarce, but the west side is more rolling and hilly and has more timber on it.

Q. What is the width of this tract of land?

A. Well you have a quarter of a mile wide and 120 acres long.

Q. 120 acres north and south?

A. Yes sir.

Q. Is there any houses on the land?

A. No buildings on it at all.

Q. Is there any open farm land?

A. No open land.

Q. Is there any cultivation of any type on it?

A. No cultivation at all.

- Q. Mr. Bell, would you state what is the value of this land, in your opinion?
- A. Land in this area would be worth about \$40.00 an acre, and there is 120 acres and that would be about a total of \$4800.00.
- Q. In your opinion could this land be divided into five separate blocks?
- A. It can be divided into five blocks, equal in value, if you divide from south to north, or use the east and west boundary as dividing the land; you have to have a part on the east and a part on the west to make it equal.
- Q. In your opinion, if such division were made as you testify would that result in a division of the land that would be equal in value?
- A. It would be equal in value, yes.

HENRIETTA O'BANNON, A WITNESS FOR THE COMPLAINANTS, BEING FIRST
DULY SWORN, TESTIFIED:

Examination by Mr. Owens.

- Q. Would you state your name?
- A. Henrietta O'Bannon.
- Q. Henrietta, do you live in Bay Minette?
- A. Yes sir.
- Q. Are you one of the Complainants in this cause?
- A. Yes sir.

- Q. Who is the other plaintiff?
- A. Alonza O'Bannon.
- Q. Is he your son?
- A. Yes sir.
- Q. How old is he?
- A. 28.
- Q. Is he a resident of Baldwin County, Alabama?
- A. Yes sir.
- Q. Do you know Sarah Hadley?
- A. Yes sir, she is my sister in law.
- Q. Who was your husband?
- A. Alonza O'Bannon.
- Q. Who was his father?
- A. S. S. O'Bannon. That is what I've been told.
- Q. Who told you that?
- A. My husband.
- Q. Now you say you know Sarah Hadley. Is Sarah Hadley over the age of 21 years?
- A. I suppose she is; she is older than I am.
- Q. Do you know Ernest Croswell?
- A. Yes sir, I knows him.
- Q. Who is Ernest Croswell?
- A. That is Sarah 's Sister's boy.
- Q. She was Lena O'Bannon?
- A. Yes, sir.
- Q. What about Jarome Croswell?

A. That's her son.

Q. And what about Isabelle Davis?

A. That's Lena's daughter.

Q. What about Evelyn Croswell?

A. That's her daughter.

Q. Did you know Agnes Boulder?

A. Yes sir, that's my sister in law; that's Lena's sister, Agnes.

Q. Who was Agnes Boulder's father, do you know?

A. She used to Agnes O'Bannon.

Q. Is she alive?

A. No sir, she dead.

Q. Is Lena alive?

A. No sir, she dead.

Q. Now who is Myrtle Monroe?

A. That's Agnes' daughter.

Q. Who is Ruben Monroe?

A. Her son.

Q. Berniece Mitchell?

A. Her daughter.

Q. Do you know Victor Croswell?

A. No sir, I don't knows them; they was not born here.

Q. They were born elsewhere?

A. Yes sir.

Q. Are all of these parties I have named over the age of 21 years?

- A. Yes sir.
- Q. Are they residents of Baldwin County, Alabama?
- A. Yes sir, all of them you called; they was all born in Baldwin County.
- Q. Do they live here now?
- A. No sir.
- Q. Where do they live?
- A. They lives some where up the State, but I couldn't tell where they are, but they are not in Baldwin County.
- Q. Are you familiar with this land that is described in this bill of complaint?
- A. You mean does I know the land?
- Q. Yes, sir.
- Q. You - who was your husband again?
- A. Alonza O'Bannon.
- Q. Is he alive?
- A. No sir, he is dead.
- Q. Now do you know Leslie O'Bannon?
- A. Yes sir.
- Q. Who was Leslie O'Bannon?
- A. That's ~~xxxxixkxxxx~~ Alonzo's brother.
- Q. How many children all together did S. S. O'Bannon have? - How many brothers and sisters did you husband have?
- A. He had -- it was three sisters and two brothers.
- Q. Name them? Who were the sisters?
- A. Lena O'Bannon, Virginia O'Bannon and Agnes. And Leslie O'Bannon

and Alonza O'Bannon.

Q. Of the five you named, who is alive today?

A. Virginia O'Bannon and Leslie O'Bannon, and the rest is dead.

Q. Who lives on this land described in this bill of Complaint?

A. No one.

Q. Did Virginia Hadley live there?

A. I heard them say so - I don't remember; I was quite small, but I heard them say they lived there when they were small children; I heard them say, but I don't know myself, but I heard them say that.

Q. Where does Leslie O'Bannon live?

A. Up north now.

Q. Did he live on this particular tract of land?

A. They all say they did.

Q. When he was ^asmall boy?

A. Yes sir.

Q. Has he lived there since he has grown up?

A. No sir.

Q. Where did he live when he grew up?

A. About two miles on the other side of Hurricane.

MR. OWENS: I would like at this time to introduce in evidence certified copy of a Patent from the United States of America to Ess O'Bannon, as the same appears of Record in Deed Book 5 at page 375, of the Probate Records of Baldwin County, Alabama.

Q. Now Henrietta, you said that he was known as S. S. O'Bannon?

A. That is the way they pronounced it; he didd when I was a kid.

Q. Did you ever hear him known as Ess O'Bannon?

A. No sir.

Q. To your knowledge he was never known as Ess O'Bannon?

A. I have never heard nobody call him that.

Q. To your certain knowledge was S. S. O'Bannon - did he own and live on the property out there?

A. Yes sir, he had his children out there.

Q. Out there on that property?

A. Yes sir.

Q. How do you get to that property?

A. After you leave Bay Minette you get near cross roads and you turns to your left.

Q. After you leave Cross Roads you turn to your left?

A. After you leave Bay Minette going to Cross Roads, and just before you get to Cross Roads you turn right I mean instead of left.

MR. OWEN: I would like to offer a certificate or affidavit, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 188, page 251, of Rev. A. G. Jones, and Chairity Bailey, dated November 22, 1952, and ask that it be identified as Complainant's Exhibit B.

MR. OWENS: We would also like to offer in evidence a deed from Leslie O'Bannon Alonzo O'Bannon, Leslie Hadley, Virginia Hadley and Agnes Parker to United Gas Public

Service Company, Dated December 14, 1931,
and recorded in Deed Book 51 at page 514, and
ask that the same be identified as Complainant's
Exhibit C.

MR. OWENS: I would like to offer in evidence certified copy
of a deed, Caroline O'Bannon and Leslie O'Bannon
to Sarah V. Hadley, deed being dated 11th day
of December 1951, and recorded in Deed Book 180,
pages 29 and 30, Probate Office of Baldwin County,
Alabama, deed conveys the lands described in the bill
of Complaint, and ask that it be identified as
Complainant's Exhibit D.

ALONZO O'BANNON, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. Is this Alonzo O'Bannon?

A. Yes sir.

Q. Who was your father?

A. Alonzo O'Bannon.

Q. He was also named Alonzo?

A. Yes sir.

Q. Who was your father's father?

A. S. S. O'Bannon.

Q. Was he sometimes called Ess O'Bannon?

A. No I never heard of it.

Q. You have never heard him described as Ess O'Bannon?

A. No sir.

Q.

- Q. Is Ess O'Bannon, the man that patented this land the same person as S. S. O'Bannon?
- A. Yes sir.
- Q. In otherwords, Ess or S. S. O'Bannon, your grandfather, is the man who patented those lands that we are suing for?
- A. Yes sir.
- Q. Is Sarah Q. Hadley your aunt?
- A. Yes sir.
- Q. Was Lena your aunt?
- A. Yes sir.
- Q. Is Leslie your uncle?
- A. Yes sir.
- Q. Was Agnes your aunt?
- A. Yes sir.
- Q. Is Agnes dead?
- A. Yes sir.
- Q. Is Leslie O'Bannon living or dead?
- A. He is living.
- Q. Lena O'Bannon, is she dead?
- A. Yes sir.
- Q. Is your grandmamma dead?
- A. Yes sir.
- Q. Is your grandfather dead?
- A. Ye s sir.
- Q. The man and his wife who owned this land, they are both dead?
- A. Yes sir.

Q. Did they die before you were born?

A. Yes sir.

Q. Your father was Alonzo O'Bannon?

A. Yes sir.

Q. He is dead and you and your mother were left surviving him?

A. Yes sir.

HARRY J. WILTERS, JR., BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owens.

Q. Will you state your name, please?

A. Harry J. Wilters, Jr.

Q. Where do you live, Mr. Wilters?

A. Bay Minette, Alabama.

Q. What is your profession?

A. Attorney at Law.

Q. How long have you been a Lawyer?

A. About five years.

Q. Are you familiar with and have you handled suits in the equity Court to divide lands?

A. I have.

Q. Are you familiar with the amount of work required in such a suit?

A. I am.

Q. Mr. Wilters, in your opinion, where the land is given a value of \$4,800. what is a reasonable Attorney's fee?

A. I would say in the neighborhood of \$450.00.

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

I hereby certify that the foregoing, consisting of pages 1 to 11, both inclusive, sets forth a true and correct transcript of the testimony as taken by me in open Court, on this ~~17th~~ day of July, 1956.

Laura D. Dumbauld
Court Reporter

Complement's Ess H

THE UNITED STATES OF AMERICA.

