

3897

Legal Notice

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3897.

W. H. Harrison and W. J. Harrison, Complainants, vs. The lands and parties hereinafter 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 W. H. Harrison and W. J. Harrison did, on the 17th 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 3 SOUTH, RANGE 1 EAST:

SECTION:

Lot H, being the East Fractional half of the Southeast Quarter; 33

That part of the Josiah Blakely Grant which lies in Township 3 South, Range 1 East; 37

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

West Fractional half of the Northwest Quarter; 3
North fractional half; 4
Southwest fractional quarter; 4
East fractional half of Northwest Quarter; Southeast fractional quarter; 9

Southwest fractional quarter lying East of Big Battaw Bay; 11

and against Josiah Blakeley, Elien Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young, George Penfield, George Denmer, George Demmer, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brooker, Nicholas Kramor, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, Magnolia Land Company, a corporation, 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 encum-

brance on the said lands, or any part thereof.

The above named Magnolia Land Company, a corporation, is a corporation organized and doing business under the laws of the State of Illinois, but is qualified to do business within the State of Alabama, and its resident agent in the State of Alabama is F. A. Christian, Attorney at Law, Foley, Alabama.

The addresses of each of the other individual respondents specifically named herein are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

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

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

Deed from L. E. Eddins and D. T. Eddins to W. H. Harrison and W. J. Harrison, (dated January 21, 1937, and recorded in Deed Book 61 N. S. at pages 284-5, Baldwin County, Alabama Records.

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

nineteen 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 26th 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 complainants' title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 17th day of October, 1956.

ALICE J. DUCK,

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

J. B. Blackburn,
Solicitor for Complainant.

41-4tc

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

ION

vorn, deposes and says ly Newspaper published ce hereto attached of

union vs. Cit. Randa

COST STATEMENT

DS @ $6\frac{1}{2}$ cents \$ 59⁰²
is correct, due and unpaid (paid).

E. R. Morrisette, Jr.
Editor.

newspaper for 4 consecutive weeks in the following issues:

Oct. 25 1956 Vol 67 No 41
Nov. 1 1956 Vol 67 No 42
Nov 8 1956 Vol 67 No 43
Nov-15 1956 Vol 67 No 44

before the undersigned this 15 day of Nov, 1956.

E. R. Morrisette, Jr.
County.
Editor.

W. H. HARRISON AND W. J.
HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3897.

ORDER OF CONTINUANCE

This cause coming on to be heard on this date and it appearing to the Court that the Complainants have requested a continuance thereof, it is, therefore

ORDERED, ADJUDGED AND DECREED that this cause be and it hereby is continued to January 30, 1957 at 8:30 o'clock A. M.

ORDERED, ADJUDGED AND DECREED on this the 25th day of January, 1957.

Hubert M. Hall

Judge.

SUMMONS AND COMPLAINT

Baldwin Times

10

J.V.C.

10-24-56

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3897

Oct.

TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon MAGNOLIA LAND CO. A CORP.

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 _____

MAGNOLIA LAND CO. A CORP.

Defendant

by _____

W.H. HARRISON and W.J. HARRISON

Plaintiff.....

Witness my hand this 17th. day of Oct. 1956

Alice J. Deaky

Clerk

No. 3897

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

W.H. HARRISON and W(H)J. HARRISON

Plaintiffs

vs.

CERTAIN LANDS and JOSIAH BLAKELY,

ET AL.

Defendants

SUMMONS and COMPLAINT

Filed OCT. 17, 19 56

Alice J. Duck, Clerk

J.D. BLACKBURN

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19.....

, Sheriff

I have executed this summons

this _____, 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

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

Your Orators, W. H. Harrison and W. J. Harrison, present this Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:

	<u>SECTION:</u>
Lot H, being the East Fractional half of the Southeast Quarter;	33
That part of the Josiah Blakely Grant which lies in Township 3 South, Range 1 East;	37

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

West Fractional half of the Northwest Quarter;	3
North fractional half;	4
Southwest fractional quarter;	4
East fractional half of Northwest Quarter; Southeast fractional quarter;	9
Southwest fractional quarter lying East of Big Battaw Bay;	11

and against Josiah Blakeley, Ellen Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young, George Penfield, George Demmer, George Demmier, George Demmer, William G. Ball, William G. Bill, Lawrence Starter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brocker, Nicholas Kramer, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, Magnolia Land Company, a corporation, and against the heirs and devisees of such of the said parties as may be dead, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against any and all persons, firms or corporations, claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and thereupon, your Orators complain and show unto the Court and unto your Honor as follows:

1. The said W. H. Harrison and W. J. Harrison are residents of Orleans Parish, Louisiana.

2. The said Magnolia Land Company, a Corporation, is a corporation organized and doing business under the laws of the State of Illinois, but it is qualified to do business within the

State of Alabama, and its resident agent in the State of Alabama is F. A. Christian, Attorney at Law, Foley, Alabama.

