

RICHARD P. BAER AND COMPANY,
A Partnership composed of
Richard P. Baer, William
Vogedes, Richard P. Baer, II,
and Michael S. Baer, Jr.,

Complainants.

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

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

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NOTICE OF PENDENCY OF BILL OF COMPLAINT

Notice is hereby given to each and all of the Respondents named below and to all persons, firms or corporations claiming any right, title or interest in, lien or encumbrance on the lands hereinafter described, or any part thereof, that Richard P. Baer and Company, did, on the 3rd day of October, 1956, file in the Circuit Court of Baldwin County, Alabama, in Equity, a verified Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:

IN TOWNSHIP 2 SOUTH, RANGE 1 EAST:

SECTION:

All of Fractional Section lying East of Mobile River;	35
All of Section	36

IN TOWNSHIP 2 SOUTH, RANGE 2 EAST:

Fractional Section lying West of Tensaw River;	31
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IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:

All of Fractional Section lying West of Tensaw River;	1
All of Fractional Section lying South and East of Mobile River;	2
All of Fractional Section South and East of Mobile River;	3
All of Fractional Section South and East of Mobile River;	4
All of Fractional Section lying South and East of Mobile River;	5
All of Fractional Section lying East of Mobile River;	8
All of Fractional Section North and West of Chuckfey Bay;	9
That part of Fractional Southeast Quarter which lies on an island in Chuckfey Bay;	9
All of Fractional Section lying North and East of Chuckfey Bay;	10
All of Fractional Southwest Quarter which lies on an island in Chuckfey Bay;	10

All of Fractional Section West of Tensaw River;	11
All of Fractional Section lying North and West of Tensaw River;	12
All of Fractional Section which lies on an island in Tensaw River;	12
All of Fractional Section which lies on an island in Tensaw River;	13
All of Fractional Section West of Tensaw River;	14
All of Fractional Section which lies South and East of Chuckfey Bay;	15
All of Fractional Northwest Quarter which lies on an island in Chuckfey Bay;	15
All of Fractional Northeast Quarter which lies on an island in Chuckfey Bay;	16
All of Fractional Section which lies West and South of Chuckfey Bay;	16
All of Fractional Section which lies South and East of Mobile River;	17
All of Fractional Section which lies South and East of Mobile River;	18
All of Fractional Section which lies between Mobile River and Spanish River and Grand Bay;	19
All of Fractional Northeast Quarter; Fractional North half of Southeast Quarter; Fractional Southeast Quarter of Southeast Quarter lying North and East of Jim's Creek; Fractional Northwest Quarter of Northwest Quarter lying North of Grand Bay;	20
All of Fractional Section;	21
All of Fractional Section;	22
All of Fractional Section which lies North and East of Raft River;	23
The Southwest Fraction;	23
All of Fractional Section which lies West of Tensaw River;	24
All of Fractional Section which lies on an island in Tensaw River;	24
All of Fractional Section which lies North and West of Raft River;	25
All of Fractional Section which lies North and East of Raft River;	26
Fractional West half;	26
All of Section;	27
All of Fractional Section which lies East of Raft River;	28
Fractional South half of Northwest Quarter lying between Grand Bay and Raft River;	28
Fractional Northwest Quarter of Southwest Quarter West of Raft River;	28
Fraction in Northwest Quarter of Southeast Quarter lying South of Grand Bay;	29
Fraction in Southeast Quarter of Southwest Quarter South of Grand Bay; Fractional South half of Southeast Quarter between Grand Bay and Raft River;	29
Fraction in Southwest Quarter of Southwest Quarter West of Grand Bay;	30
Fractional Section lying between Spanish River and Grand Bay;	31
Fraction between Grand Bay and Raft River;	32
Fraction in North half of South half and North half South of Raft River;	32
North half;	33
Lots E, F and G;	33
All of Fractional Section	34
Fractional Southeast Quarter; Fractional North half lying South of Tensaw River; Fraction in North half of Northwest Quarter lying North of Tensaw River;	35

Fractional West half South and West of Tensaw River; 36
 All of the Josiah Blakely Grant; 38

IN TOWNSHIP 3 SOUTH, RANGE 2 EAST:

All of Fractional Section lying West of Tensaw River; 6

IN TOWNSHIP 3 SOUTH, RANGE 1 WEST:

Fractional Section lying between Grand Bay and Spanish River; 25
 Fraction in Northeast Quarter East of Spanish River; 36

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

Fractional North half; Fractional Southeast Quarter; 2
 Fractional Southeast Quarter of Northeast Quarter East of Tensaw River; 4
 Fractional South half; 10
 Fractional Southwest Quarter of Southwest Quarter; 11
 Fractional Section lying between the River and Minette Bay; 13
 South half; Fractional Northwest Quarter; 14
 Fractional Section 15; 15
 Fractional North half; Fractional Northeast Quarter of Southeast Quarter; 22
 Fractional Northwest Quarter; Fractional North half of Southwest Quarter; 23
 Fractional Section lying between the river and Minette Bay; 24

EXCEPTING THEREFROM, the following described lands:

1. Beginning at a point on the Southern side of Chuckfey Bay, said point being 2780 feet North and 1780 feet East from the Southern corner of regular U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, thence West 730 feet more or less, to the Eastern margin of Jim's Creek, thence Southeastwardly and Eastwardly along said margin to the intersection of said Jim's Creek with Chuckfey Bay, thence Northwardly along said Bay to the point of beginning; said property being located on the West side of Chuckfey Bay in Division "A" U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, according to the official map or plat of Division "A" prepared by Durant Engineering Company, dated January 28, 1936, and recorded in Map Book #1, page 143, Baldwin County, Alabama Records.
2. Beginning at the Northeast corner of Section 28, Township 3 South, Range 1 East, thence West along the North line of said Section 3210 feet, more or less, to the Northwest bank of Raft River, thence in a Southwesterly direction along the Northwest bank of Raft River, 2600 feet, more or less, to the mouth of Catfish Bayou, which is the point of beginning of the tract of land herein described. Begin at the center of the mouth of a bayou connecting Grand Bay and Raft River and known locally as Catfish Bayou, thence in a Northwesterly direction along the Northwest Bank of Raft River one-half mile, more or less, to the Southernmost corner of the Lallamont land, which is also the Easternmost corner of the tract herein described, thence North 30 degrees West along an old fence row which is the Southwest boundary of said Lallamont land passing 40 feet Southwest of a cypress tree near the bank of

Raft River crossing a shell bank, and continue along the above mentioned course for a distance of one-fourth mile to the Northernmost corner of tract herein described; thence South 34 degrees 30 minutes West 3240 feet to the Westernmost corner of the tract herein described; thence South 44 degrees East one-half mile, more or less, to the point of beginning, containing 160 acres, more or less, in Section 28, Township 3 South, Range 1 East, Baldwin County, Alabama.