To all to Whom these Presents shall come, Greeting:-

Homestead Certificate No. 18142
Application 29949

WHEREAS There has been deposited in the General Land Office of the United States a Certificate of the register of the Land Office at Montgomery, Alabama, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "TO SECURE HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAIN", and the Acts supplemental thereto, the claim of Ess O' Bammon has been established and duly consummated in conformity to law for the West Half of the North west quarter and the North west quarter of the South West quarter of Section twenty-six, in Township two South, of Range Two East, of St Stephens Meridian in Alabama, containing one hundred and nineteen acres and fifteen hundredths of an acre according to the Official Plat of the Survey of the said land returned to the General Land Office by the Surveyor General:

Now KNOWN Ye that there is, therefore, granted by the United States unto the said Ess O' Bammon the tract of land above described; to have and to hold the said tract with the appurtenances thereof, unto the said Ess O' Bammon and to his heirs and assigns forever.

In Testimony Whereof I Theodore Roosevelt President of the United States of America have caused these letters to be made patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington the fourth day of December, in the year of our Lord one thousand nine hundred and one, and of the Independence of the United States the one hundred and twenty sixth.

By the President: T. Roosevelt.

By F. M. Mc Kean, Secretary

C. H. Brush, Recorder of the General Land Office.

(Seal)

Recorded Alabama Vol. 498, Page 299.

Filed for record August, 30th, 1902 at 1 P.M.,
REcorded August 30th, 1902.

Chas HALL, Judge of Probate.

The State of Alabama,
Baldwin County.

PROBATE COURT

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

contain a full, true and complete copy of the Patent from United States of
America to Ess O'Bannon,

as the same appears of record in my office in Deed Book No. 5
page 375.

Given under my hand and seal of office, this 26th day of June, 1956.

W. R. Stuart

Judge of Probate

Com East B

STATE OF ALABAMA
BALDWIN COUNTY

BOOK 188 PAGE 251

Personally appeared before me the undersigned authority for and in the said County and said State, who being by me first duly sworn, deposes and says that he was acquainted with S. S. O'Bannon and Sarah O'Bannon.

Affiant further avers that he knew the said S.S.O'Bannon and Sarah O'Bannon for more than 15 years; that the said S.S.O'Bannon died on or about to wit the year 1912, and that the said Sarah O'Bannon died on or about to-wit the year 1927.

Affiant further avers that at the time of the death of the said S.S.O'Bannon and Sarah O'Bannon they left surviving them, as their sole surviving heirs and next of kin the following children, namely, Lena O'Bannon Crowwell, Leslie O'Bannon, Sarah O'Bannon Hadley, Alonzo O'Bannon and Agnes O'Bannon Bolden.

Affiant further avers that the said Lena O'Bannon Crowwell died on or about to wit the year 1927, and left surviving her as her only surviving heirs and next of kin the following children, namely, Ernest L. Crowwell, Evelyn Porter, Isabel Davis, Victor H. Crowwell, Jerome O. Crowwell, William L. Crowwell and Arthur E. Crowwell.

Affiant further avers that the said Alonzo O'Bannon died on or about to wit the year 1941, and left surviving him as his sole surviving heirs and next of kin, Alonzo O'Bannon, Jr. and Henrietta O'Bannon, his widow.

Affiant further avers that at the time S.S.O'Bannon died he owned the following described property, to-wit:

The west half of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 26, Township 2 South, Range 2 East, in Baldwin County, Alabama.

This Affidavit is given to perfect title in the heirs of S.S.O'Bannon and Sarah O'Bannon.

Red A B Jones
Charity Bailey

Sworn to and subscribed before me this 22ND day of November, 1952.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 11-24-52 P.M.
Recorded book page
M. J. Stewart
Judge of Probate

W. J. ...
NOTARY PUBLIC
Notary Public, Baldwin County, Ala.
My commission expires July 16, 1956

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 Affadavit of Rev. A. G. Jones, et al,

as the same appears of record in my office in Deed Book No. 188

page 251.

Given under my hand and seal of office, this 26th day of June, 19 56.

W. R. Stuart

Judge of Probate

Com Exp C -

-----0000000-----

STATE OF ALABAMA)
COUNTY OF BALDWIN)

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of One Dollar (\$1.00) and other consideration (\$1.00) Dollars to the undersigned (herein styles Grantor, whether one or more) paid, the receipt of which is hereby acknowledged, the said Grantor does hereby Grant and Convey unto United Gas Public Service Company (herein styled Grantee), its successors and assigns, the right of way and easement to construct, maintain and operate pipe lines and appurtenances thereto, and to construct, maintain and operate telegraph and telephone lines in connection therewith, together with the necessary poles, guy wires and anchors, over and through the following described lands situated in Baldwin County, State of Alabama

Northwest quarter of Southwest quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section
Twenty six (26) in Township Two South (2s) of Range Two East
(2e), constituting a strip thirty feet wide over and across said
land where the pipe line of said grantee now crosses said land

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such lines and appurtenances thereto shall be maintained, with ingress to and egress from the premises, for the purpose of constructing, inspecting, repairing, maintaining, and

replacing the property of Grantee above described, and the removal of such at will, in whole or in part.

The said Grantor is to fully use and enjoy the said premises, except for the purposes hereinabove granted to the said Grantee, which hereby agrees to bury all pipes to a sufficient depth so as not to interfere with cultivation of soil, and to pay any damages which may arise to growing crops or fences from the construction, maintenance and operation of said pipe, telegraph and telephone lines; said damages, if not mutually agreed upon, to be ascertained and determined by three disinterested persons, one thereof to be appointed by the said Grantor, one by the said grantee, and the third by the two so appointed as aforesaid, and the written award of such three persons shall be final and conclusive. Should more than one pipe line be laid under this grant at any time, the sum of twenty-five cents per lineal rod for each additional line shall be paid, besides the damages above provided for.

It is hereby understood that party securing this grant in behalf of Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof on this the 14th day of December, 1931

Leslie O'Bannon	SEAL
Alonzo O'Bannon	SEAL
Leslie Hadley	SEAL
Virginia Hadley	SEAL
Agnes Parker	SEAL

STATE OF ALABAMA,
BALDWIN COUNTY.

I, Henry D. Moorer, a Notary Public in and for said County in said State, do hereby certify that Leslie O'Bannon, Alonzo O'Bannon and Leslie Hadley the husband of Virginia Hadley, whose names are signed to the foregoing conveyance and who are made known to me, did each acknowledge before me this day that, being informed of the contents of the conveyance, they did execute it voluntarily on the day the same bears date.

Given under my hand this 24th day of December, 1931.

Henry D. Moorer, Notary Public,
for Baldwin County, Alabama.

STATE OF ALABAMA,
COUNTY OF JEFFERSON.

I, Nona S. Williams, a notary public in and for said County in said State, do hereby certify that Virginia Hadley, whose name is signed to the foregoing conveyance and who is made known to me, did acknowledge before me 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 this 29th day of Dec. in the year 1931.

Nona S. Williams, Notary Public for
Jefferson County, Alabama.

SEAL

STATE OF MISSISSIPPI,
HARRISON COUNTY.

I, H. H. Jones, a notary public in and for said County in said State to hereby certify that Agnes Parker and, whose names are signed to the foregoing conveyance and who are made known to me, did each acknowledge before me this day that, being informed of the contents of the said conveyance, they did each execute it voluntarily on the day the same bears date.

Given under my hand and seal this 26 day of Jan on the year 1932.

H. H. Jones Notary Public for
Harrison County, Mississippi

SEAL

THE STATE OF ALABAMA)
BALDWIN COUNTY) PROBATE COURT

Filed in office this 11 day of Feby, 1932, 8:00 A. M. and duly recorded in Deed Book No. 51 N. S., pages 514-15; and I certify that \$-- cts 50 license or privilege tax, paid as required by an Act of the Legislature, approved September 14, 1923.

G. W. Humphries, Judge of Probate By J. L. Kessler, Clerk.
G. W. Humphries, Judge of Probate

The State of Alabama,
Baldwin County.

PROBATE COURT

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

that the within and foregoing Two photostatic pages

contain a full, true and complete copy of the Right-of-way and Easement from

Leslie O'Bannon, et al, to United Gas Public Service Co.,

as the same appears of record in my office in Deed Book No. 51

page 514.

Given under my hand and seal of office, this 26th day of June, 1956.



Judge of Probate

Com. Ex. 1

WARRANTY DEED

BOOK 180 PAGE 29

STATE OF ALABAMA)
BALDWIN COUNTY)

THIS INDENTURE, made and entered into on this the 11 day of December, 1951, by and between Leslie O'Bannon and Caroline O'Bannon, his wife, hereinafter referred to as the parties of the first part and Sarah V. Hadley, hereinafter referred to as the party of the second part, WITNESSETH:

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

The West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$);
The Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section 26, Township 2 South, Range 2 East.

TO HAVE AND TO HOLD, unto the said party of the second part, her heirs and assigns, forever.

The parties of the first part for themselves their heirs, executors and administrators, hereby covenant and warrant to and with the said party of the second part her heirs and assigns, that they are seized of an irdefeasible estate in and to the said property; that they have a good right to convey the same as herein contained; that they will guarantee the peaceable possession thereof; that the said property is free from all liens and encumbrances and that they will, and their heirs, executors and administrators shall forever warrant and defend the same unto the said party of the second part, her heirs and assigns, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and affixed their seals on this the day and year first above written.

Caroline O'Bannon (SEAL)

Leslie O'Bannon (SEAL)

STATE OF ALABAMA)
BALDWIN COUNTY)

I, Ernie S. Baker, a Notary Public, within and for said County in said State, hereby certify that Leslie O'Bannon and Caroline O'Bannon, his wife, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

BOOK 180 PAGE 30

I further certify that on the 11 day of December, 1951 came before me the within named Caroline O'Bannon, known to me to be the wife of the within named Leslie O'Bannon, who, being examined separate and apart from her husband, touching her signature to the foregoing conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraints or threats on the part of her husband.