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

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

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

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

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

7. Your Orators have, and claim to have, the absolute unencumbered fee simple title to all of the real property herein described, by and through the following 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 L. E. Eddins and D. T. Eddins to W. H. Harrison and W. J. Harrison, dated January 21, 1937, and recorded in Deed Book 61 N. S. at pages 284-5, Baldwin County, Alabama Records.

8. Your Orators have made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make or who are making any claim to the said lands, or any part thereof, or interest therein, or any encumbrance thereon. Your Orators further aver that these inquiries have continued faithfully and diligently for the past two years; that within the past two 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 and 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 person interested or who may be interested in the said property; that your Orators have made and caused a thorough inquiry to be made in the 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. These efforts by your Orators, their agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies, is as hereinabove set out.

PRAYER FOR PROCESS:

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

/s/ J. B. Blackburn
Solicitor for Complainant.

STATE OF LOUISIANA

ORLEANS PARISH

Before me, the undersigned authority, within and for said Parish in said State, personally appeared W. J. Harrison, who, after being by me first duly and legally sworn, deposes and says:

That he is one of the Complainants in the above styled cause and that he has read over the foregoing Bill of Complaint

and that the facts stated therein are true.

W. J. Harrison

Sworn to and subscribed before
me on this the 5th day of
October, 1956.

15/ Harry Pelias
Notary Public, Orleans Parish, La.

RECORDED
INDEXED
OCT 10 1956
NOTARY PUBLIC
ORLEANS PARISH, LA.

1202

W. H. HARRISON and
W. J. HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3897.

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 testimony in this cause; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. This said cause shall be and it is hereby set for hearing at ten o'clock A. M. on the 25 day of January, 1957.

2. Floyd Aracunja, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, who is in all respect 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. Floyd Aracunja, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, shall be, and he is hereby appointed as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States.

4. Testimony of the witnesses for Complainants shall be taken orally in open court and transcribed in the manner provided by Equity Rule No. 56, as amended.

ORDERED, ADJUDGED AND DECREED on this the 2nd day of

~~January~~
December, 1956.

Hubert M. Hall
Judge.

W. J. HARRISON and W. J.
HARRISON,

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 17th day of October, 1956.

Robert M. Hall

Judge.

W. H. HARRISON and
W. J. HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3897.

CERTIFICATE

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

1. The Notice of Pendency of Bill of Complaint in this cause was filed for record in the Office of the Judge of Probate of Baldwin County, Alabama, on October 17, 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 25, November 1, November 8 and November 15, 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 25, 1956.

DATED this 31 day of December, 1956.


Register.

W. H. HARRISON and
W. J. HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 3897

MOTION FOR DECREE PRO CONFESSO

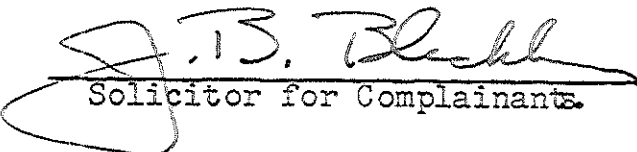
Motion is hereby made for a decree pro confesso against Josiah Blakeley, Elien Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young, George Penfield, George Denmer, George Demmier, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brooker, Nicholas Kramor, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, 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 paper which were published on October 25, November 1, November 8 and November 15, 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 26th 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 Courthouse of Baldwin County, Alabama, on the 25th day of October, 1956; and thirty days having expired since November 26, 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.