3. Beginning at a point on the Northwest margin of Raft River one-half mile, more or less, North and East of mouth of Catfish Bayou, which point is Easternmost corner of the Stauter land and Southwest corner of a tract of land herein described; thence North 30 degrees West along an old fence row one-half mile to Northwest corner of Stauter land, thence in a Northerly direction along straight line to center of mouth of Wiggletail Bayou where it empties into Chuckfey Bay, thence in a Southwesterly direction along the Northwest margin of Chuckfey Bay to its intersection with Raft River and continuing along the Northwest margin of Raft River to point of beginning in Sections 21 and 28, Township 3 South, Range 1 East, Baldwin County, Alabama.
4. Fractional Southwest Quarter of Section 11, Township 4 South, Range 1 East.
5. Lot A in the East half of the Southeast Quarter of Section 14, Township 4 South, Range 1 East.
6. All that tract or parcel of land lying and being in Township 3 South, Range 1 East, of Baldwin County, Alabama, bounded on the Northeast and Southwest by other lands of Richard P. Baer and Company, on the Northeast by Big Briar Creek, and on the Northwest by the Mobile River, being described as follows: Beginning at a point on the East edge of the Mobile River which is South 14 degrees 48 minutes West 5977.7 feet from the center of the concrete pier at the East end of the Louisville & Nashville Railroad Bridge over the Mobile River; thence South 2 degrees 59 minutes East 480 feet; thence South 47 degrees 59 minutes East 5024.9 feet to the West edge of Big Briar Creek; thence along the meandering edge of Big Briar Creek to a point which is South 26 degrees 30 minutes East 988.3 feet; thence South 42 degrees 01 minutes West 137.5 feet; thence North 47 degrees 59 minutes West 5971.4 feet; thence North 72 degrees 59 minutes West 1000.0 feet to a point on the East edge of the Mobile River; thence along the meandering edge of the Mobile River to a point which is North 67 degrees 12 minutes East 1394.6 feet to the point of beginning, containing 73.96 acres, more or less, according to an actual survey.
7. The South 300.50 acres of the property lying and being between Grand Bay and Raft River, in Township 3 South, Range 1 East.

and against Robert A. Baker, Trustee; L. M. Barlow, Trustee; Samuel William Barlow, Josiah Blakely, William G. Bull, Alice Marie Campbell, James G. Campbell, Marsden Campbell, Jr., William Simpson Campbell, George Denmer & Company, George Denmier, George

Denmer, George Denmer & Company, George Dummer, George Dummer & Company, William Butler Duncan, Trustee; T. Hasking DuPrey, T. Haskins DuPuy, Trustee; A. Foster Elliott, Trustee; Charlotte Gillston, J. Whitt Gurley, William R. Hallett, Trustee; William H. Hayes, Trustee; James Innerarity, John F. Innerarity, Joshua Kennedy, Morris Ketchum, Trustee; Joseph Milner, Joseph K. Milner, John I. Palmer, Trustee; Daniel Penfield, George Penfield, Peoples Bank of Mobile, Alabama, The Peoples Bank, a corporation, its unknown members, officers, directors and stockholders; William S. Pierson, William Simpson, William Simson, Eben Townsend, Junr., Ebenezer Townsend, Elien Townsend, Jr., Elihu Townsend, Francis Malanie Waddell, John Marsden Waddell, Samuel Williams, Trustee; Malanie Brengier Wilson, Jane Young, George H. Young, Trustee; D. Orelli Zigler, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

The addresses of the above named Respondents are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

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

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

Deed from the Magazine Lumber Company, a Corporation, to Richard P. Baer and Company, dated April 1, 1936, and recorded in Deed Book 69 N. S. at pages 177-8, Baldwin County, Alabama Records.

The complainant, in and by its said Bill of Complaint alleges and avers that it owns the said lands in its own right, absolutely and in fee simple; that it is in the actual peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of the complainant; that no suit is pending to test complainant's title to, interest in, or right to the possession of the said lands, or any part thereof; that complainant and those through whom it claims title have held color of title to and have regularly assessed and paid taxes on the said lands and each and every part thereof for twenty or more consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations, other than the complainant and those through whom it claims title to the said lands, have paid any taxes on the said lands, or any part thereof or any interest therein, and no persons, firms or corporations, other than the complainant and those through whom it claims title, have had possession of the said lands or any part thereof, within twenty years next prior to the filing of the said Bill of Complaint.

The respondents named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer or demur to the said Bill of Complaint before the 19th day of November, 1956, or at the expiration of thirty days from the said date decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting complainant's title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 3rd day of October, 1956.

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

J. B. BLACKBURN,
 Solicitor for Complainant.

STATE OF ALABAMA, BALDWIN COUNTY
 Filed 10-16-56 9A. M
 Recorded Lia Park book 4 page 303-8

 Judge of Probate

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

Your Orator, Richard P. Baer and Company, a partnership
composed of Richard P. Baer, William Vogedes, Richard P. Baer II,
and Michael S. Baer, Jr., presents this Bill of Complaint against
the following described lands situated in Baldwin County, Alabama,
to-wit:

	<u>SECTION:</u>
IN TOWNSHIP 2 SOUTH, RANGE 1 EAST:	
All of Fractional Section lying East of Mobile River;	35
All of Section	36
IN TOWNSHIP 2 SOUTH, RANGE 2 EAST:	
Fractional Section lying West of Tensaw River;	31
IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:	
All of Fractional Section lying West of Tensaw River;	1
All of Fractional Section lying South and East of Mobile River;	2
All of Fractional Section South and East of Mobile River;	3
All of Fractional Section South and East of Mobile River;	4
All of Fractional Section lying South and East of Mobile River;	5
All of Fractional Section lying East of Mobile River;	8
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All of Fractional Southwest Quarter which lies on an island in Chuckfey Bay;	10
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EXCEPTING THEREFROM, the following described lands:

1. Beginning at a point on the Southern side of Chuckfey Bay, said point being 2780 feet North and 1780 feet East from the Southern corner of regular U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, thence West 730 feet more or less, to the Eastern margin of Jim's Creek, thence Southeastwardly and Eastwardly along said margin to the intersection of said Jim's Creek with Chuckfey Bay, thence Northwardly along said Bay to the point of beginning; said property being located on the West side of Chuckfey Bay in Division "A" U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, according to the official map or plat of Division "A" prepared by Durant Engineering Company dated January 28, 1936, and recorded in Map Book #1, page 143, Baldwin County, Alabama Records.
2. Beginning at the Northeast corner of Section 28, Township 3 South, Range 1 East, thence West along the North line of said Section 3210 feet, more or less, to the Northwest bank of Raft River, thence in a Southwesterly direction along the Northwest bank of Raft River, 2600 feet, more or less to the mouth of Catfish Bayou, which is the point of beginning of the tract of land herein described. Begin at the center of the mouth of a bayou connecting Grand Bay and Raft River and known locally as Catfish Bayou, thence in a Northerly direction along the Northwest bank of Raft River one-half mile, more or less, to the Southern most corner of the Lallamont land, which is also the Easternmost corner of the tract herein described, thence North 30 degrees West along an old fence row which is the Southwest boundary of said Lallamont land passing 40 feet Southwest of a cypress tree near the bank of Raft River crossing a shell bank, and continue along the above mentioned course for a distance of one-fourth mile to the Northernmost corner of tract herein described; thence South 34 degrees 30 minutes West 3240 feet to the Westernmost corner of the tract herein described; thence South 44 degrees East one-half mile, more or less, to the point of beginning, containing 160 acres, more or less, in Section 28, Township 3 South, Range 1 East, Baldwin County, Alabama.
3. Beginning at a point on the Northwest margin of Raft River one-half mile, more or less, North and East of mouth of Catfish Bayou, which point is Easternmost corner of the Stauter land and Southwest corner of a tract of land herein described; thence North 30 degrees

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West along an old fence row one-half mile to Northwest corner of Stauter land, thence in a Northerly direction along straight line to center of mouth of Wiggletail Bayou where it empties into Chuckfey Bay, thence in a Southwesterly direction along the Northwest margin of Chuckfey Bay to its intersection with Raft River and continuing along the Northwest margin of Raft River to point of beginning in Sections 21 and 28, Township 3 South, Range 1 East, Baldwin County, Alabama.