Given under my hand and official seal on this the 11 day of December, 1951.

Edith S. Baker

Notary Public,

STATE OF ALABAMA, BALDWIN COUNTY

Filed 4-22-52 11:20 AM

Recorded book page

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

Deed Tax 50

Mortgage Tax

W. Stout
Judge of Probate

By W

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 Two photostatic pages

contain a full, true and complete copy of the Deed from Caroline O'Bannon, et al,

to Sarah V. Hadley,

as the same appears of record in my office in Deed Book No. 180

page 29-30.

Given under my hand and seal of office, this 26th day of June, 1956.

Judge of Probate

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }
Baldwin County.

Circuit Court, Baldwin County

No.

..... Regular TERM, 1956.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, William Crosswell, Victor Crosswell, Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell

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 Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, William Crosswell, Victor Crosswell, Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell Defendant

by Alonzo O'Bannon, Jr. and Henrietta O'Bannon

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

Witness my hand this 20 day of March 1956.

Alice French, Clerk

BOOK 020 PAGE 271

ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,

COMPLAINANTS,

vs.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS,
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE
and BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. _____

BOOK 020
PAGE 272

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND
TO THE HONORABLE H. M. HALL, JUDGE THEREOF, IN EQUITY:

Now come the complainants herein, by their Solicitor, and
show unto Your Honor and unto this Honorable Court, the following:

1. That your complainants are both over the age of 21
years, and are both residents of Bay Minette, Alabama; that
the respondents, Sarah O. Hadley and Leslie O'Bannon are both
over the age of 21 years and are both residents of Baldwin
County, Alabama; that the respondent Ernest Crosswell is over
the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Jerome Crosswell is
over the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Arthur Crosswell is over
the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Isabell Davis is over the
age of 21 years and resides at 206 Wolcott Avenue, Chicago,
Illinois; that the respondent Evelyn Crosswell is over the
age of 21 years and resides at 1259 Fulton Ave., Bronx, New
York, New York; that the respondent Myrtle Monroe is over the
age of 21 years and resides at 1259 Fulton Ave, Bronx, New York,
New York; that Ruben Monroe is over the age of 21 years and
resides at 126 South Hamilton Street, Chicago, Illinois; that
the addresses of the respondents Victor Crosswell, William
Crosswell, and Bernice M. Mitchell are unknown to your complainants,
and they have been unable to ascertain the same after a reasonable
search, but your complainants are informed that they are all over

the age of 21 years and are non-residents of the State of Alabama.

2. That your complainants and the respondents are the joint owners and together constitute all the persons interested in the following described lands situated in Baldwin County, Alabama, to-wit:

The West half($W\frac{1}{2}$) of the Northwest($NW\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East; and the Northwest($NW\frac{1}{4}$) Quarter of the Southwest($SW\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East.

3. That your complainants are the owners of a one-fifth ($1/5$) undivided interest in said lands; that the respondent Leslie O'Bannon is the owner of a one-fifth undivided interest in said lands; that the respondent Sarah O. Hadley is the owner of a one-fifth undivided interest in said lands; that the respondents Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell and William Crosswell, jointly, are the owners of a one-fifth undivided interest in said lands; that the respondents Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell, jointly, are the owners of a one-fifth undivided interest in said lands; that said property is capable of being divided and equitably partitioned among the joint owners thereof into five shares in accordance with the interests averred herein.

4. Your complainants further allege that the services of the complainants' Solicitor in this cause are rendered and to be rendered for the common benefit of all the owners of said property.

The premises considered, your complainants pray that this Honorable Court will take jurisdiction of the cause made by this bill of complaint, and by appropriate process make Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell, William Crosswell, Myrtle Monroe, Ruben Monroe and Bernice M. Mitchell parties respondent to this bill of complaint, and by appropriate process require them, and each

of them, separately and severally, to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Your complainants further pray that upon a hearing hereof that Your Honor will decree the interest of each of the parties hereto in said lands and will decree the partition among the joint owners thereof of the lands hereinabove described and to that end will appoint commissioners to make such partition and to report their actions as such commissioners to this Court as provided by law; that your Honor will order a reference to ascertain and report a reasonable fee to be allowed the complainants' Solicitor for his services rendered in this cause to be taxed as costs, and your complainants pray for such other, further or different relief as in equity and good conscience shall be meet and proper in the premises.

J. Connor Owens, Jr.
Solicitor for Complainants

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who is known to me, and who, having been by me duly sworn, deposes and says that he is solicitor for the complainants in the above styled cause, and that the facts alleged in the bill of complaint, from all information obtainable, are true, and from such information obtained here, he verily believes, and so states, the same to be true, and that Victor Crosswell, William Crosswell and Bernice M. Mitchell are over the age of 21, and their places of residence and post office address are unknown, and cannot be ascertained upon diligent search and inquiry; that such search and inquiry has been made.

J. Connor Owens, Jr.

Sworn to and subscribed before me this the 20 day of March, 1956.

Arice J. Neucha
Register

BOOK 020 PAGE 27A

ALONZO O' BANNON, JR. and
HENRIETTA O' BANNON,

COMPLAINANTS,

vs.

SARAH O. HADLEY, LESLIE
O' BANNON, ERNEST CROSWELL,
JEROME CROSWELL, ARTHUR
CROSWELL, ISABELL DAVIS,
EVELYN CROSWELL, VICTOR
CROSWELL, WILLIAM CROSWELL,
MYRTLE MONROE, RUBEN MONROE
and BERNICE M. MITCHELL,

RESPONDENTS,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

ANSWER

IN EQUITY NO. _____

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
AND TO THE HONORABLE H.M. HALL, JUDGE THEREOF, IN EQUITY:

The answer of the respondents, Sarah O. Hadley,
Leslie O' Bannon, Ernest Croswell, Jerome Croswell, Victor
Croswell, Arthur Croswell, Isabell Davis, Evelyn Croswell,
William Croswell, Myrtle Monroe, Ruben Monroe, and Bernice
M. Mitchell, to the bill of complaint of Alonzo O' Bannon
and Henrietta O' Bannon, Complainants:

These respondents, now and at all times hereafter
saving and reserving unto themselves all benefits and
advantages of exceptions which can or may be had or taken
to the many errors, uncertainties and other imperfections
in said bill of complaint, for answer thereto or so much
and such part therefore as these respondents is advised
it is or are material or necessary for them to make answer
thereto unto answering, says:

ONE

These respondents admit the allegations in paragraph
designated as one¹⁰⁰(1) of the complainants complaint.

TWO

These respondents, further answering, denies the
allegations designated in paragraphs 2-3-4 of the complainants
complaint.

And the respondents denies all manner of unlawfull combination and confederacy wherewith they are by the said bill charged, without this that there is any other matter, cause or thing in complainants said bill of complaint contained material or necessary for these respondents to make answer unto and not herein hereby well and sufficiently answered, confessed, traversed, and avoided or denied is true to the knowledge of belief of these respondents, all which matters and things these respondents ³⁰⁰ are ready and willing to aver, maintain and prove as this Honorable Court shall direct, and pray to be henced dismissed with their reasonable costs and charges in this behalf most wrongfully sustained.

Sarah V. Hadley
RESPONDENTS

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared before me, Sarah O' Hadley, who is known to me, and who, having been duly sworn, deposes and says that she is the respondent, and is acting on behalf of all interested parties summons herein.

x Sarah V. Hadley
460

Sworn to and subscribed before me this 16 day of April, 1956.

Deane J. Drake
Register
407 words

ALONZO O'BANNON, JR., AND
HENRIETTA O'BANNON,

COMPLAINANTS

VS.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS,
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE,
AND BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

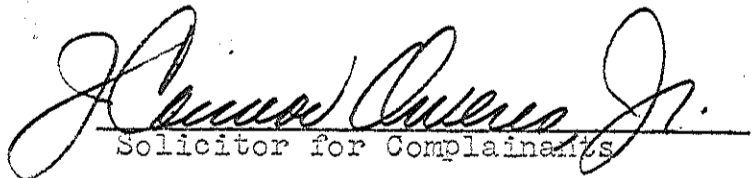
IN EQUITY NO. _____.

AMENDMENT TO THE COMPLAINT

Now comes the complainants, by their Solicitor, and amends the complaint filed heretofore in this cause by the following:

1. The complainants strike the respondent, Leslie O'Bannon as a party to this cause.

2. The complainants strike the following clauses from Paragraph 3 of the said complaint; "that the respondent, Leslie O'Bannon, is the owner of a one-fifth undivided interest in said lands; that the respondent Sarah O. Hadley, is the owner of a one-fifth undivided interest in said lands;" and the complainants substitute therefore the following: "that the respondent Sarah O. Hadley is the owner of a two-fifths undivided interest in said lands;".


Solicitor for Complainants

No 3752

Alonzo O'Bannon, Jr. et al.

vs.

Sarah O. Hadley, et al.

AMENDMENT TO COMPLAINT

FILED

JUN 29 1956

ALICE J. DUCK, Register

ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,

COMPLAINANTS

vs.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS,
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE,
and BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. _____.

In this cause it is made to appear to the Register by the affidavit of J. Connor Owens, Jr., Solicitor for the Complainants in the above stated cause, that the respondent Ernest Crosswell is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondent Jerome Crosswell is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondent Arthur Crosswell is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondent Isabell Davis is over the age of 21 and resides at 206 Wolcott Avenue, Chicago, Illinois; that the respondent Evelyn Crosswell is over the age of 21 and resides at 1259 Fulton Ave., Bronx, New York, New York; that the respondent Myrtle Monroe is over the age of 21 and resides at 1259 Fulton Ave., Bronx, New York, New York; that the respondent Ruben Monroe is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondents Victor Crosswell, William Crosswell, and Bernice M. Mitchell, whose addresses are not known, are believed by the affiant to be non-residents of the State of Alabama, and over the age of 21.

