

ALICE BOLAR and DOUGLAS
BOLAR,

Complainants,

-VS-

Lands and Persons Hereinafter
Described,

Defendants.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

ORDER FOR PUBLICATION

It appearing by the verified Bill of Complaint filed in this cause, that the residences of the defendants named in this cause are unknown and that the Complainants request publication against them;

It is therefore, Ordered, Adjudged, and Decreed that notice of the pendency of the Bill of Complaint shall be drawn and signed by the Register of the Circuit Court of Baldwin County, Alabama, and the Register shall have such notice published once a week, for four consecutive weeks, in the Tanhook Courier newspaper, a newspaper having general circulation and publication in Baldwin County, Alabama, as required by Law, and that a copy of this notice, certified by the Register as being correct, shall be recorded a a lis pendens in the office of the Judge of Probate, Baldwin County, Alabama.

Done this the 23 day of Nov, 1959.

Robert M. Hall
Circuit Judge.

ALICE BOLAR and DOUGLAS
BOLAR,

Complainants,

-VS-

Lands and Persons Herein-
after Described,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA


IN EQUITY.

Case No. 4769

NOTE OF EVIDENCE

This cause is submitted on final decree on
Complainant's bill, answering of the Guardian Ad litem,
Decree Pro Confesso against other parties and depositions
of Alice Bolar and Douglas Bolar and Louis Boni, St.

FILED
MAY 7 1960
ALICE J. DUCK, CLERK
REGISTER


E. G. RICKARBY
Solicitor for Complainant

ALICE BOLAR and DOUGLAS BOLAR,	¶	IN THE CIRCUIT COURT OF
	¶	
Complainants,	¶	BALDWIN COUNTY, ALABAMA,
-VS-	¶	
	¶	IN EQUITY.
Lands and Persons Herein- after Described,	¶	
	¶	Case No. 4769
Defendants.	¶	

FINAL DECREE

This cause coming on to be heard this the 7th day of March, 1960, is submitted for final decree upon complainants' verified bill of complaint and upon the decree pro confesso rendered therein, and upon the testimony of ALICE BOLAR, DOUGLAS BOLAR and LOUIS BONI, SR., taken orally before the commissioner duly appointed by the Register, and by order of the Court, and the certificate of the Register and the pleadings and proof, as noted by the Register, and it appearing to the satisfaction of the Court:

1. That the complainants, ALICE BOLAR and DOUGLAS BOLAR, at the time of the filing of their bill of complaint in this cause, claimed in their own right a fee simple title to, with the exception of mortgages made to the Central Baldwin Bank and recorded in Mortgage Book 249, Pages 470-2 and recorded in Mortgage Book 322, page 249 of the Probate Records of Baldwin County, Alabama, and which mortgages are assigned to LOUIS BONI, SR., and, also, an agreement of sale made to Louis Boni, Jr. and Fred G. Boni, dated 10 September, 1959, and were in the actual, peaceable possession of the following described lands lying and being situated in the County of Baldwin and State of Alabama, and more particularly described as follows:

The North Half of the Southeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 22, Township 5 South, Range 2 East, less the following described property: Beginning at the Northeast corner of the Southeast Quarter of the Southeast Quarter (NE corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 22, Township 5 South, Range 2 East, thence SIX HUNDRED AND FIFTY-FOUR AND FOUR TENTHS (654.4) feet South, 4° 36 $\frac{1}{2}$ ' East, thence West FORTY (40) feet, thence North 4° 36 $\frac{1}{2}$ ' West SIX HUNDRED AND

(Description cont'd on Page 2)

(Desc. Cont'd)

FIFTY-FOUR AND FOUR TENTHS (654.4) feet, thence East FORTY (40) feet to the Point of Beginning, which property is now being used for a public road.

2. That at the time of the filing of said bill of complaint no suit was pending to test their title to, interest in, or their right to the possession of said lands.

3. That their said bill of complaint was and is duly verified and was filed against said lands, and was to establish the right or title to such lands or interest and to clear up all doubts or disputes concerning the same, and that said bill of complaint did in all respects comply with the provisions of Section 1117 of Title 7, of the Code of Alabama.