- 4. Fractional Southwest Quarter of Section 11, Township 4 South, Range 1 East.
- 5. Lot A in the East half of the Southeast Quarter of Section 14, Township 4 South, Range 1 East.
- 6. All that tract or parcel of land lying and being in Township 3 South, Range 1 East, of Baldwin County, Alabama, bounded on the Northeast and Southwest by other lands of Richard P. Baer and Company, on the Northeast by Big Briar Creek, and on the Northwest by the Mobile River, being described as follows: Beginning at a point on the East edge of the Mobile River which is South 14 degrees 48 minutes West 5977.7 feet from the center of the concrete pier at the East end of the Louisville & Nashville Railroad Bridge over the Mobile River; thence South 2 degrees 59 minutes East 480 feet; thence South 47 degrees 59 minutes East 5024.9 feet to the West edge of Big Briar Creek; thence along the meandering edge of Big Briar Creek to a point which is South 26 degrees 30 minutes East 988.3 feet; thence South 42 degrees 01 minutes West 137.5 feet; thence North 47 degrees 59 minutes West 5971.4 feet; thence North 72 degrees 59 minutes West 1000.0 feet to a point on the East edge of the Mobile River; thence along the meandering edge of the Mobile River to a point which is North 67 degrees 12 minutes East 1394.6 feet to the point of beginning, containing 73.96 acres, more or less, according to an actual survey.
- 7. The South 300.50 acres of the property lying and being between Grand Bay and Raft River, in Township 3 South, Range 1 East.

and against Robert A. Baker, Trustee; L. M. Barlow, Trustee; Samuel William Barlow, Josiah Blakely, William G. Bull, Alice Marie Campbell, James G. Campbell, Marsden Campbell, Jr., William Simpson Campbell, George Demmer & Company, George Demmier, George Denmer, George Denmer & Company, George Dummer, George Dummer & Company, William Butler Duncan, Trustee; T. Hasking DuPrey, T. Haskins DuPuy, Trustee; A. Foster Elliott, Trustee; Charlotte Gillston, J. Whitt Gurley, William R. Hallett, Trustee; William H. Hayes, Trustee; James Innerarity, John F. Innerarity, Joshua Kennedy, Morris Ketchum, Trustee; Joseph Milner, Joseph K. Milner, John I. Palmer, Trustee; Daniel Penfield, George Penfield, Peoples Bank of Mobile, Alabama, The Peoples Bank, a corporation, its/^{un}known members, officers, directors and stockholders; William S. Pierson, William

Simpson, William Simson, Eben Townsend, Junr., Ebenezer Townsend, Elien Townsend, Jr., Elihu Townsend, Francis Malanie Waddell, John Marsden Waddell, Samuel Williams, Trustee; Malanie Brengier Wilson, Jane Young, George H. Young, Trustee; D. Orelli Zigler, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and thereupon, your Orator complains and shows unto the Court and unto your Honor as follows:

1. The said Richard P. Baer and Company, is a partnership composed of Richard P. Baer, William Vogedes, Richard P. Baer, II, and Michael S. Baer, Jr., all of whom are residents of Baltimore City County, Maryland, except Michael S. Baer, Jr., who is a resident of Washington Parish, Louisiana and Richard P. Baer II, who is a resident of Chowan County, North Carolina.

2. Your Orator alleges upon information and belief, that Peoples Bank of Mobile, Alabama, and The Peoples Bank, a corporation, was one and the same firm and that it was a corporation that was organized under the laws of the State of Alabama, and formerly did business in Mobile County, Alabama, but your Orator alleges upon information and belief that the said corporation is not now in business. If in business, its place of business and post office address is unknown, the names of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

The other companies and firms which are specifically named as Respondents, who are not corporations as referred to above, are unknown to your Orator and further information about whether the said companies or firms are corporations, partnerships or individual ventures and the post office address of each and all of said companies or firms and their domicile or place of business are unknown to your Orator and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto.

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

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

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

5. Title to all of the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Orator.

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

7. Your Orator has and claims to have the absolute, unencumbered fee simple title to all of the real property herein described by and through the following instrument of writing which is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

Deed from the Magazine Lumber Company, a Corporation, to Richard P. Baer and Company, dated April 1, 1936, and recorded in Deed Book 69 N. S. at pages 177-8, Baldwin County, Alabama Records.

8. Your Orator has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make or who are making any claim to the said lands or any part thereof, or any interest therein, or any encumbrance thereon. Your Orator further avers that these inquiries have continued faithfully and diligently for the past six years; that within the past five years they have employed an abstract company to make an examination of the records of Baldwin County, Alabama, and prepare Abstracts of Title to all of the above described property; they have employed an Attorney to examine the said Abstracts, the records in the Courthouse in Bay Minette, Alabama; that they have made and caused their said Attorney to make inquiry about the ages, addresses and heirs of any persons interested or who may be interested in the said property; that your Orator has made and caused a thorough inquiry to be made in the vicinity where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to the said property; that your Orator has caused the records in the Probate Office of Baldwin County, Alabama, to be examined to determine if the companies or firms who are named as Respondents herein were incorporated in Baldwin County, Alabama, and in the making of this search the original corporation records of Baldwin County, Alabama which is known as "Corporate Record A", corporation records 1 and 2, and all subsequent corporate records in the said office were examined. These efforts by your Orator, their agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies is as hereinabove set out.

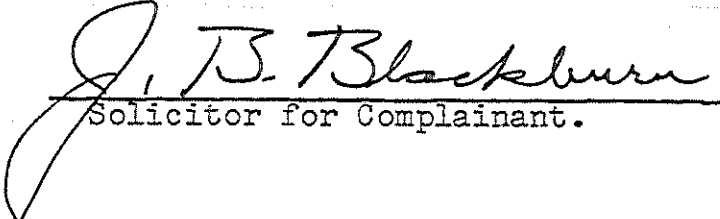
PRAYER FOR PROCESS:

Your Orator prays that the said lands hereinabove described, the respondents named herein and their heirs and devisees, if deceased, and the unknown heirs, devisees and personal representatives of the next of kin of the respondents named above who are

dead, and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said lands or any part thereof, be made parties respondent to this Bill of Complaint and be brought into court by the usual and proper process.