It is therefore ordered by the Register that publication be made in the Baldwin Times, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring the respondents, and each of them, separately and severally, to plead, answer or demur to the bill of complaint in this cause by the 20 day of April, 1956, or within thirty days thereafter, failing therein a decree pro confesso

may be taken against them, or each of them, separately and severally.

Dated this the 20 day of March, 1956.

Receiv. - Owen
Register

J. Connor Owens, Jr.
Solicitor for Complainants

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.



Circuit Court, Baldwin County

No.

.....Regular.....TERM, 1956.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Evelyn Crosswell

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 Evelyn Crosswell,
et al......, Defendant....

by Alonzo O'Bannon, Jr. and Henrietta O'Bannon.....
....., Plaintiff....

Witness my hand this 20 day of March 1956.

Alvin J. ... Clerk

Defendant lives at 1259 Fulton Ave., Bronx, New York, New York

No. _____ Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed _____ 19__

Clerk

3750

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

3752

ALONZO O'BANNON, JR. AND
HENRIETTA O'BANNON,

COMPLAINANTS

vs.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS,
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE,
and BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. _____

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND
TO THE HONORABLE H. M. HALL, JUDGE THEREOF, IN EQUITY:

Now comes the complainants herein, by their Solicitor, and
show unto Your Honor and unto this Honorable Court, the following:

1. That your complainants are both over the age of 21
years, and are both residents of Bay Minette, Alabama; that the
respondents, Sarah O. Hadley and Leslie O'Bannon are both over
the age of 21 years and are both residents of Baldwin County,
Alabama; that the respondent Ernest Crosswell is over the age
of 21 years and resides at 126 South Hamilton Street, Chicago,
Illinois; that the respondent Jerome Crosswell is over the age
of 21 years and resides at 126 South Hamilton Street, Chicago,
Illinois; that the respondent Arthur Crosswell is over the age
of 21 years and resides at 126 South Hamilton Street, Chicago,
Illinois; that the respondent Isabell Davis is over the age of
21 years and resides at 206 Wolcott Avenue, Chicago, Illinois;
that the respondent Evelyn Crosswell is over the age of 21 years
and resides at 1259 Fulton Ave., Bronx, New York, New York;
that the respondent Myrtle Monroe is over the age of 21 years
and resides at 1259 Fulton Ave., Bronx, New York, New York;
that Ruben Monroe is over the age of 21 years and resides at
126 South Hamilton Street, Chicago, Illinois; that the addresses
of the respondents Victor Crosswell, William Crosswell, and
Bernice M. Mitchell are unknown to your complainants, and they
have been unable to ascertain the same after a reasonable search,
but your complainants are informed that they are all over

the age of 21 years and are non-residents of the State of Alabama.

2. That your complainants and the respondents are the joint owners and together constitute all the persons interested in the following described lands situated in Baldwin County, Alabama, to-wit:

The West half ($W\frac{1}{2}$) of the Northwest ($NW\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East; and the Northwest ($NW\frac{1}{4}$) Quarter of the Southwest ($SW\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East.

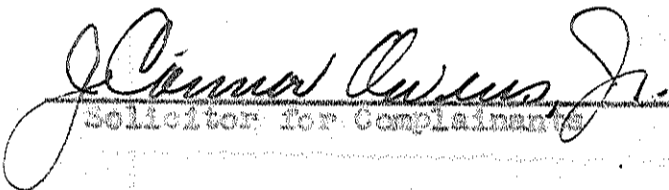
3. That your complainants are the owners of a one-fifth ($1/5$) undivided interest in said lands; that the respondent Leslie O'Bannon is the owner of a one-fifth undivided interest in said lands; that the respondent Sarah O. Hadley is the owner of a one-fifth undivided interest in said lands; that the respondents Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell and William Crosswell, jointly, are the owners of a one-fifth undivided interest in said lands; that the respondents Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell, jointly, are the owners of a one-fifth undivided interest in said lands; that said property is capable of being divided and equitably partitioned among the joint owners thereof into five shares in accordance with the interest averred herein.

4. Your Complainants further allege that the services of the complainants' Solicitor in this cause are rendered and to be rendered for the common benefit of all the owners of said property.

The premises considered, your complainants pray that this Honorable Court will take jurisdiction of the cause made by this bill of complaint, and by appropriate process make Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell, William Crosswell, Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell parties respondent to this bill of complaint, and by appropriate process require them, and each

of them, separately and severally, to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

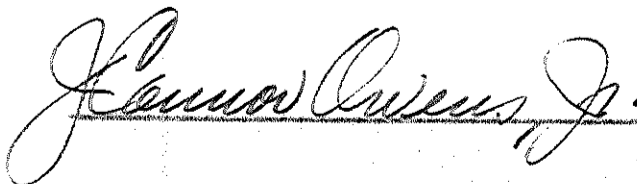
Your complainants further pray that upon a hearing hereof that Your Honor will decree the interest of each of the parties hereto in said lands and will decree the partition among the joint owners thereof of the lands hereinabove described and to that end will appoint commissioners to make such partition and to report their actions as such commissioners to this Court as provided by law; that your Honor will order a reference to ascertain and report a reasonable fee to be allowed the complainants' Solicitor for his services rendered in this cause to be taxed as costs, and your complainants pray for such other, further or different relief as in equity and good conscience shall be meet and proper in the premises.


Solicitor for Complainants

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who is known to me, and who, having been by me duly sworn, deposes and says that he is solicitor for the complainants in the above styled cause, and that the facts alleged in the bill of complaint from all information obtainable, are true, and from such information obtained here, he verily believes, and so states, the same to be true, and that Victor Crosswell, William Crosswell, and Bernice M. Mitchell are over the age of 21, and their places of residence and post office address are unknown, and cannot be ascertained upon diligent search and inquiry; that such search and inquiry has been made.



Sworn to and subscribed before me this the ___ day of March, 1956.

ALONZO O'BANNON, JR. AND
HENRIETTA O'BANNON,

COMPLAINANTS

vs.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE,
and BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 3752.

ORDER SETTING DATE FOR
FINAL SUBMISSION

It appearing to the Court that answer having been filed in this cause by the Respondent, Sarah O. Hadley, and that said answer was filed by the said Respondent, Sarah O. Hadley, and that no counsel has appeared for the said Sarah O. Hadley;

It is therefore ORDERED, ADJUDGED AND DECREED that the above style cause be set down for hearing at the regular session of this Court on July 17, 1956, at and in the Equity Courtroom, in the Courthouse, at Bay Minette, Alabama, and that a copy of this order be served upon the Respondent, Sarah O. Hadley, by mailing a copy thereof, postpaid, registered mail, return receipt requested, to the said Respondent.

Done at Bay Minette, Alabama, this 6 day of
July, 1956.

Robert M. Hall
Judge

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.



Circuit Court, Baldwin County

No.

..... Regular TERM, 1956.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Leslie O'Bannon

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 Leslie O'Bannon,
et al. Defendant.....

by Alonzo O'Bannon, Jr. and Henrietta O'Bannon

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

Witness my hand this 20 day of March 1956.

Alvin J. Welch Clerk

Defendant lives at Hurricane

No. _____ Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed _____ 19 _____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

_____ 19 _____

_____, Sheriff

I have executed this summons

this _____ 19 _____

by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff

ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,

COMPLAINANTS,

vs.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS,
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE
and BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. _____

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND
TO THE HONORABLE H. N. HALL, JUDGE THEREOF, IN EQUITY:

Now come the complainants herein, by their Solicitor, and
show unto Your Honor and unto this Honorable Court, the following:

1. That your complainants are both over the age of 21
years, and are both residents of Bay Minette, Alabama; that
the respondents, Sarah O. Hadley and Leslie O'Bannon are both
over the age of 21 years and are both residents of Baldwin
County, Alabama; that the respondent Ernest Crosswell is over
the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Jerome Crosswell is
over the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Arthur Crosswell is over
the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Isabell Davis is over the
age of 21 years and resides at 205 Wolcott Avenue, Chicago,
Illinois; that the respondent Evelyn Crosswell is over the
age of 21 years and resides at 1259 Fulton Ave., Bronx, New
York, New York; that the respondent Myrtle Monroe is over the
age of 21 years and resides at 1259 Fulton Ave, Bronx, New York,
New York; that Ruben Monroe is over the age of 21 years and
resides at 126 South Hamilton Street, Chicago, Illinois; that
the addresses of the respondents Victor Crosswell, William
Crosswell, and Bernice M. Mitchell are unknown to your complainants,
and they have been unable to ascertain the same after a reasonable
search, but your complainants are informed that they are all over

the age of 21 years and are non-residents of the State of Alabama.

2. That your complainants and the respondents are the joint owners and together constitute all the persons interested in the following described lands situated in Baldwin County, Alabama, to-wit:

The West half($\frac{1}{2}$) of the Northwest($\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East; and the Northwest($\frac{1}{4}$) Quarter of the Southwest($\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East.