4. That the names of none of the parties defendants were known to complainants except the following: Louise Brooks, whose address is unknown, but who was last heard from in New York; Parle Paige, whose address is unknown, but who was last heard from in Philadelphia, Pennsylvania; Major Clayton, whose address is unknown; Roosevelt Clayton, whose address is unknown; Marvin Clayton, whose address is unknown, but who was last heard from in Port Huron, Michigan; Clarence Conaway, whose address is unknown, but who was last heard from in Mobile, Alabama; Gussie Given, whose address is unknown, but who was last heard from in Mobile, Alabama; and Joseph Clayton, whose address is unknown; and the following parties whose addresses are unknown, and whom petitioners believe are dead, namely: Charlie Clayton, Richard Stuart, Matilda Frances McGill, Joseph J. McGill, Hiram T. McGill, Amanda E. McGill, Annes Matilda McGill, Julia McGill, Elizabeth McGill, Martha McGill and Julia McGill (daughter of Joseph McGill), Matilda McGill and Joseph Clayton, and the heirs or devisees of the above named parties, if said parties be deceased; that they have exercised diligence to ascertain the facts with regard thereto.

5. That notice of the pendency of said bill of complaint was drawn and signed by the Register of this Court and said Register did have said notice published once a week for four consecutive weeks in the Fairhope Courier, a newspaper having general circulation and published in the County of Baldwin, Alabama, and author-

ized by law to receive and publish legal advertisements, where the lands described in the bill of complaint lie, as prescribed by law and rule of this Honorable Court made in this cause.

6. That a copy of said notice certified by the Register of this Court as being correct was recorded as a lis pendens in the office of the Judge of Probate of said County, and said notice being in strict accord and compliance with Section 1121, Title 7, of the Code of Alabama.

7. That it has been more than sixty days since the first publication of said notice and the filing of a certified copy of said notice in the office of the Probate Judge of said county where said lands lie.

8. That no person has intervened in said cause.

9. That the complainants have established or shown by legal evidence that they are the owners of a fee simple title to said lands with the exception of mortgages made to the Central Baldwin Bank and which mortgages are assigned to Louis Boni, Sr., and, also, an agreement of sale made to Louis Boni, Jr. and Fred G. Boni, dated 10 September, 1959.

10. That all the allegations of fact contained in complainants' bill of complaint are true.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that the complainants are entitled to the relief prayed for in their said bill of complaint, and that the fee simple title, with the exception of mortgages made to the Central Baldwin Bank and recorded in Mortgage Book 249, Pages 470-2 and recorded in Mortgage Book 322, page 249 of the Probate Records of Baldwin County, Alabama, and which mortgages are assigned to Louis Boni, Sr., and, also, an agreement of sale made to Louis Boni, Jr. and Fred G. Boni, dated 10 September, 1959, claimed by the complainants in and to the above described lands has been duly proven.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the complainants are the owners of said lands and have a fee simple title thereto, free of all liens and incumbrances, with the exception of the said mortgages to the Central Baldwin Bank and agreement of sale to Louis Boni, Jr. and Fred G. Boni, and mortgage assign-

ment herein referred to, and that their said title thereto be and is hereby established, and that all doubts and disputes concerning the same are hereby cleared up.

It is further ORDERED, ADJUDGED AND DECREED by the said Court that a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the names of ALICE BOLAR and DOUGLAS BOLAR in both the direct index and the indirect index of the record thereof.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the complainants pay the costs of this proceeding, for which let execution issue.

Done this the 9th day of March, 1960.

Hubert M. Hall
HUBERT M. HALL, Circuit Judge.

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ALICE BOLAR and DOUGLAS
BOLAR,
Complainants

vs.

Lands and Persons Herein-
after Described,
Defendants.

FINAL DECREE

FILED
MAR 7 1930
ALICE J. DUCK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY. Case # 4769

IT IS ORDERED AND DECREED THAT the complainants, ALICE BOLAR and DOUGLAS BOLAR, be and they are hereby enjoined from interfering with the respondents in the quiet enjoyment of the lands and persons herein-after described. It is further ORDERED AND DECREED THAT the complainants pay the costs of this proceeding.

ALICE BOLAR and DOUGLAS
BOLAR,

Complainants,

-VS-

Lands and Persons Hereinafter
Described,

Defendants.