Motion is hereby made for a decree pro confesso against Magnolia Land Company, a corporation, on the ground that a copy of the original Bill of Complaint in this cause, together with a summons, was served on F. A. Christian, the resident agent for Magnolia Land Company, a corporation, on October 24, 1956, which summons ordered the said Magnolia Land Company, a corporation, to appear and plead, answer or demur within thirty days from the service of said summons and complaint; and thirty days having expired since October 24, 1956, and the said Magnolia Land Company, a corporation, having failed to appear and plead in this cause, Complainants are entitled to a decree pro confesso against the said Magnolia Land Company, a corporation.

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 31st day of December, 1956.


Solicitor for Complainants.

W. H. HARRISON AND W. J.
HARRISON,

Complainants.

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3897

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 January 2, 1957, setting this cause for hearing on January 25, 1957, appointing Floyd Swearingen 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; Order of Continuance, continuing this cause to this date; and the testimony of W. H. Harrison, M. T. Bonner and Fred Smith, 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 to a decree quieting title to the lands described in the said Bill of Complaint, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Complainants, W. H. Harrison and W. J. Harrison are the lawful owners in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:

	<u>SECTION:</u>
Lot H, being the East Fractional half of the Southeast Quarter;	33
That part of the Josiah Blakely Grant which lies in Township 3 South, Range 1 East;	37

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

West Fractional half of the Northwest Quarter;	3
North fractional half;	4
Southwest fractional Quarter;	4
East fractional half of Northwest Quarter; Southeast fractional Quarter;	9
Southwest fractional Quarter lying East of Big Battaw Bay;	11

that the absolute fee simple title to the said lands and each and every part thereof and all interest therein is in the said Complainants, W. H. Harrison and W. J. Harrison, 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 Josiah Blakeley, Ellen Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young,

George Penfield, George Demmer, George Demmier, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brooker, Nicholas Kramor, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, Magnolia Land Company, a Corporation, 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.

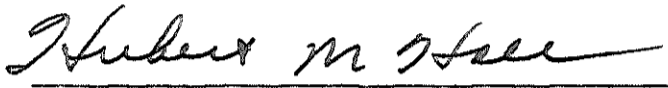
4. The Judge of Probate of Baldwin County, Alabama, shall record the said certified copy of this decree in the same book and manner in which deeds are recorded, and shall index the same in the Direct Indexes in the name of Josiah Blakeley, Ellen Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young, George Penfield, George Demmer, George Demmier, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Tomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brooker, Nicholas Kramor, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, and Magnolia Land Company, a Corporation, and shall index the same in the Indirect or Reverse Index of said records in the names of W. H. Harrison and W. J. Harrison.

5. The title hereby adjudged and decreed to be in the said Complainants, W. H. Harrison and W. J. Harrison, 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 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 30th day of January, 1957.



Judge.

W. H. HARRISON and
W. J. HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

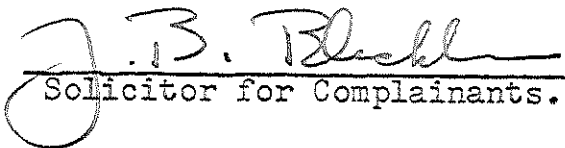
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3897.

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.


Solicitor for Complainants.

W. H. HARRISON and
W. J. HARRISON,

Complainants,

vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 3897.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

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

TO Floyd Sweasinger :

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
interested in this proceeding and as Attorney to represent any
unknown parties interested in this proceeding who may be in the
Military Service of the United States.

DATED this 31 day of December, 1956.

Reis J. Black
Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

STATE OF ALABAMA

BALDWIN COUNTY

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

DATED this 31st day of December, 1956.

Floyd Sweasinger
As Guardian ad litem and as Attorney
representing parties in Military
Service of United States.

W. H. HARRISON and
W. J. HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 3897.

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

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

DATED this 2nd day of January 1957.

Floyd Swearingen
As Guardian ad litem as aforesaid, and
as Attorney to represent persons in
Military Service as aforesaid.

W. H. HARRISON and
W. J. HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3897.

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 25th day of October, 1956, in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama; that a copy of the said notice was posted at the Courthouse door in Baldwin County, Alabama, on the 25th day of October, 1956; that a copy of the Bill of Complaint in this cause, together with a summons, were served on F. A. Christian, the resident agent for Magnolia Land Company, a corporation, on October 24, 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 Josiah Blakeley, Elien Townsend, Jr., Eben Townsend, Junr., Daniel Penfield; Charlotte Gilston, Jane Young, George Penfield, George Denmer, George Demmier, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brooker, Nicholas Kramor, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict and Magnolia Land Company, a corporation, 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 31 day of December, 1956.