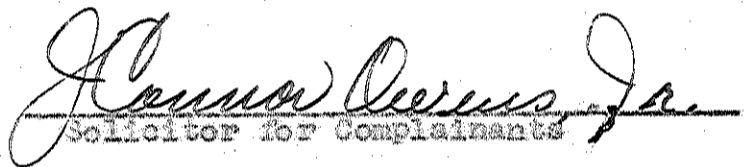
3. That your complainants are the owners of a one-fifth ($\frac{1}{5}$) undivided interest in said lands; that the respondent Leslie O'Bannon is the owner of a one-fifth undivided interest in said lands; that the respondent Sarah O. Hadley is the owner of a one-fifth undivided interest in said lands; that the respondents Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell and William Crosswell, jointly, are the owners of a one-fifth undivided interest in said lands; that the respondents Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell, jointly, are the owners of a one-fifth undivided interest in said lands; that said property is capable of being divided and equitably partitioned among the joint owners thereof into five shares in accordance with the interests averred herein.

4. Your complainants further allege that the services of the complainants' Solicitor in this cause are rendered and to be rendered for the common benefit of all the owners of said property.

The premises considered, your complainants pray that this Honorable Court will take jurisdiction of the cause made by this bill of complaint, and by appropriate process make Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell, William Crosswell, Myrtle Monroe, Ruben Monroe and Bernice M. Mitchell parties respondent to this bill of complaint, and by appropriate process require them, and each

of them, separately and severally, to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Your complainants further pray that upon a hearing hereof that Your Honor will decree the interest of each of the parties hereto in said lands and will decree the partition among the joint owners thereof of the lands hereinabove described and to that end will appoint commissioners to make such partition and to report their actions as such commissioners to this Court as provided by law; that your Honor will order a reference to ascertain and report a reasonable fee to be allowed the complainants' Solicitor for his services rendered in this cause to be taxed as costs, and your complainants pray for such other, further or different relief as in equity and good conscience shall be meet and proper in the premises.


Solicitor for Complainants

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who is known to me, and who, having been by me duly sworn, deposes and says that he is solicitor for the complainants in the above styled cause, and that the facts alleged in the bill of complaint, from all information obtainable, are true, and from such information obtained here, he verily believes, and so states, the same to be true, and that Victor Crosswell, William Crosswell and Bernice W. Mitchell are over the age of 21, and their places of residence and post office address are unknown, and cannot be ascertained upon diligent search and inquiry; that such search and inquiry has been made.


Solicitor for Complainants

Sworn to and subscribed before me this the 20 day of March, 1956.


Register

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 3752.

Alonzo O'Bannon, Jr., and
Henrietta O'Bannon, Complain-
ants vs. Sarah O. Hadley, Leslie
O'Bannon, Ernest Crosswell, Je-
rome Crosswell, Arthur Crosswell,
Isabell Davis, Evelyn Crosswell,
Victor Crosswell, William Cross-
well, Myrtle Monroe, Ruben
Monroe, and Bernice M. Mitchell.
Respondents.

In this cause it is made to ap-
pear to the Register by the affi-
davit of J. Connor Owens, Jr.
Solicitor for the Complainants in
the above stated cause that the re-
spondent Ernest Crosswell is over
the age of 21 and resides at 126
South Hamilton Street, Chicago,
Illinois; that the respondent
Jerome Crosswell is over the age
of 21 and resides at 126 South
Hamilton Street, Chicago, Illinois;
that the respondent Arthur Cross-
well is over the age of 21 and re-
sides at 126 South Hamilton
Street, Chicago, Illinois; that the
respondent Isabell Davis is over
the age of 21 and resides at 206
Wolcott Avenue, Chicago, Illinois;
that the respondent Evelyn Cross-
well is over the age of 21 and re-
sides at 1259 Fulton Ave., Bronx,
New York, New York; that the
respondent Myrtle Monroe is over
the age of 21 and resides at 1259
Fulton Ave., Bronx, New York,
New York; that the respondent
Ruben Monroe is over the age of
21 and resides at 126 South Ham-
ilton Street, Chicago, Illinois; that
the respondents Victor Crosswell,
William Crosswell, and Bernice
M. Mitchell, whose addresses are
not known, are believed by the
affiant to be non-residents of the
State of Alabama, and over the
age of 21.

It is therefore ordered by the
Register that publication be made
in the Baldwin Times, a news-
paper published in Baldwin
County, Alabama, once a week
for four consecutive weeks, re-
quiring the respondents, and each
of them, separately and severally,
to plead, answer or demur to the
bill of complaint in this cause by
the 20 day of April, 1956, or with-
in thirty days thereafter, failing
therein a decree pro confesso may
be taken against them, or each
of them, separately and severally.

Dated this the 20 day of March,
1956.

Alice J. Duck
Register

J. Connor Owens, Jr.
Solicitor for Complainants

10-4 t c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BALDWIN COUNTY.

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

O'Bannon vs. Hadley

COST STATEMENT

401 WORDS @ 6 1/2 cents _____ \$ 26 06

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

E. R. Monizette Jr.
Editor Publisher

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

Date of 1st publication Mar 22, 1956 Vol. 67 No. 10

Date of 2nd publication Mar 29, 1956 Vol. 67 No. 11

Date of 3rd publication Apr 5, 1956 Vol. 67 No. 12

Date of 4th publication Apr 12, 1956 Vol. 67 No. 13

Subscribed and sworn before the undersigned this 12 day of Apr, 1956.

Dorothy Martin
Notary Public, Baldwin County.

E. R. Monizette Jr.
Editor Publisher

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

}

Circuit Court, Baldwin County

No.

Regular TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon Jerome Crosswell

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 Jerome Crosswell,
et al. Defendant

by Alonzo O'Bannon, Jr., and Henrietta O'Bannon

Plaintiff

Witness my hand this 20 day of March 1956

Eric J. French Clerk

Defendant lives at 126 South Hamilton Street, Chicago, Illinois

No. _____ Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed _____ 19__

_____ Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

_____ 19__

_____, Sheriff

I have executed this summons

this _____ 19__

by leaving a copy with

_____ Sheriff

_____ Deputy Sheriff

ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,

COMPLAINANTS,

vs.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS,
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE
and BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. _____

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND
TO THE HONORABLE H. M. HALL, JUDGE THEREOF, IN EQUITY:

Now come the complainants herein, by their Solicitor, and
show unto Your Honor and unto this Honorable Court, the following:

1. That your complainants are both over the age of 21
years, and are both residents of Bay Minette, Alabama; that
the respondents, Sarah O. Hadley and Leslie O'Bannon are both
over the age of 21 years and are both residents of Baldwin
County, Alabama; that the respondent Ernest Crosswell is over
the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Jerome Crosswell is
over the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Arthur Crosswell is over
the age of 21 years and resides at 126 South Hamilton Street,
Chicago, Illinois; that the respondent Isabell Davis is over the
age of 21 years and resides at 206 Wolcott Avenue, Chicago,
Illinois; that the respondent Evelyn Crosswell is over the
age of 21 years and resides at 1259 Fulton Ave., Bronx, New
York, New York; that the respondent Myrtle Monroe is over the
age of 21 years and resides at 1259 Fulton Ave, Bronx, New York,
New York; that Ruben Monroe is over the age of 21 years and
resides at 126 South Hamilton Street, Chicago, Illinois; that
the addresses of the respondents Victor Crosswell, William
Crosswell, and Bernice M. Mitchell are unknown to your complainants,
and they have been unable to ascertain the same after a reasonable
search, but your complainants are informed that they are all over

the age of 21 years and are non-residents of the State of Alabama.

2. That your complainants and the respondents are the joint owners and together constitute all the persons interested in the following described lands situated in Baldwin County, Alabama, to-wit:

The West half($W\frac{1}{2}$) of the Northwest($NW\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East; and the Northwest($NW\frac{1}{4}$) Quarter of the Southwest($SW\frac{1}{4}$) Quarter of Section 26, Township 2 South, Range 2 East.

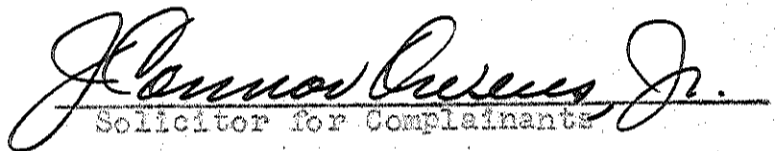
3. That your complainants are the owners of a one-fifth ($1/5$) undivided interest in said lands; that the respondent Leslie O'Bannon is the owner of a one-fifth undivided interest in said lands; that the respondent Sarah O. Hadley is the owner of a one-fifth undivided interest in said lands; that the respondents Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell and William Crosswell, jointly, are the owners of a one-fifth undivided interest in said lands; that the respondents Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell, jointly, are the owners of a one-fifth undivided interest in said lands; that said property is capable of being divided and equitably partitioned among the joint owners thereof into five shares in accordance with the interests averred herein.

4. Your complainants further allege that the services of the complainants' Solicitor in this cause are rendered and to be rendered for the common benefit of all the owners of said property.

The premises considered, your complainants pray that this Honorable Court will take jurisdiction of the cause made by this bill of complaint, and by appropriate process make Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell, William Crosswell, Myrtle Monroe, Ruben Monroe and Bernice M. Mitchell parties respondent to this bill of complaint, and by appropriate process require them, and each

of them, separately and severally, to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Your complainants further pray that upon a hearing hereof that Your Honor will decree the interest of each of the parties hereto in said lands and will decree the partition among the joint owners thereof of the lands hereinabove described and to that end will appoint commissioners to make such partition and to report their actions as such commissioners to this Court as provided by law; that your Honor will order a reference to ascertain and report a reasonable fee to be allowed the complainants' Solicitor for his services rendered in this cause to be taxed as costs, and your complainants pray for such other, further or different relief as in equity and good conscience shall be meet and proper in the premises.


Solicitor for Complainants

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who is known to me, and who, having been by me duly sworn, deposes and says that he is solicitor for the complainants in the above styled cause, and that the facts alleged in the bill of complaint, from all information obtainable, are true, and from such information obtained here, he verily believes, and so states, the same to be true, and that Victor Crosswell, William Crosswell and Bernice M. Mitchell are over the age of 21, and their places of residence and post office address are unknown, and cannot be ascertained upon diligent search and inquiry; that such search and inquiry has been made.