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

BILL TO QUIET TITLE

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

Humbly complaining, come ALICE BOLAR and DOUGLAS BOLAR,
and respectfully represent and show unto Your Honor and aver:

1. That they are both over the age of twenty-one years
and resident citizens of Baldwin County, State of Alabama.

2. That the lands here in controversy are situated in
Baldwin County, Alabama, and are more particularly described as
follows:

The North Half of the Southeast Quarter of
the Southeast Quarter ($N\frac{1}{2}$ of $SE\frac{1}{4}$ of $SE\frac{1}{4}$) of
Section 22, Township 5 South, Range 2 East,
less the following described property: Begin-
ning at the Northeast corner of the South-
east Quarter of the Southeast Quarter (NE -
corner of $SE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 22, Town-
ship 5 South, Range 2 East, thence SIX HUNDRED
AND FIFTY-FOUR AND FOUR TENTHS (654.4) feet
South, $4^{\circ} 36\frac{1}{2}'$ East, thence West FORTY (40)
feet, thence North $4^{\circ} 36\frac{1}{2}'$ West SIX HUNDRED
AND FIFTY-FOUR AND FOUR TENTHS (654.4) feet,
thence East FORTY (40) feet to Point of Begin-
ning, which property is now being used for
a public road.

And petitioners in their own right claim to own said
lands and to have and possess a fee simple title thereto free of
all liens and incumbrances, with the exception of mortgages made
to the Central Baldwin Bank and recorded in Mortgage Book 249,
Pages 470-2 and recorded in Mortgage Book 322, page 249 of the
Probate Records of Baldwin County, Alabama, and which mortgages
are assigned to Louis Boni, Sr., and, also, an agreement of sale
made to Louis Boni, Jr. and Fred G. Boni, dated 10 Sept. 1959.
They further aver that they are in the actual, peaceable possession
of said lands and have been in such possession since the 22nd day

of October, 1943.

3. Petitioners allege and aver that they obtained said property and title thereto by deed from John Montgomery, which deed is recorded in Deed Book 81, page 499 of the Probate Records of Baldwin County, Alabama, and that from 1943 up to the present date, they have paid all taxes and assessments against said lands.

4. Petitioners further allege and aver that they took possession of said lands on the date of said deed, and have continued in the sole and exclusive possession, use and enjoyment of the premises up to the present date.

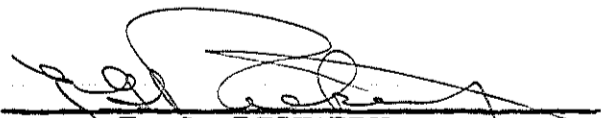
5. The title to said lands stands upon the records of the Probate Court of said County in the name of Alice Bolar and Douglas Bolar, Complainants.

6. No one except petitioners have paid taxes on said lands within ten years next preceding the filing of this bill of complaint. Petitioners do not know of any one who claims said lands, or any part thereof, or interest in, unless it be the following: Louise Brooks, whose address is unknown, but who was last heard from in New York; Parle Paige, whose address is unknown, but who was last heard from in Philadelphia, Pennsylvania; Major Clayton, whose address is unknown; Roosevelt Clayton, whose address is unknown; Marvin Clayton, whose address is unknown, but who was last heard from in Port Huron, Michigan; Clarence Conaway, whose address is unknown, but who was last heard from in Mobile, Alabama; Gussie Givan, whose address is unknown, but who was last heard from in Mobile, Alabama; and Joseph Clayton, whose address is unknown; and the following parties whose addresses are unknown, and whom petitioners believe are dead, namely: Charlie Clayton, Richard Stuart, Matilda Frances McGill, Joseph J. McGill, Hiram T. McGill, Amanda E. McGill, Annes Matilda McGill, Julia McGill, Elizabeth McGill, Martha McGill, Julia McGill (daughter of Joseph McGill), Matilda McGill and Joseph Clayton, and the heirs or devisees of the above named

parties, if said parties be deceased; that they have made diligent inquiry of various sources seeking the whereabouts of above named defendants, or the names of any other person or persons who claim said lands or any interest therein, but have utterly failed to obtain the names of any other person other than those mentioned above who claim said lands or any interest therein.