Alice J. Dusk
Register.

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

1. That the Complainants, W. H. Harrison and W. J. Harrison are the lawful owners in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:

Lot H, being the East Fractional half of the Southeast Quarter;	<u>SECTION:</u>
That part of the Josiah Blakely Grant which lies in Township 3 South, Range 1 East;	33
	37

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

West Fractional half of the Northwest Quarter;	3
North fractional half;	4
Southwest fractional Quarter;	4
East fractional half of Northwest Quarter; Southeast fractional Quarter;	9
Southwest fractional Quarter lying East of Big Battaw Bay;	11

that the absolute fee simple title to the said lands and each and every part thereof and all interest therein is in the said Complainants, W. H. Harrison and W. J. Harrison, 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 Josiah Blakeley, Elien Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young,

George Penfield, George Denmer, George Demmier, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brocker, Nicholas Kramer, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, Magnolia Land Company, a Corporation, 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 Josiah Blakeley, Ellen Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young, George Penfield, George Denmer, George Demmier, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Tomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brocker, Nicholas Kramer, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, and Magnolia Land Company, a Corporation, and shall index the same in the Indirect or Reverse Index of said records in the names of W. H. Harrison and W. J. Harrison.

5. The title hereby adjudged and decreed to be in the said Complainants, W. H. Harrison and W. J. Harrison, 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 person or persons so procuring or deriving title from the said Complainants.

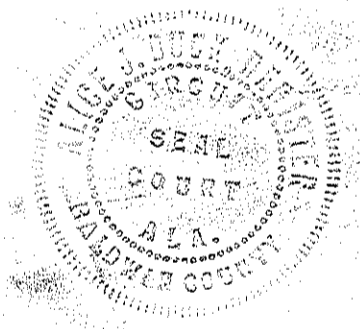
6. The costs of this proceeding are hereby taxed against the Complainants for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 30th day of January, 1957.

HUBERT M. HALL
Judge.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and enrolled in my office.
WITNESS MY HAND AND SEAL THIS THE 30 day of Jan, 19 57

Alice J. Duck
Register of Circuit Court, in Equity



STATE OF ALABAMA, BALDWIN COUNTY
Filed 1-30-57 1 P. M
Recorded Dud book 247 page 377-50
MR. [Signature]
Judge of Probate

247-377-20

Subscribed

Witness D. [Signature] Clerk

Transcribed

J. W.

Witness J. H. W.

82-02-1

02

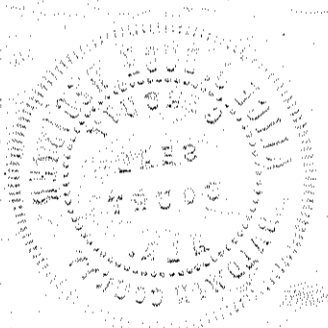
Handwritten notes:
1/30-57
Dud

BOOK 347 PAGE 330

... or any part thereof, or any interest therein, from or through
the said Complainant, and such title or interest shall be as if
... the said Complainant.

HUBERT M. HALL
Judge

WITNESS MY HAND AND SEAL THIS 2nd day of Jan, 1937
Alice J. Duck, Register of the Circuit Court of Baldwin County,
Alabama, do hereby certify that the foregoing is a correct copy of the
original decree rendered by the Judge of the Circuit Court in above stat-
ed cause, which said decree is on file and enrolled in my office.



STATE OF ALABAMA, BALDWIN COUNTY
Filed 1-30-37
Recorded 1937 page 330
Judge of Probate

30 1-30-52

W. H. Harrison

W. J.

Complainants

The Lands & Parties

Arms - After Described

Respondents

247-347-50

12-310
Mrs. Duck

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

Your Orators, W. H. Harrison and W. J. Harrison, present
this Bill of Complaint against the following described lands
situated in Baldwin County, Alabama, to-wit:

IN TOWNSHIP 3 SOUTH, RANGE 1 EAST:

	<u>SECTION:</u>
Lot H, being the East Fractional half of the Southeast Quarter;	33
That part of the Josiah Blakely Grant which lies in Township 3 South, Range 1 East;	37