PRAYER FOR RELIEF:

Your Orator prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of such of the respondents named herein who are dead and any and all persons, firms and corporations who claim to own the said lands, or any part thereof, of any interest therein, or any lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may be minors and insane persons; that an Attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause, it be ordered, adjudged and decreed that your Orator, at the time of the filing of this Bill of Complaint, had the fee simple title to all of the above described lands, and that none of the respondents herein specifically named, their heirs or devisees, or any other person, firm or corporation has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up, and that your Orator's title to said lands be fully and completely quieted. Your Orator prays for such other, further and general relief as it may be equitably entitled to, the premises considered.


Solicitor for Complainant.

STATE OF LOUISIANA

WASHINGTON PARISH

Before me, the undersigned authority, within and for said Parish in said State, personally appeared Michael S. Baer, Jr., who, after being by me first dully and legally sworn, deposes and says:

That he is a partner in the partnership of Richard P. Baer and Company, and as such is one of the complainants in the above styled cause; that he has read over the foregoing Bill of Complaint, and that the facts stated therein are true.

Michael S. Baer Jr.

Sworn to and subscribed Before
me on this the 1st day of
October, 1956.

Henry N. Richardson

Notary Public, Washington Parish,
Louisiana.



RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3883.

FINAL DECREE

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainants upon the original verified Bill of Complaint; Order designating newspaper in which notice of pendency of Bill of Complaint shall be published; Notice of pendency of Bill of Complaint; Proof of publication of notice of pendency of Bill of Complaint; Register's Certificate as to service; Motion for decree pro confesso; Decree pro confesso; Motion of Complainants for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States; Decree dated March 20, 1957, setting this cause for hearing on March 22, 1957; appointing Wilson Hayes as guardian ad litem to represent any unknown minor or person of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the testimony of the witnesses for the Complainants be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended; Notice of appointment of guardian ad litem and attorney to represent parties in the Military Service and Acceptance of such appointment; Answer of guardian ad litem and Attorney for unknown parties interested in this proceeding who may be in the Military Service of the United States; and the testimony of Michael S. Baer, Jr. and W. F. Meaher, witnesses for the Complainants taken in open court on this date, and the

Exhibits to the testimony of the said witnesses, all of which has been noted by the Register; upon consideration of all of which it appears to the Court that all persons, firms or corporations named in the Bill of Complaint filed in this Cause have permitted a decree pro confesso to be taken against them; that the allegations of the said Bill of Complaint are true, and that the Complainants are entitled a decree quieting title to the lands described in the said Bill of Complaint, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Complainants, Richard P. Baer and Company, a partnership composed of Richard P. Baer, William Vogedes, Richard P. Baer II, and Michael S. Baer, Jr., are the lawful owners in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

IN TOWNSHIP 2 SOUTH, RANGE 1 EAST:

	<u>SECTION:</u>
All of Fractional Section lying East of Mobile River;	35
All of Section	36

IN TOWNSHIP 2 SOUTH, RANGE 2 EAST:

Fractional Section lying West of Tensaw River;	31
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IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:

All of Fractional Section lying West of Tensaw River;	1
All of Fractional Section lying South and East of Mobile River;	2
All of Fractional Section South and East of Mobile River;	3
All of Fractional Section South and East of Mobile River;	4
All of Fractional Section lying South and East of Mobile River;	5
All of Fractional Section lying East of Mobile River;	8
All of Fractional Section North and West of Chuckfey Bay;	9
That part of Fractional Southeast Quarter which lies on an island in Chuckfey Bay;	9
All of Fractional Section lying North and East of Chuckfey Bay;	10
All of Fractional Southwest Quarter which lies on an island in Chuckfey Bay;	10
All of Fractional Section West of Tensaw River;	11
All of Fractional Section lying North and West of Tensaw River;	12
All of Fractional Section which lies on an island in Tensaw River;	12

All of Fractional Section which lies on an island in Tensaw River;	13
All of Fractional Section West of Tensaw River;	14
All of Fractional Section which lies South and East of Chuckfey Bay;	15
All of Fractional Northwest Quarter which lies on an island in Chuckfey Bay;	15
All of Fractional Northeast Quarter which lies on an island in Chuckfey Bay;	16
All of Fractional Section which lies West and South of Chuckfey Bay;	16
All of Fractional Section which lies South and East of Mobile River;	17
All of Fractional Section which lies South and East of Mobile River;	18
All of Fractional Section which lies between Mobile River and Spanish River and Grand Bay;	19
All of Fractional Northeast Quarter; Fractional North half of Southeast Quarter; Fractional Southeast Quarter of Southeast Quarter lying North and East of Jim's Creek; Fractional Northwest Quarter of Northwest Quarter lying North of Grand Bay;	20
All of Fractional Section;	21
All of Fractional Section;	22
All of Fractional Section which lies North and East of Raft River;	23
The Southwest Fraction;	23
All of Fractional Section which lies West of Tensaw River;	24
All of Fractional Section which lies on an island in Tensaw River;	24
All of Fractional Section which lies North and West of Raft River;	25
All of Fractional Section which lies North and East of Raft River;	26
Fractional West half;	26
All of Section;	27
All of Fractional Section which lies East of Raft River;	28
Fractional South half of Northwest Quarter lying between Grand Bay and Raft River;	28
Fractional Northwest Quarter of Southwest Quarter West of Raft River;	28
Fraction in Northwest Quarter of Southeast Quarter lying South of Grand Bay;	29
Fraction in Southeast Quarter of Southwest Quarter South of Grand Bay; Fractional South half of Southeast Quarter between Grand Bay and Raft River;	29
Fraction in Southwest Quarter of Southwest Quarter West of Grand Bay;	30
Fractional Section lying between Spanish River and Grand Bay;	31
Fraction between Grand Bay and Raft River;	32
Fraction in North half of South half and North half South of Raft River;	32
North half;	33
Lots E, F and G;	33
All of Fractional Section;	34
Fractional Southeast Quarter; Fractional North half lying South of Tensaw River; Fraction in North half of Northwest Quarter lying North of Tensaw River;	35
Fractional West half South and West of Tensaw River;	36
All of the Josiah Blakely Grant;	38

IN TOWNSHIP 3 SOUTH, RANGE 2 EAST:

All of Fractional Section lying West of Tensaw River; 6

IN TOWNSHIP 3 SOUTH, RANGE 1 WEST:

Fractional Section lying between Grand Bay and Spanish River; 25
 Fraction in Northeast Quarter East of Spanish River; 36

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

Fractional North half; Fractional Southeast Quarter; 2
 Fractional Southeast Quarter of Northeast Quarter East of Tensaw River; 4
 Fractional South half; 10
 Fractional Southwest Quarter of Southwest Quarter; 11
 Fractional Section lying between the River and Minette Bay; 13
 South half; Fractional Northwest Quarter; 14
 Fractional Section; 15
 Fractional North half; Fractional Northeast Quarter of Southeast Quarter; 22
 Fractional Northwest Quarter; Fractional North half of Southwest Quarter; 23
 Fractional Section lying between the River and Minette Bay; 24

EXCEPTING THEREFROM, the following described lands:

1. Beginning at a point on the Southern side of Chuckfey Bay, said point being 2780 feet North and 1780 feet East from the Southern corner of regular U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, thence West 730 feet, more or less, to the Eastern margin of Jim's Creek, thence Southeastwardly and Eastwardly along said margin to the intersection of said Jim's Creek with Chuckfey Bay, thence Northwardly along said Bay to the point of beginning; said property being located on the West side of Chuckfey Bay in Division "A" U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, according to the official map or plat of Division "A" prepared by Durant Engineering Company dated January 28, 1936, and recorded in Map Book #1, page 143, Baldwin County, Alabama Records.
2. Beginning at the Northeast corner of Section 28, Township 3 South, Range 1 East, thence West along the North line of said Section 3210 feet, more or less, to the Northwest bank of Raft River, thence in a Southwesterly direction along the Northwest bank of Raft River, 2600 feet, more or less, to the mouth of Catfish Bayou, which is the point of beginning of the tract of land herein described. Begin at the center of the mouth of a bayou connecting Grand Bay and Raft River and known locally as Catfish Bayou, thence in a Northerly direction along the Northwest bank of Raft River one-half mile, more or less, to the Southern most corner of the Lallamont land, which is also the Easternmost corner of the tract herein described, thence North 30 degrees West along an old fence row which is the Southwest boundary of said Lallamont land passing 40 feet Southwest of a cypress tree near the bank of Raft River crossing a shell bank, and continue along the above mentioned course for a distance of one-fourth mile to the Northernmost corner of tract herein described; thence South 34 degrees

30 minutes West 3240 feet to the Westernmost corner of the tract herein described; thence South 44 degrees East one-half mile, more or less, to the point of beginning, containing 160 acres, more or less, in Section 28, Township 3 South, Range 1 East, Baldwin County, Alabama.

3. Beginning at a point on the Northwest margin of Raft River one-half mile, more or less, North and East of mouth of Catfish Bayou, which point is Easternmost corner of the Stauter land and Southwest corner of a tract of land herein described; thence North 30 degrees West along an old fence row one-half mile to Northwest corner of Stauter land, thence in a Northerly direction along straight line to center of mouth of Wiggletail Bayou where it empties into Chuckfey Bay, thence in a Southwesterly direction along the Northwest margin of Chuckfey Bay to its intersection with Raft River and continuing along the Northwest margin of Raft River to point of beginning in Sections 21 and 28, Township 3 South, Range 1 East, Baldwin County, Alabama.
4. Fractional Southwest Quarter of Section 11, Township 4 South, Range 1 East.
5. Lot A in the East half of the Southeast Quarter of Section 14, Township 4 South, Range 1 East.
6. All that tract or parcel of land lying and being in Township 3 South, Range 1 East, of Baldwin County, Alabama, bounded on the Northeast and Southwest by other lands of Richard P. Baer and Company, on the Northeast by Big Briar Creek and on the Northwest by the Mobile River, being described as follows: Beginning at a point on the East edge of the Mobile River which is South 14 degrees 48 minutes West 5977.7 feet from the center of the concrete pier at the East end of the Louisville & Nashville Railroad Bridge over the Mobile River; thence South 2 degrees 59 minutes East 480 feet; thence South 47 degrees 59 minutes East 5024.9 feet to the West edge of Big Briar Creek; thence along the meandering edge of Big Briar Creek to a point which is South 26 degrees 30 minutes East 988.3 feet; thence South 42 degrees 01 minutes West 137.5 feet; thence North 47 degrees 59 minutes West 5971.4 feet; thence North 72 degrees 59 minutes West 1000.0 feet to a point on the East edge of the Mobile River; thence along the meandering edge of the Mobile River to a point which is North 67 degrees 12 minutes East 1394.6 feet to the point of beginning, containing 73.96 acres, more or less, according to an actual survey.
7. The South 300.50 acres of the property lying and being between Grand Bay and Raft River, in Township 3 South, Range 1 East.

that the absolute fee simple title to the said lands and each and every part thereof and all interest therein is in the Complainants Richard P. Baer and Company, a partnership composed of Richard P. Baer, William Vogedes, Richard P. Baer II, and Michael S. Baer, Jr., free and clear of and from the claim or claims of all persons, firms or corporations claiming any title to, interest in, lien or

encumbrance on the said lands, or any part thereof, or any interest therein; that the said Complainants have and are hereby given judgment against the said lands and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

2. The Complainants' title to the said lands is hereby quieted against Robert A. Baker, Trustee; L. M. Barlow, Trustee; Samuel William Barlow, Josiah Blakely, William G. Bull, Alice Marie Campbell, James G. Campbell, Marsden Campbell, Jr., William Simpson Campbell, George Demmer & Company, George Demmier, George Denmer, George Denmer & Company, George Dummer, George Dummer & Company, William Butler Duncan, Trustee; T. Hasking DuPrey, T. Haskins DuPuy, Trustee; A. Foster Elliott, Trustee; Charlotte Gillston, J. Whitt Gurley, William R. Hallett, Trustee; William H. Hayes, Trustee; James Innerarity, John F. Innerarity, Joshua Kennedy, Morris Ketchum, Trustee; Joseph Milner, Joseph K. Milner, John I. Palmer, Trustee; Daniel Penfield, George Penfield, Peoples Bank of Mobile, Alabama, The Peoples Bank, a corporation, its unknown members, officers, directors and stockholders; William S. Pierson, William Simpson, William Simson, Eben Townsend, Junr., Ebenezer Townsend, Elien Townsend, Jr., Elihu Townsend, Francis Malanie Waddell, John Marsden Waddell, Samuel Williams, Trustee; Malanie Brengier Wilson, Jane Young, George H. Young, Trustee; D. Orelli Zigler, Trustee, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and all such claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

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

4. The Judge of Probate of Baldwin County, Alabama, shall record the said certified copy of this decree in the same

book and manner in which deeds are recorded, and shall index the same in the Direct Indexes in the name of Robert A. Baker, Trustee; L. M. Barlow, Trustee; Samuel William Barlow, Josiah Blakely, William G. Bull, Alice Marie Campbell, James G. Campbell, Marsden Campbell, Jr., William Simpson Campbell, George Demmer & Company, George Demmier, George Denmer, George Denmer & Company, George Dummer, George Dummer & Company, William Butler Duncan, Trustee; T. Hasking DuPrey, T. Haskins DuPuy, Trustee; A. Foster Elliott, Trustee; Charlotte Gillston, J. Whitt Gurley, William R. Hallett, Trustee; William H. Hayes, Trustee; James Innerarity, John F. Innerarity, Joshua Kennedy, Morris Ketchum, Trustee; Joseph Milner, Joseph K. Milner, John I. Palmer, Trustee; Daniel Penfield, George Penfield, Peoples Bank of Mobile, Alabama, The Peoples Bank, a corporation, its unknown members, officers, directors and stockholders; William S. Pierson, William Simpson, William Simson, Eben Townsend, Junr., Ebenezer Townsend, Elien Townsend, Jr., Elihu Townsend, Francis Malanie Waddell, John Marsden Waddell, Samuel Williams, Trustee; Malanie Brengier Wilson, Jane Young, George H. Young, Trustee; D. Orelli Zigler, Trustee, and shall index the same in the Indirect or Reverse Indexes of said records in the names of Richard P. Baer and Company, Richard P. Baer, William Vogedes, Richard P. Baer, II, and Michael S. Baer, Jr.