Sworn to and subscribed before me this the ___ day of March, 1956.

~~Alonzo O'Bannon, Jr. and Henriette O'Bannon~~

CIRCUIT COURT OF
Baldwin County.

Vs.

IN EQUITY

~~Sarah O. Hadley, Leslie Ernest Crosswell,
Jerome Crosswell, Arthur Crosswell, Isabell
Davis, Evelyn Crosswell, Victor Crosswell,
William Crosswell, Myrtle Monroe, Ruben Monroe
Bernice M. Mitchell~~

In this cause it being made to appear to the Register that on the _____
day of March, 19 56, a copy of the Bill of Complaint filed in this cause was
sent to ~~Reuben Monroe, Arthur Crosswell, Myrtle Monroe~~
Ernest Crosswell, and Isabelle Davis

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom
addressed," and return receipt demanded addressed to the Register of this Court; and that on the
27 day of April, 19 56, such receipt was duly
received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer
or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered,
adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things
taken as confessed against the said ~~Reuben Monroe, Arthur Crosswell, Myrtle~~
~~Monroe, Ernest Crosswell, and Isabelle Davis~~ Defendant.

This the 29th day of May, 19 56.
Wing J. Drake Register.

No. 3752

**CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA**

In Equity.

Alonzo O'Bannon, Jr., et al

Vs.

Sarah O. Hadley, et al.

**DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL**

Filed in office this 29 day of

May, 19 56

Wickham Register

Entered in O. B. _____ Page _____

ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,
Complainants,

VS.

SARAH O. HADLEY, ET AL.,
Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN
EQUITY NO. 3752.

By order of a decree rendered in the above styled cause by Hon. Hubert M. Hall,
Judge of the Circuit Court in and for said county and State, on the 26th day of July,
1956:

It was ORDERED, ADJUDGED AND DECREED that W.M. Ruple, Joe Broughton and O.W.
Lyles be and they are hereby appointed and authorized as Commissioners to divide the
said property, to-wit:

West Half of Northwest Quarter and
Northwest Quarter of Southwest Quarter,
Section 26, Township 2 South, Range 2 East,

into five equal parcels, having regard to the acreage and advantages and conditions
of said land as nearly equal in value as practicable, make a plat and map thereof,
showing the divisions and boundaries of said lots and numbering them progressively,
and they are authorized, if it becomes necessary, to employ a surveyor or chain
bearers and other attendants to make said division.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said Commissioners,
upon completion of their services and the division of the property into lots as herein
ordered, that they give notice by publication in the Baldwin Times, a newspaper
published in Bay Minette, in Baldwin County, Alabama, for three successive weeks, that
they will, on the 8th day of September, 1956, at 10 o'clock A.M., in the presence of
the Circuit Judge and the Register of the Circuit Court of Baldwin County, Alabama, in
equity, determine by lot to whom each of the several lots or parcels belong, and make
a statement in writing of the results, setting forth to whom the several parcels or
lots belong, and make a statement in writing of the results, setting forth to whom
the several parcels or lots were allotted, together with all of the facts relating
to the partition and allotment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said Commissioners
file a report of their findings and actions for such other orders and decrees as may
be necessary in the premises.

Witness my hand seal of this court this 26th day of July, 1956.

David W. ...
Register of Circuit Court

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 3752 _____, Term, 19 56

Alonzo O'Bannon, Jr. and Henrietta O'Bannon Complainant S

Vs.

Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell, William Crosswell, Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell Defendant
Motion is hereby made for a Decree Pro Confesso against _____

Jerome Crosswell, Evelyn Crosswell, Victor Crosswell, William Crosswell, Bernice M. Mitchell, Defendant

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 Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 22 day of MAY 19 56.

746 Code

J. Cannon Owens, Jr. Solicitor.

No. 3752

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Alonzo O'Bannon, Jr. et al

Complainant _____

Vs.

Sarah O. Hadley, et al.

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed _____ 19 _____

FILED

MAY 23 1956

Register.

ALICE L. BUCK, Register

Recorded in _____ Record

Vol. _____ Page _____

Register.

The State of Alabama,
Baldwin County.

No. 3752..... CIRCUIT COURT, IN EQUITY.

Alonzo O'Bannon, Jr. and Henrietta O'Bannon,..... Complainant S.....

Vs.

Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Defendant s.....
Jerome Crosswell, Arthur Crosswell, Isabell Davis,
Evelyn Crosswell, Victor Crosswell, William Crosswell,
Myrtle Monroe, Ruben Monroe, Bernice M. Mitchell
Motion is hereby made for a Decree Pro Confesso against

Ernest Crosswell, Myrtle Monroewell, Arthur Crosswell, Defendant S.....
Isabell Davis, and Reuben Monroe

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant...S., and that said summons was duly served by Registered Mail, according to law, and that said Defendant.s.....have... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 29th day of May, 19 56.

J. Lamar Cross, Jr., Solicitor.

No. 3752

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

Alonzo L. Bannon, Jr., et al.

Vs.

Sarah O. Hadley et al.

MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL

Filed 5-29, 1956

Alvin J. Duke
Register.

Recorded in Record,

Vol. Page

Register.



THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

JIMMY FAULKNER
AND
BILL STEWART
PUBLISHERS

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

The Baldwin Times, Bay Minette, Ala., Thursday, Sept. 6, 1956

Legal Notice

Alonzo O'Bannon, Jr., and Henrietta O'Bannon, Complainants vs. Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabelle Davis, Evelyn Crosswell, Victor Crosswell, William Crosswell Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell, Respondents.

In the Circuit Court of Baldwin County, Alabama, In Equity No. 3752.

To: Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell, Jerome Crosswell, Arthur Crosswell, Isabell Davis, Evelyn Crosswell, Victor Crosswell, William Crosswell, Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell.

You are hereby notified that the undersigned commissioners, pursuant to a decree rendered in the above style cause upon the

26th day of July, 1956, have completed their division of the following property, to-wit:

West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter, Section 26, Township 2 South, Range 2 East, of St. Stephens Meridian, Baldwin County, Alabama, and containing 119.15 acres.

And that they will, on the 8th day of September, 1956, at 10:00 a. m., in the presence of the Circuit Judge and Register of the Circuit Court of Baldwin County, Alabama, in equity, at the Court-house in Bay Minette, Alabama, determine lot by lot to whom each of the several lots or parcels belong, and make a statement in writing of the results, setting forth to whom the several parcels or lots were allotted, together with all of the facts relating to the partition and allotment.

In Witness Whereof, we have hereunto set our hands, this the

16th day of August, 1956.
JOE BROUGHTON /s/
W. M. RUPLE /s/
O. W. LYLES /s/ 32-3tc

AFFIDAVIT OF PUBLICATION

BAMA.
ALTY.

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

vs. O. Bannan vs. Hadley

COST STATEMENT

WORDS @ 5 cents \$ 14⁵⁵

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

E. R. Morrisette, Jr.
Editor.

was published in said newspaper for 3 consecutive weeks in the following issues:

Date of 1st publication Aug. 23, 1956 Vol 67 No 32

Date of 2nd publication Aug. 30, 1956 Vol 67 No 33

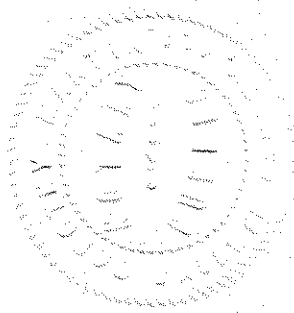
Date of 3rd publication Sept. 6, 1956 Vol 67 No 34

Date of 4th publication _____, 195__ Vol _____ No _____

Subscribed and sworn before the undersigned this 6 day of Sept, 1956.

Walter Martin
Notary Public, Baldwin County.

E. R. Morrisette, Jr.
Editor.



ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,

COMPLAINANTS

vs.

SARAH O. HADLEY, LESLIE
O'BANNON, ERNEST CROSSWELL,
JEROME CROSSWELL, ARTHUR
CROSSWELL, ISABELL DAVIS,
EVELYN CROSSWELL, VICTOR
CROSSWELL, WILLIAM CROSSWELL,
MYRTLE MONROE, RUBEN MONROE,
and BERNICE M. MITCHELL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3752

In this cause it is made to appear to the Register by the affidavit of J. Connor Owens, Jr., Solicitor for the Complainants in the above stated cause, that the respondent Ernest Crosswell is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondent Jerome Crosswell is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondent Arthur Crosswell is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondent Isabell Davis is over the age of 21 and resides at 206 Wolcott Avenue, Chicago, Illinois; that the respondent Evelyn Crosswell is over the age of 21 and resides at 1259 Fulton Ave., Bronx, New York, New York; that the respondent Myrtle Monroe is over the age of 21 and resides at 1259 Fulton Ave., Bronx, New York, New York; that the respondent Ruben Monroe is over the age of 21 and resides at 126 South Hamilton Street, Chicago, Illinois; that the respondents Victor Crosswell, William Crosswell, and Bernice M. Mitchell, whose addresses are not known, are believed by the affiant to be non-residents of the State of Alabama, and over the age of 21.

It is therefore ordered by the Register that publication be made in the Baldwin Times, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring the respondents, and each of them, separately and severally, to plead, answer or demur to the bill of complaint in this cause by the 20 day of April, 1956, or within thirty days thereafter, failing therein a decree pro confesso

may be taken against them, or each of them, separately and severally.

Dated this the 20 day of March, 1956.