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

West Fractional half of the Northwest Quarter;	3
North fractional half;	4
Southwest fractional quarter;	4
East fractional half of Northwest Quarter; South- east fractional quarter;	9
Southwest fractional quarter lying East of Big Battaw Bay;	11

and against Josiah Blakeley, Elien Townsend, Jr., Eben Townsend,
Junr., Daniel Penfield, Charlotte Gilston, Jane Young, George
Penfield, George Denmer, George Demmier, George Demmer, William G.
Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M.
Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel,
Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob
Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob
Brooker, Nicholas Kramor, Emile Bihler, Emile J. Bihler, Martin
Van Heuvel, Paul C. Benedict, Magnolia Land Company, a corporation,
and against the heirs and devisees of such of the said parties as
may be dead, and against his heirs or devisees, if deceased, and
against her heirs and devisees, if deceased, and against any and
all persons, firms or corporations, claiming any title to, interest
in, lien or encumbrance on the said lands, or any part thereof,
and thereupon, your Orators complain and show unto the Court and
unto your Honor as follows:

1. The said W. H. Harrison and W. J. Harrison are
residents of Orleans Parish, Louisiana.

2. The said Magnolia Land Company, a Corporation, is a
corporation organized and doing business under the laws of the
State of Illinois, but it is qualified to do business within the

State of Alabama, and its resident agent in the State of Alabama is F. A. Christian, Attorney at Law, Foley, Alabama.

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

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

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

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

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

7. Your Orators have, and claim to have, the absolute unencumbered fee simple title to all of the real property herein described, by and through the following 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 L. E. Eddins and D. T. Eddins to W. H. Harrison and W. J. Harrison, dated January 21, 1937, and recorded in Deed Book 61 N. S. at pages 284-5, Baldwin County, Alabama Records.

BOOK 020 PAGE 433

8. Your Orators have made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make or who are making any claim to the said lands, or any part thereof, or interest therein, or any encumbrance thereon. Your Orators further aver that these inquiries have continued faithfully and diligently for the past two years; that within the past two 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 and 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 person interested or who may be interested in the said property; that your Orators have made and caused a thorough inquiry to be made in the 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. These efforts by your Orators, their agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies, is as hereinabove set out.

PRAYER FOR PROCESS:

Your Orators pray that the said lands hereinabove described, the respondents named herein, and their heirs and devisees, if deceased, and the unknown heirs, devisees and personal representatives of the next of kin of the respondents named above, who are dead, and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance 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:

BOOK 020 PAGE 484

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


Solicitor for Complainant.

STATE OF LOUISIANA
ORLEANS PARISH

Before me, the undersigned authority, within and for said Parish in said State, personally appeared W. J. Harrison, who, after being by me first duly and legally sworn, deposes and says:

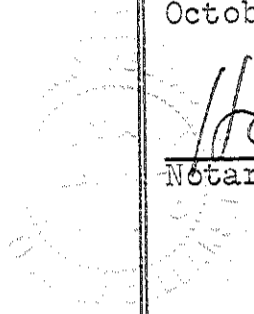
That he is one of the Complainants in the above styled cause and that he has read over the foregoing Bill of Complaint

and that the facts stated therein are true.

J. D. Harrison

Sworn to and subscribed before
me on this the 5th day of
October, 1956.

Harry Pelha's
Notary Public, Orleans Parish, La.



SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3897

Oct. TERM, 19 56

BOOK 020 PAGE 433

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MAGNOLIA LAND CO. A CORP.

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 MAGNOLIA LAND CO. A CORP., Defendant

by W.H. HARRISON and W.J. HARRISON, Plaintiff.....

Witness my hand this 17th. day of Oct. 19 56

Alice J. Duck, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

W.H. HARRISON and W(M)J. HARRISON

Plaintiffs

vs.

CERTAIN LANDS and JOSIAH BLAKELY,

ET AL.