5. The title hereby adjudged and decreed to be in the said Complainants, Richard P. Baer and Company, a partnership composed of Richard P. Baer, William Vogedes, Richard P. Baer II, and Michael S. Baer, Jr., shall inure to the benefit of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said Complainants, and such title or interest shall be at all times treated and considered as though it had been established in favor of the person or persons so procuring or deriving title from the said Complainants.

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

ORDERED, ADJUDGED AND DECREED on this the 22nd day of March, 1957.


Judge.

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 3883.

MOTION

Now come the Complainants by their Solicitor, and show unto the Court that all of the Respondents named in the Bill of Complaint filed in this cause have suffered a decree pro confesso to be taken against them.

WHEREFORE, Complainants pray that the Court will make and enter a proper order or decree setting this cause for hearing appointing a guardian ad litem to represent any unknown minor or persons of unsound mind interested in this proceeding and an attorney to represent any party interested in this proceeding who may be in the Military Service, and prescribing the method of taking the testimony in this cause.

J. B. Blackburn
Solicitor for Complainants.

RICHARD P. BAER AND COMPANY,
A Partnership composed of
Richard P. Baer, William
Vogedes, Richard P. Baer, II,
and Michael S. Baer, Jr.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

ORDER OF PUBLICATION

It is ordered in this cause that the notice provided for in Section 1119, Title 7 of the 1940 Code of Alabama, be published in the Baldwin Times, which is a newspaper having general circulation and published in Baldwin County, Alabama, where the lands described in the Bill of Complaint lie.

ORDERED this the 3rd day of October, 1956.

J. Hubert M. Stiles
Judge.

M

ORDER OF PUBLICATION

RICHARD P. BAER AND COMPANY,
A partnership composed of
Richard P. Baer, William
Vogedes, Richard P. Baer, II,
and Michael S. Baer, Jr.

Complainants,

vs.

CERTAIN LANDS ET AL.,

Respondents.

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

FILED

OCT. 4 1956

ALICE A. DUCK, Register

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3883.

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

TO: WILSON HAYES:

You are hereby notified that a decree of this court here-
tofore rendered in this cause you have been appointed as guardian
ad litem to represent any unknown minors or insane persons in-
terested in this proceeding, and as attorney to represent any
unknown parties interested in this proceeding who may be in the
Military Service of the United States.

DATED this 4th day of March, 1957.

Alvin L. Hinch

Register of the Circuit Court of
Baldwin County, Alabama, In Equity.

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, do hereby accept the appointment as
guardian ad litem and as attorney to represent any unknown parties
interested in this proceeding who may be in the Military Service
of the United States.

DATED this 21st day of March, 1957.

Wilson Hayes

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

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 3883.

MOTION FOR DECREE PRO CONFESSO

Motion is hereby made for a decree pro confesso against Robert A. Baker, Trustee, L. M. Barlow, Trustee, Samuel William Barlow, Josiah Blakely, William G. Bull, Alice Marie Campbell, James G. Campbell, Marsden Campbell, Jr., William Simpson Campbell, George Demmer & Company, George Demmier, George Denmer, George Denmer & Company, George Dummer, George Dummer & Company, William Butler Duncan, Trustee; T. Hasking DuPrey, T. Haskins DuPuy, Trustee; A. Foster Elliott, Trustee; Charlotte Gillston, J. Whitt Gurley, William R. Hallett, Trustee; William H. Hayes, Trustee; James Innerarity, John F. Innerarity, Joshua Kennedy, Morris Ketchum, Trustee; Joseph Milner, Joseph K. Milner, John I. Palmer, Trustee; Daniel Penfield, George Penfield, Peoples Bank of Mobile, Alabama, The Peoples Bank, a corporation, its unknown members, officers, directors and stockholders; William S. Pierson, William Simpson, William Simson, Eben Townsend, Junr., Ebenezer Townsend, Elien Townsend, Jr., Elihu Townsend, Francis Malanie Waddell, John Marsden Waddell, Samuel Williams, Trustee; Malanie Brengier Wilson, Jane Young, George H. Young, Trustee; D. Orelli Zigler, Trustee, and against the heirs or devisees of any of the said parties who may be deceased, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in the Bill of Complaint that has been filed in this proceeding, or any part thereof, on the ground that the notice of pendency of the Bill of Complaint in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, which notice appeared in the issues of

said newspaper which were published on October 18, October 25, November 1, and November 8, 1956, which notice contained a provision requiring all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in the said notice, or any part thereof, which are the lands described in the Bill of Complaint that was filed in this cause, must appear in this Court and plead, answer or demur to the Bill of Complaint before the 19th day of November, 1956, or at the expiration of thirty days from the said date a decree pro confesso would be taken against them; Complainants further show unto the Register that a copy of the notice of pendency of Bill of Complaint in this cause was posted at the front door of the Court-house of Baldwin County, Alabama, on the 18th day of October, 1956; and thirty days having expired since November 19, 1956, and no person, firm or corporation named above has appeared in this cause, the Complainants are entitled to a decree pro confesso against all of the persons, firms and corporations named above.

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

DATED this 20th day of March, 1957.


Solicitor for Complainants.

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3883.

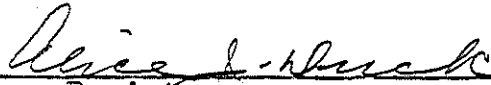
DECREE PRO CONFESSO

In this cause it appears to the Register that the notice of pendency of Bill of Complaint heretofore made in this cause was published for four consecutive weeks commencing on the 18th day of October, 1956, in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama; that a copy of the said notice was posted at the courthouse door in Baldwin County, Alabama, on the 18th day of October, 1956; and it further appearing to the Register that the said Respondents hereinafter named, have to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause;

It is, therefore, on motion of the Complainants ORDERED AND DECREED by the Register, that the said Bill of Complaint be and it hereby is, in all things taken as confessed against the said Robert A. Baker, Trustee; L. M. Barlow, Trustee; Samuel William Barlow; Josiah Blakely, William G. Bull, Alice Marie Campbell, James G. Campbell, Marsden Campbell, Jr., William Simpson Campbell, George Demmer & Company, George Demmier, George Denmer, George Denmer & Company, George Dummer, George Dummer & Company, William Butler Duncan, Trustee; T. Hasking DuPrey, T. Haskins DuPuy, Trustee; A. Foster Elliott, Trustee; Charlotte Gillston, J. Whitt Gurley, William R. Hallett, Trustee; William H. Hayes, Trustee; James Innerarity, John F. Innerarity, Joshua Kennedy, Morris Ketchum, Trustee; Joseph Milner, Joseph K. Milner, John I. Palmer, Trustee; Daniel Penfield, George Penfield, Peoples Bank of Mobile, Alabama, The Peoples Bank, a corporation, its unknown members, officers, directors and stockholders; William S. Pierson, William Simpson, William Simson, Eben Townsend, Junr., Ebenezer Townsend,

Elien Townsend, Jr., Elihu Townsend, Francis Malanie Waddell, John Marsden Waddell, Samuel Williams, Trustees; Malanie Brengier Wilson, Jane Young, George H. Young, Trustee; D. Orelli Zigler, Trustee, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.

ORDERED AND DECREED on this the 20 day of March, 1957.


Register.

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3883.