W. A. Rice, Jr.
Register

BOOK 004 PAGE 266

J. Connor Owens, Jr.
Solicitor for Complainants

STATE OF ALABAMA, BALDWIN COUNTY

Filed 3-20-56 2 P. M.

Recorded Lic. Prod book 4 page 265-6

M. D. Stewart
Judge of Probate 2

32 257
Alonso
Henshaw
O'Brien
W. A. Rice

53
71
M. D. Stewart
JUDGE OF PROBATE

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 J. Heck
(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) Regis-try 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	4085 Rahm Monroe, 126 So. Hinckley St. Chicago Ill	03	40	07	20			
2	4086 Myrtle Monroe, 1259 Yates Ave. Berwyn 7474	03	40	07	20			
3	4087 Jerome Craswell, 126 So. 7th St. Chicago Ill	03	40	07	20			
4	4088 Ernest Craswell, " " " " " " " " " " " "	03	40	07	20			
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								

* 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."

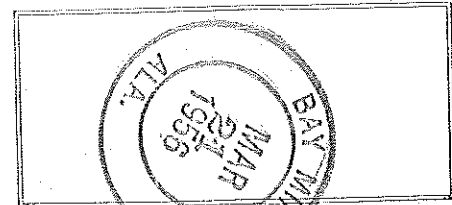
† Show in "Remarks" column (9) class postage paid if other than first or if international mail. Also use this column to indicate "F" if "Fragile"; "SD" if "Special-Delivery"; "AM" if "Air Mail"; and "C. O. D." and amount due sender if registered C. O. D. mail.

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

Total number of pieces received at post office _____

Postmaster, per Nelson
(Name of receiving employee)

Affix stamp here for additional copies of this bill



Postmark and date of receipt

ALONZO O'BANNON, JR. AND
HENRIETTA O'BANNON,

COMPLAINANTS

VS.

SARAH O. HADLEY, LESLIE O'BAN-
NON, ERNEST CROSSWELL, JEROME
CROSSWELL, ARTHUR CROSSWELL,
ISABELL DAVIS, EVELYN CROSSWELL,
VICTOR CROSSWELL, WILLIAM
CROSSWELL, MYRTLE MONROE, RUBEN
MONROE, and BERNICE M. MITCHELL

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3752

TO: Sarah O. Hadley, Leslie O'Bannon, Ernest Crosswell,
Jerome Crosswell, Arthur Crosswell, Isabell Davis,
Evelyn Crosswell, Victor Crosswell, William Crosswell,
Myrtle Monroe, Ruben Monroe, and Bernice M. Mitchell.

You are hereby notified that the undersigned commissioners,
pursuant to a decree rendered in the above style cause upon
the 26th day of July, 1956, have completed their division
of the following property, to-wit:

West Half of the Northwest Quarter and the
Northwest Quarter of the Southwest Quarter,
Section 26, Township 2 South, Range 2 East,
of St. Stephens Meridian, Baldwin County,
Alabama, and containing 119.15 acres.

And that they will, on the 8th day of September, 1956, at
10:00 a.m., in the presence of the Circuit Judge and the
Register of the Circuit Court of Baldwin County, Alabama,
in equity, at the Courthouse in Bay Minette, Alabama,
determine lot by lot to whom each of the several lots or
parcels belong, and make a statement in writing of the
results, setting forth to whom the several parcels or lots
were allotted, together with all of the facts relating to
the partition and allotment.

In Witness Whereof, we have hereunto set our hands,
this the 16th day of August, 1956.

Joe Brantley

W. M. Purple

O. W. Lykes

ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,

Complainants

vs.

SARAH O. HADLEY, ET AL.,

Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY No. 3752

REPORT OF COMMISSIONERS

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND
TO THE HONORABLE H. M. HALL, JUDGE THEREOF, IN EQUITY:

Now come the undersigned commissioners, heretofore on, to-wit: the 26th day of July, 1956, appointed by Your Honor to partition certain lands, described therein, and between the parties therein, the joint owners thereof, report that, pursuant to the authority vested in them as such commissioners, they took an oath to faithfully execute the trust reposed in them and to make the division or partition, fairly and impartially if the same can be made, amongst the joint owners; they further report that after being so sworn they proceeded to make distribution of said land amongst the said joint owners as directed by said commission.

The commissioners first inspected the lands and then, without delay, proceeded to make division thereof into the necessary number of shares, having regard to the quality of the soil, the timber thereon, and other advantages, so as to make the different shares as nearly equal in value as practicable, as follows:

- PARCEL #1- Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 792 feet to a point; run thence East 1320 feet to a point; run thence North 792 feet to a point; run thence West 1320 feet to the point of beginning, containing 24 acres, more or less, in the Northwest Quarter of the Northwest Quarter of Section 26, T. 2 S., R. 2 E.
- PARCEL #2- Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 792 feet to the point of beginning; Thence continue South along said section line 792 feet to a point; thence run East 1320 feet to a point; thence run North 792 feet to a point; thence run West 1320 feet to the point of beginning, containing 24 acres, more or less, in the Northwest Quarter of Section 26, T. 2 S., R. 2 E.
- PARCEL #3- Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 1584 feet to the point of beginning; Thence continue South along said Section line 792 feet to a point; thence run East 1320 feet to a point; thence run North 792 feet to a point; thence run West 1320 feet to the point of beginning, containing 24 acres more or less, in the Southwest Quarter of the Northwest Quarter of Section 26, T. 2 S., R. 2 E.

PARCEL #4- Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 2376 feet to the point of beginning; Thence run South along the said section line 792 feet to a point; thence run East 1320 feet to a point; thence run North 792 feet to a point; thence run West 1320 feet to the point of beginning, containing 24 acres, more or less.

PARCEL #5- Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 3168 feet to the point of beginning; Thence run South 792 feet, more or less to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 26; thence run East along said quarter section line, 1320 feet, more or less, to the Southeast corner of said Northwest Quarter of Southwest Quarter; thence run North 792 feet more or less to a point, said point being due East of the beginning point; thence run West 1320 feet, more or less, to the point of beginning, containing 24 acres, more or less, in the Northwest Quarter of the Southwest Quarter of Section 26, T. 2. S., R. 2 E.

Your commissioners further report that, after said land was divided into the Five number of parts, as above set forth, they did, in the presence of Your Honor and the Register of this Court, determine lot by lot to whom each of said parcels belonged. They put upon five pieces of paper five numbers, as follows: No. 1, No. 2, No. 3, No. 4, and No. 5, and then they put these pieces into a hat and shook them up-each of said papers representing a lot of land corresponding to the number written thereon; they wrote the names of each of said joint owners upon a separate piece of paper, and put these five papers into another hat and shook them up. After the papers were thus prepared, one of the commissioners drew first a paper from the hat containing the names of the joint owners, and then another of the commissioners drew from the other hat, containing the numbers of the said lots of land, a piece of paper-the number of said pieces of paper to indicate the lot of land which the owners should have whose names were on the piece of paper drawn by the first commissioner; and thus they continued until the distribution was completed.

Your commissioners further report that on the distribution thus made, the following were allocated the Parcel indicated:

Alonzo O'Bannon, Jr., and
Henrietta O'Bannon

PARCEL NO. 4.

Sarah O. Hadley

PARCEL NOS. 1 AND 3.

Ernest Crosswell, Jerome
Crosswell, Arthur Crosswell,
Evelyn Crosswell, Victor Crosswell,
William Crosswell, and Isabell
Davis

PARCEL NO. 5.

Myrtle Monroe, Ruben Monroe,
and Bernice M. Mitchell

PARCEL NO. 2.

Your commissioners further report that they gave notice by publication in the Baldwin Times, a newspaper published in Baldwin County, Alabama, for three successive weeks prior to said division or partition, of the date and place of making said division or partition.

Attached hereto and marked Exhibit "A", and made a part of this report is a map and plat of said land showing the subdivisions and boundaries of the lots, which said lots are numbered progressively.

In testimony of all of which, we do hereunto set our hands and seals, this the 8th day of September, 1956.

BOOK 020 PAGE 284

Joe Brantton (LS)

W. M. Duple (LS)

O. W. Lyles (LS)
Commissioners

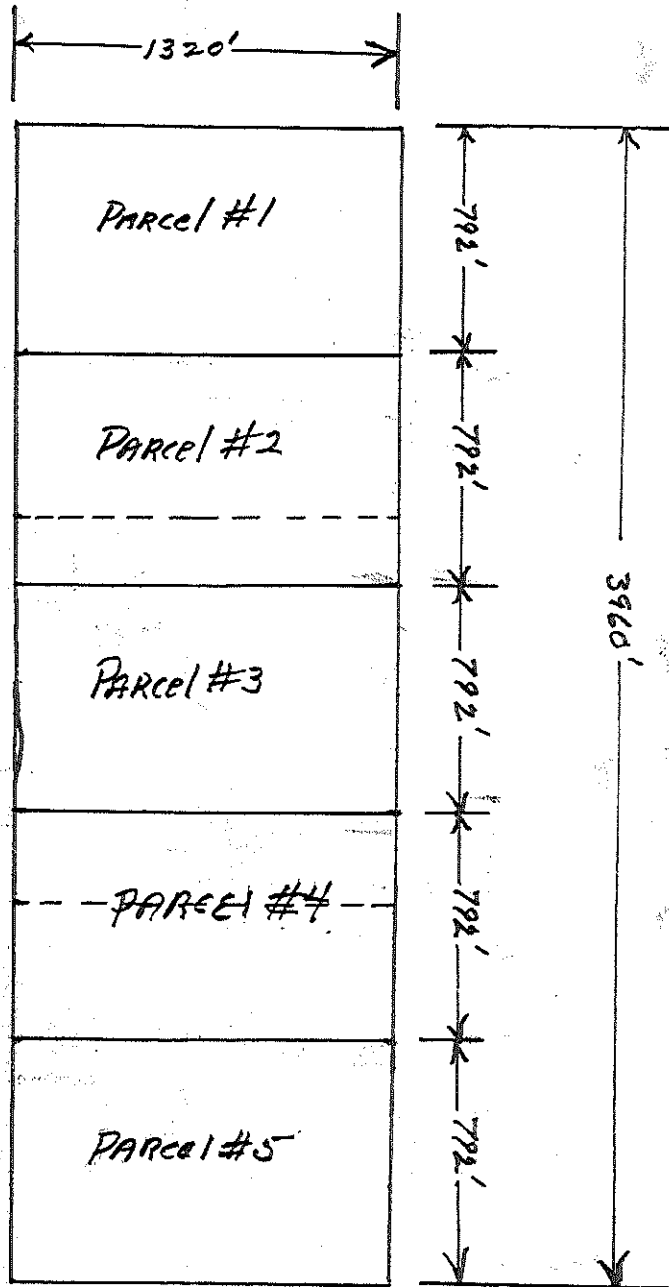
PLAT OF THE

West half of Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 26, Township 2 South, Range 2 East, of St. Stephens Meridian, Alabama, and containing 119.15 acres.