Defendants

SUMMONS and COMPLAINT

Filed OCT. 17, 19 56

Alice J. Duck, Clerk

J.E. BLACKBURN

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

10-17, 19 56

Sheriff

I have executed this summons

this Oct 21, 19 56

by leaving a copy with

Robert Christian

Sheriff claims 72 miles at

Fee \$1.00 per mile Total \$ 72.00

TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

Taylor Wilkins Sheriff
Robert Christian Deputy Sheriff

Solely

W. H. HARRISON AND W. J.
HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3897

NOTE OF TESTIMONY

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

1. Original verified Bill of Complaint.
2. Order designating newspaper in which Notice of Pendency of Bill of Complaint shall be published.
3. Notice of Pendency of Bill of Complaint.
4. Proof of publication of Notice of Pendency of Bill of Complaint.
5. Register's Certificate as to service.
6. Motion for Decree pro Confesso.
7. Decree pro Confesso.
8. Motion of Complainants for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding, and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States.
9. Decree dated January 2, 1957, setting this cause for hearing, on January 25, 1957, appointing Floyd Swearingen as guardian ad litem to represent any unknown minor or persons of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the testimony of the witnesses for the Complainants be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended.
10. Order continuing this cause from January 25, 1957, to January 30, 1957.
11. Notice of appointment of guardian ad litem and attorney to represent parties in Military Service and acceptance of such

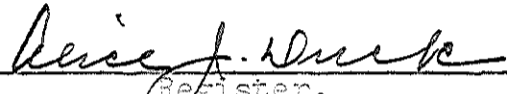
appointment.

12. 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.

13. Testimony of W. H. Harrison, M. T. Bonner and Fred Smith, witnesses for the Complainants taken in open court in the manner provided by Equity Rule #56 as amended.

14. Exhibits numbered 1 through 14, to testimony of Complainants' witnesses.

DATED this 30th day of January, 1957.


Register.


Solicitor for Complainants.

W. H. HARRISON and W. J. HARRISON,

Complainants,

vs.

THE LANDS AND PARTIES HEREIN-AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

3897

BOOK 004 PAGE 309

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 W. H. Harrison and W. J. Harrison did, on the 17th 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 3 SOUTH, RANGE 1 EAST:

SECTION:

Lot H, being the East Fractional half of the Southeast Quarter;	33
That part of the Josiah Blakely Grant which lies in Township 3 South, Range 1 East;	37

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST:

West Fractional half of the Northwest Quarter;	3
North fractional half;	4
Southwest fractional quarter;	4
East fractional half of Northwest Quarter; Southeast fractional quarter;	9
Southwest fractional quarter lying East of Big Battaw Bay;	11

and against Josiah Blakeley, Elien Townsend, Jr., Eben Townsend, Junr., Daniel Penfield, Charlotte Gilston, Jane Young, George Penfield, George Denmer, George Demmier, George Demmer, William G. Bull, William G. Bill, Lawrence Stouter, Lawrence Stanter, W. M. Cannon, Terisa Unteriner, Peter Unteriner, Nicholas Spettel, Nicholas Sprettle, Thomas Wilson, Peter Sprattle, Sr., Jacob Burgan, Catherine Kramer, Joseph Kramer, Jacob Brocker, Jacob Brocker, Nicholas Kramor, Emile Bihler, Emile J. Bihler, Martin Van Heuvel, Paul C. Benedict, Magnolia Land Company, a corporation, 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 above named Magnolia Land Company, a corporation, is a corporation organized and doing business under the laws of the State of Illinois, but is qualified to do business within the State of Alabama, and its resident agent in the State of Alabama is F. A. Christian, Attorney at Law, Foley, Alabama.

The addresses of each of the other individual respondents specifically named herein are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

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

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

Deed from L. E. Eddins and D. T. Eddins to W. H. Harrison and W. J. Harrison, dated January 21, 1937, and recorded in Deed Book 61 N. S. at pages 284-5, Baldwin County, Alabama Records.

The Complainants, in and by their said Bill of Complaint allege and aver that they own the said lands in their own right, absolutely and in fee simple; that they are in the actual peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the names of the Complainants; that no suit is pending to test complainants' title to, interest in, or right to the possession of the said lands, or any part thereof; that Complainants and those through whom they claim title have held color

BOOK 004 PAGE 310

of title to and have regularly assessed and paid taxes on the said lands and each and every part thereof for nineteen or more consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations other than the complainants and those through whom they claim title to the said lands, have paid any taxes on the said lands, or any part thereof or any interest therein, and no persons, firms or corporations, other than the complainants and those through whom they claim title, have had possession of the said lands or any part thereof, within nineteen 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 26th 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 complainants' title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 17th 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 10-17-56 10 A. M.
Recorded Lia Quid book 4 page 309-11
M. Stewart
Judge of Probate *6*