DECREE:

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

1. This cause shall be and it is hereby set for hearing at eleven o'clock A. M. on the 22nd day of March, 1957.

2. Wilson Hayes, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, who is in all respects a fit and proper person to be appointed as guardian ad litem, shall be and he is hereby appointed as guardian ad litem to represent any minor or person of unsound mind interested in this proceeding.

3. Wilson Hayes, an attorney at law and Solicitor in Chancery, practicing in Baldwin County, Alabama, shall be, and he is hereby appointed as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States.

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

ORDERED, ADJUDGED AND DECREED On this the 20
day of March, 1957.

7 Subers m Vace
Judge.

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3883.

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

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

DATED this 21st day of March, 1957.

Wilson Hayes

As Guardian ad Litem as aforesaid,
and as Attorney to represent persons
in Military Service, as aforesaid.

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3883.

NOTE OF TESTIMONY

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

1. Original verified Bill of Complaint.
2. Order designating newspaper in which notice of pendency of Bill of Complaint shall be published.
3. Notice of pendency of Bill of Complaint.
4. Proof of publication of notice of pendency of Bill of Complaint.
5. Register's Certificate as to service.
6. Motion for decree pro confesso.
7. Decree pro confesso.
8. Motion of Complainants for an order or decree setting this cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding, and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States.
9. Decree dated March 20 , 1957, setting this cause for hearing on March 22, 1957, appointing Wilson Hayes as guardian ad litem to represent any unknown minor or person of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the testimony of the witnesses for the Complainants be taken in open court and transcribed in the manner provided by Equity Rule #56, as amended.
10. Notice of appointment of guardian ad litem and attorney to represent parties in Military Service and acceptance of such appointment.

11. Answer of guardian ad litem and attorney for unknown parties interested in this proceeding who may be in the Military Service of the United States.

12. Testimony of Michael S. Baer, Jr., and W. F. Meaher, witnesses for the Complainants taken in open court in the manner provided by Equity Rule #56, as amended.

13. Exhibits numbered 1 through 13, to testimony of Complainants' witnesses.

DATED this 22 day of March, 1957.



Register.



Solicitor for Complainants.

RICHARD P. BAER & COMPANY,
ET AL.,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3883.

CERTIFICATE

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

1. That notice of pendency of Bill of Complaint in this cause was filed for record in the Office of the Judge of Probate of Baldwin County, Alabama, on October 16, 1956.

2. Notice of pendency of Bill of Complaint in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, which said notice appeared in the issues of said paper published on October 18, October 25, November 1 and November 8, 1956.

3. A copy of the notice of pendency of Bill of Complaint in this cause was posted at the front door of the Courthouse of Baldwin County, Alabama, on October 18, 1956.

DATED this 22 day of March, 1957.

Alice J. Duck
Register.

RICHARD P. BAER AND COMPANY,
A Partnership composed of
Richard P. Baer, William
Vogedes, Richard P. Baer, II,
and Michael S. Baer, Jr.,

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

Complainants

vs.

No. 3883.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

NOTICE OF PENDENCY OF BILL OF COMPLAINT

Notice is hereby given to each and all of the Respondents named below and to all persons, firms or corporations claiming any right, title or interest in, lien or encumbrance on the lands hereinafter described, or any part thereof, that Richard P. Baer and Company, did, on the 3rd day of October, 1956, file in the Circuit Court of Baldwin County, Alabama, in Equity, a verified Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:-

IN TOWNSHIP 2 SOUTH, RANGE 1 EAST:

SECTION:

All of Fractional Section lying East of Mobile River; 35
All of Section 36

IN TOWNSHIP 2 SOUTH, RANGE 2 EAST:

Fractional Section lying West of Tensaw River; 31

IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:

All of Fractional Section lying West of Tensaw River; 1
All of Fractional Section lying South and East of Mobile River; 2
All of Fractional Section South and East of Mobile River; 3
All of Fractional Section South and East of Mobile River; 4
All of Fractional Section lying South and East of Mobile River; 5
All of Fractional Section lying East of Mobile River; 8
All of Fractional Section North and West of Chuckfey Bay; 9
That part of Fractional Southeast Quarter which lies on an island in Chuckfey Bay; 9
All of Fractional Section lying North and East of Chuckfey Bay; 10
All of Fractional Southwest Quarter which lies on an island in Chuckfey Bay; 10

STATE OF ALABAMA, BALDWIN COUNTY,

Filed 10-3-56 10 A. M.

Recorded Lisa Paul book 4 page 291-4

M. D. Stuart
Judge of Probate

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All of Fractional Section West of Tensaw River;	11
All of Fractional Section lying North and West of Tensaw River;	12
All of Fractional Section which lies on an island in Tensaw River;	12
All of Fractional Section which lies on an island in Tensaw River;	13
All of Fractional Section West of Tensaw River;	14
All of Fractional Section which lies South and East of Chuckfey Bay;	15
All of Fractional Northwest Quarter which lies on an island in Chuckfey Bay;	15
All of Fractional Northeast Quarter which lies on an island in Chuckfey Bay;	16
All of Fractional Section which lies West and South of Chuckfey Bay;	16
All of Fractional Section which lies South and East of Mobile River;	17
All of Fractional Section which lies South and East of Mobile River;	18
All of Fractional Section which lies between Mobile River and Spanish River and Grand Bay;	19
All of Fractional Northeast Quarter; Fractional North half of Southeast Quarter; Fractional Southeast Quarter of Southeast Quarter lying North and East of Jim's Creek; Fractional Northwest Quarter of Northwest Quarter lying North of Grand Bay;	20
All of Fractional Section;	21
All of Fractional Section;	22
All of Fractional Section which lies North and East of Raft River;	23
The Southwest Fraction;	23
All of Fractional Section which lies West of Tensaw River;	24
All of Fractional Section which lies on an island in Tensaw River;	24
All of Fractional Section which lies North and West of Raft River;	25
All of Fractional Section which lies North and East of Raft River;	26
Fractional West half;	26
All of Section;	27
All of Fractional Section which lies East of Raft River;	28
Fractional South half of Northwest Quarter lying between Grand Bay and Raft River;	28
Fractional Northwest Quarter of Southwest Quarter West of Raft River;	28
Fraction in Northwest Quarter of Southeast Quarter lying South of Grand Bay;	29
Fraction in Southeast Quarter of Southwest Quarter South of Grand Bay; Fractional South half of Southeast Quarter between Grand Bay and Raft River;	29
Fraction in Southwest Quarter of Southwest Quarter West of Grand Bay;	30
Fractional Section lying between Spanish River and Grand Bay;	31
Fraction between Grand Bay and Raft River;	32
Fraction in North half of South half and North half South of Raft River;	32
North half;	33
Lots E, F and G;	33
All of Fractional Section;	34
Fractional Southeast Quarter; Fractional North half lying South of Tensaw River; Fraction in North half of Northwest Quarter lying North of Tensaw River;	35

Fractional West half South and West of Tensaw River; 36
 All of the Josiah Blakely Grant; 38

IN TOWNSHIP 3 SOUTH, RANGE 2 EAST:

All of Fractional Section lying West of Tensaw River; 6

IN TOWNSHIP 3 SOUTH, RANGE 1 WEST:

Fractional Section lying between Grand Bay and Spanish
 River; 25
 Fraction in Northeast Quarter East of Spanish River; 36