Joe Brantley
Commissioner

Wm Duple
Commissioner

O.W. Lyles
Commissioner



BOOK 020 PAGE 285

EXHIBIT "A"

3. That Ess O'Bannon and Sarah O'Bannon left surviving them, as their sole heirs and next of kin, the following children: Lena O'Bannon Croswell, Leslie O'Bannon, Sarah O'Bannon Hadley, Alonzo O'Bannon, and Agnes O'Bannon Bouldin.

4. That Alonzo O'Bannon is dead, leaving surviving him as his sole and only heirs, Henrietta O'Bannon, his widow and Alonzo O'Bannon, Jr., both of whom are over 21 years of age.

5. That Lena O'Bannon Croswell is dead and that she left surviving her as her sole and only heirs, Ernest Croswell, Jarome Croswell, Arthur Croswell, Isabell Davis, Evelyn Croswell, Victor Croswell and William Croswell, all of whom are over 21 years of age.

6. That Agnes O'Bannon Bouldin is dead, leaving as her sole and only heirs, Myrtle Monroe, Ruben Monroe and Bernice Mitchell, all of whom are over 21 years of age.

7. That Leslie O'Bannon has conveyed his interest in and to said property to Sarah Hadley.

8. That the said property is of such kind, nature and description that it can be equitably divided between the owners thereof without a sale thereof;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the said property, to-wit:

West Half of Northwest Quarter and
Northwest Quarter of Southwest Quarter
of Section 26, Township 2 South, Range 2
East of St. Stephens, Meridian and Alabama,
and containing 119.15 acres,

is of such nature, kind and character that it can be equitably divided between the owners thereof without the necessity of a sale.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Alonzo O'Bannon and Henrietta O'Bannon own an undivided one-fifth interest in and to said land; that Sarah Hadley owns an undivided two-fifths interest in and to said lands; That Ernest

Croswell, Jarome Croswell, Arthur Croswell, Evelyn C. oswell, Victor Croswell, William Croswell and Isabell Davis own an undivided one-fifth interest in said lands; that Myrtle Monroe, Ruben Monroe and Bernice M. Mitchell own an undivided one-fifth interest in saidlands.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that W. M. Ruple, Joe Broughton and O. W. Lyles be and they are hereby appointed and authorized as Commissioners to divide the said property, towit:

West Half of Northwest Quarter and
Northwest Quarter of Southwest Quarter,
Section 26, Township 2 South, Range 2 East,

into five equal parcels, having regard to the acreage and advantages and conditions of said land as nearly equal in value as practicable, make a plat and map thereof, showing the division and boundaries of said lots and numbering them progressively, and they are authorized, if it becomes necessary, to employ a surveyor or chain bearers and other attendants to make said division.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said Commissioners, upon the completion of their services and the division of the property into lots as herein ordered, that they give notice by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for three successive weeks, that they will, on the 8th day of September, 1956, at 10 o'clock A. M., in the presence of the Circuit Judge and the Register of the Circuit Court of Baldwin County, Alabama, in equity, determine by lot to whom each of the several lots or parcels belong, and make a statement in writing of the results, setting forth to whom the several parcels or lots were allotted, together with all of the facts relating to the partition and allotment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said Commissioners file a report of their findings and actions for such other orders and decrees as may be

necessary in the premises.

— Dated at Bay Minette, Alabama, this 26th day of
July, 1956.

Hubert M. Hall
Judge

FILED

JUL 27 1956

ALICE J. BOCK, Register

ALONZO O'BANNON, JR. and
HENRIETTA O'BANNON,

COMPLAINANTS

VS.

SARAH O. HADLEY, ET AL.

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3752.

This cause coming on for final decree upon the decree of this Court dated 26th day of July, 1956, notice of partition by publication in the Baldwin Times, a newspaper published in Baldwin County, Alabama, for three successive weeks, and the report of the commissioners appointed by this Court in its order dated July 26th, 1956, and the Court, after considering the report of the commissioners, and all of the pleadings and testimony in this case, is of the opinion and finds:

1. That the report of the commissioners and the evidence submitted therewith shows that said property was fairly allotted in strict accordance with the law.
2. That said commissioners made a division or partition into five(5)parts or shares, making each share as nearly equal in value as practicable.
3. That said commissioners personally examined the said lands and had regard to the quality of the soil, the timber thereon, and other advantages, and also made a plat and map thereof showing the subdivisions and boundaries and numbered them progressively, said plat and map being attached and made a part of their report.
4. That due notice of the day and place of said partition was given by publication for three successive weeks in the Baldwin Times, a newspaper published in said County, that said commissioners would attend at the Courthouse of this County to make a partition among the joint owners, on the 8th day of September, 1956, at 10:00 a.m.
5. That on said appointed day the commissioners proceeded in the presence of the Court and of the Register of said Court

and determined lot by lot to whom each of the several parcels belonged, and that as determined by said lot, they divided and set apart to the following persons, the following described property, to-wit:

Alonzo O'Bannon, Jr.
and
Henrietta O'Bannon

Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 2376 feet to the point of beginning: Thence run South along said section line 792 feet to a point; thence run East 1320 feet to a point; thence run North 792 feet to a point; thence run West 1320 feet to the point of beginning, containing 24 acres, more or less.

Sarah O. Hadley

Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 792 feet to a point; run thence East 1320 feet to a point; run thence North 792 feet to a point; run thence West 1320 feet to the point of beginning, containing 24 acres, more or less, in the Northwest Quarter of the Northwest Quarter of Section 26, T. 2 S., R. 2 E.

Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 1584 feet to the point of beginning: Thence continue South along said Section line 792 feet to a point; thence run East 1320 feet to a point; thence run North 792 feet to a point; thence run West 1320 feet to the point of beginning, containing 24 acres, more or less, in the Southwest Quarter of the Northwest Quarter of Section 26, T. 2 S., R. 2 E.

✓ Ernest Crosswell
and
✓ Jerome Crosswell
and
✓ Arthur Crosswell
and
✓ Evelyn Crosswell
and
✓ Victor Crosswell
and
✓ William Crosswell
and
Isabell Davis

Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 3168 feet to the point of beginning: Thence run South 792 feet, more or less, to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 26; thence run East along said quarter section line, 1320 feet, more or less, to the Southeast corner of said Northwest Quarter of Southwest Quarter; thence run North 792 feet, more or less, to a point, said point being due East of the beginning point; thence run West 1320 feet, more or less, to the point of beginning, containing 24 acres, more or less, in the Northwest Quarter of the Southwest Quarter of Section 26, T. 2 S., R. 2 E.

Myrtle Monroe
and
Ruben Monroe
and
Bernice M. Mitchell

Begin at the Northwest corner of Section 26, Township 2 South, Range 2 East, and run thence South 792 feet to the point of beginning: Thence continue South along said section line

792 feet to a point; thence run East 1320 feet to a point; thence run North 792 feet to a point; thence run West 1320 feet to the point of beginning, containing 24 acres, more or less, in the Northwest Quarter of Section 26, T. 2 S., R. 2 E.

6. That the services of said Solicitor for the Complainants, J. Connor Owens, Jr., have been for the benefit of all the parties and that the sum of \$450.00 is a reasonable attorney's fee in the premises.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that said partition be confirmed, and is hereby confirmed, and that said partition vests a title in fee simple in the person or persons to whom each share or lot was allotted as fully and as completely as if each had conveyed to the others.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that J. Connor Owens, Jr. be allowed, and is hereby allowed, the sum of \$450.00, and that said fee shall be taxed as part of the costs in said proceedings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said commissioners are hereby each allowed the sum of \$25^{1/10} as their fees and expenses in the discharge of their duties in making said partition, and that said sum shall be taxed as part of the costs in this proceedings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of this proceedings are to be paid one-fifth (1/5) each by the joint owners to whom an allotment has been made herein, excepting that two-fifths (2/5) of the costs shall be taxed to Sarah O. Hadley for the two allotments received by her, for which costs let execution issue.

Dated at Bay Minette, Alabama, this ^{5th}~~10th~~ day of ^{October} September, 1956.

J. Hubert M. Hall
Judge

RECORDED

Alonzo O'Bannon, et al.

Complainants

vs.

Sarah O. Hadley, et al.

Respondents

FINAL DECREE

Filed 10-5-56
Arlis J. Ruck
Registrar

Handwritten initials in a circle, possibly "SVA".

Faint, mostly illegible text from the reverse side of the document, appearing as bleed-through.