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

Fractional North half; Fractional Southeast Quarter; 2
 Fractional Southeast Quarter of Northeast Quarter
 East of Tensaw River; 4
 Fractional South half; 10
 Fractional Southwest Quarter of Southwest Quarter; 11
 Fractional Section lying between the River and
 Minette Bay; 13
 South half; Fractional Northwest Quarter; 14
 Fractional Section 15; 15
 Fractional North half; Fractional Northeast Quarter
 of Southeast Quarter; 22
 Fractional Northwest Quarter; Fractional North half
 of Southwest Quarter; 23
 Fractional Section lying between the river and
 Minette Bay; 24

EXCEPTING THEREFROM, the following described lands:

1. Beginning at a point on the Southern side of Chuckfey Bay, said point being 2780 feet North and 1780 feet East from the Southern corner of regular U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, thence West 730 feet more or less, to the Eastern margin of Jim's Creek, thence Southeastwardly and Eastwardly along said margin to the intersection of said Jim's Creek with Chuckfey Bay, thence Northwardly along said Bay to the point of beginning; said property being located on the West side of Chuckfey Bay in Division "A" U. S. Section 16, Township 3 South, Range 1 East, Baldwin County, Alabama, according to the official map or plat of Division "A" prepared by Durant Engineering Company, dated January 28, 1936, and recorded in Map Book #1, page 143, Baldwin County, Alabama Records.
2. Beginning at the Northeast corner of Section 28, Township 3 South, Range 1 East, thence West along the North line of said Section 3210 feet, more or less, to the Northwest bank of Raft River, thence in a Southwesterly direction along the Northwest bank of Raft River, 2600 feet, more or less, to the mouth of Catfish Bayou, which is the point of beginning of the tract of land herein described. Begin at the center of the mouth of a bayou connecting Grand Bay and Raft River and known locally as Catfish Bayou, thence in a Northerly direction along the Northwest Bank of Raft River one-half mile, more or less, to the Southernmost corner of the Lallamont land, which is also the Easternmost corner of the tract herein described, thence North 30 degrees West along an old fence row which is the Southwest boundary of said Lallamont land passing 40 feet Southwest of a cypress tree near the bank of

Raft River crossing a shell bank, and continue along the above mentioned course for a distance of one-fourth mile to the Northernmost corner of tract herein described; thence South 34 degrees 30 minutes West 3240 feet to the Westernmost corner of the tract herein described; thence South 44 degrees East one-half mile, more or less, to the point of beginning, containing 160 acres, more or less, in Section 28, Township 3 South, Range 1 East, Baldwin County, Alabama.

3. Beginning at a point on the Northwest margin of Raft River one-half mile, more or less, North and East of mouth of Catfish Bayou, which point is Easternmost corner of the Stauter land and Southwest corner of a tract of land herein described; thence North 30 degrees West along an old fence row one-half mile to Northwest corner of Stauter land, thence in a Northernly direction along straight line to center of mouth of Wiggletail Bayou where it empties into Chuckfey Bay, thence in a Southwesterly direction along the Northwest margin of Chuckfey Bay to its intersection with Raft River and continuing along the Northwest margin of Raft River to point of beginning in Sections 21 and 28, Township 3 South, Range 1 East, Baldwin County, Alabama.
4. Fractional Southwest Quarter of Section 11, Township 4 South, Range 1 East.
5. Lot A in the East half of the Southeast Quarter of Section 14, Township 4 South, Range 1 East.
6. All that tract or parcel of land lying and being in Township 3 South, Range 1 East, of Baldwin County, Alabama, bounded on the Northeast and Southwest by other lands of Richard P. Baer and Company, on the Northeast by Big Briar Creek, and on the Northwest by the Mobile River, being described as follows: Beginning at a point on the East edge of the Mobile River which is South 14 degrees 48 minutes West 5977.7 feet from the center of the concrete pier at the East end of the Louisville & Nashville Railroad Bridge over the Mobile River; thence South 2 degrees 59 minutes East 480 feet; thence South 47 degrees 59 minutes East 5024.9 feet to the West edge of Big Briar Creek; thence along the meandering edge of Big Briar Creek to a point which is South 26 degrees 30 minutes East 988.3 feet; thence South 42 degrees 01 minutes West 137.5 feet; thence North 47 degrees 59 minutes West 5971.4 feet; thence North 72 degrees 59 minutes West 1000.0 feet to a point on the East edge of the Mobile River; thence along the meandering edge of the Mobile River to a point which is North 67 degrees 12 minutes East 1394.6 feet to the point of beginning, containing 73.96 acres, more or less, according to an actual survey.
7. The South 300.50 acres of the property lying and being between Grand Bay and Raft River, in Township 3 South, Range 1 East.

and against Robert A. Baker, Trustee; L. M. Barlow, Trustee; Samuel William Barlow, Josiah Blakely, William G. Bull, Alice Marie Campbell, James G. Campbell, Marsden Campbell, Jr., William Simpson Campbell, George Denmer & Company, George Denmier, George

Denmer, George Denmer & Company, George Dummer, George Dummer & Company, William Butler Duncan, Trustee; T. Hasking DuPrey, T. Haskins DuPuy, Trustee; A. Foster Elliott, Trustee; Charlotte Gillston, J. Whitt Gurley, William R. Hallett, Trustee; William H. Hayes, Trustee; James Innerarity, John F. Innerarity, Joshua Kennedy, Morris Ketchum, Trustee; Joseph Milner, Joseph K. Milner, John I. Palmer, Trustee; Daniel Penfield, George Penfield, Peoples Bank of Mobile, Alabama, The Peoples Bank, a Corporation, its unknown members, officers, directors and stockholders; William S. Pierson, William Simpson, William Simson, Eben Townsend, Junr., Ebenezer Townsend, Elien Townsend, Jr., Elihu Townsend, Francis Malanie Waddell, John Marsden Waddell, Samuel Williams, Trustee; Malanie Brengier Wilson, Jane Young, George H. Young, Trustee; D. Orelli Zigler, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof,

The addresses of the above named respondents are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

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

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

Deed from the Magazine Lumber Company, a Corporation, to Richard P. Baer and Company, dated April 1, 1936, and recorded in Deed Book 69 N.S. at pages 177-8, Baldwin County, Alabama Records.

The complainant, in and by its said Bill of Complaint allege and aver that it owns the said lands in its own right, absolutely and in fee simple; that it is in the actual peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of the complainant that no suit is pending to test complainant's title to, interest in, or right to the possession of the said lands, or any part thereof; that complainant and those through whom it claims title have held color of title to and have regularly assessed and paid taxes on the said lands and each and every part thereof for twenty or more consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations, other than the complainant and those through whom it claims title to the said lands, have paid any taxes on the said lands, or any part thereof or any interest therein, and no persons, firms or corporations, other than the complainant and those through whom it claims title, have had possession of the said lands or any part thereof, within twenty years next prior to the filing of the said Bill of Complaint.

The respondents named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer or demur to the said Bill of Complaint before the 12th day of November, 1956, or at the expiration of thirty days from the date decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting complainant's title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 3rd day of October, 1956.

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

J. B. BLACKBURN,
Solicitor for Complainant.

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