7. Petitioners further aver that no suit is pending to test the title to, interest in, or right to the possession of said lands.

The Premises considered, petitioners file this their verified bill of complaint against said lands and against any and all persons claiming any title to, interest in, lien or incumbrance upon said lands, or any part thereof, and to establish the right or title to such lands, and clear up all doubts or disputes concerning the same, and pray that this Court will make and enter all orders judgments and decrees that may be meet and proper in the premises, including the appointment of a guardian ad litem, to represent and defend the interests of such unknown parties as provided in Sec. 1117(1) of Title 7, Code of Alabama, and that upon a final hearing of this cause will decree that petitioners are the owners of said lands and have a fee simple title thereto, free of all liens and incumbrances except the mortgages and agreement of sale mentioned in paragraph two above, and will grant to petitioners such other, further, or different relief as may be meet and proper in the premises, and in duty bound they will ever pray.


E. G. RICKARBY,
Solicitor for Petitioners

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, the undersigned notary public, in and for said County, in said State, personally appeared ALICE BOLAR and DOUGLAS BOLAR, who, being by me first duly and legally sworn, depose and say under oath as follows:- That they are the Complainants in the foregoing Bill of Complaint and that they have read and understand the same, and have knowledge of the facts stated therein, and that the facts so stated are, to the best of their knowledge, information and belief, true.

Alice Bolan

ALICE BOLAR

Witness to me
of Douglas Bolan
Benjamin Shepherd

See
Douglas X Bolan

DOUGLAS BOLAR

Mark.

Sworn to and subscribed before me,

this 20 day of November 1959.

[Signature]

Notary Public, Baldwin County, Alabama.

FILED

NOV 21 - 59

ALICE J. DUCK, CLERK
REGISTER

4769

ALICE BOLAR and DOUGLAS
BOLAR,

Complainants,

- vs -

Lands and Persons Hereinafter
Described,

Defendants.

BILL TO QUIET TITLE

FILED
NOV 21 1959
ALICE J. LUCK, CLERK
REGISTER

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

ALICE BOLAR and DOUGLAS BOLAR,

Complainants,

- VS -

Lands and Persons Hereinafter Described,

Defendants.

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

NOTICE OF PENDENCY OF THE BILL OF COMPLAINT

TO: LOUISE BROOKS, PARLE PAIGE, MAJOR CLAYTON, ROOSEVELT CLAYTON, MARVIN CLAYTON, CLARANCE CONAWAY, GUSSIE GIVAN, CHARLIE CLAYTON, RICHARD STUART, MATILDA FRANCES MCGILL, JOSEPH J. MCGILL, HIRAM T. MCGILL, AMANDA E. MCGILL, ANNES MATILDA MCGILL, JULIA MCGILL, MARTHA MCGILL, JULIA MCGILL (daughter of Joseph McGill), MATILDA MCGILL and JOSEPH CLAYTON, whose addresses are unknown, and any other person or persons claiming to be interested in said lands;

TAKE NOTICE that ALICE BOLAR and DOUGLAS BOLAR have this day filed their verified Bill of Complaint in the Circuit Court of Baldwin County, Alabama, against the following described property:

The North Half of the Southeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SSE $\frac{1}{4}$) of Section 22, Township 5 South, Range 2 East less the following described property: Beginning at the Northeast corner of the Southeast Quarter of the Southeast Quarter (NE cor. of SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 22, Township 5 South, Range 2 East, thence SIX HUNDRED AND FIFTY-FOUR AND FOUR TENTHS (654.4) feet South, 4° 36 $\frac{1}{2}$ ' East, thence West FORTY (40) feet, thence North 4° 36 $\frac{1}{2}$ ' West SIX HUNDRED AND FIFTY-FOUR AND FOUR TENTHS (654.4) feet, thence East FORTY (40) feet to the Point of Beginning, which property is now being used for a public road.

That the complainants claim title to said land by warranty deed from John Montgomery and you are hereby directed to plead, answer or demur to said Bill of Complaint before the 20th day of January, 1960, or, suffer a Decree Pro Confesso to be rendered against you.

Done this the 21 day of Nov, 1959.

Alice Duck
ALICE DUCK, Register,
Circuit Court of Baldwin County,
Alabama.

E. G. RICKARBY, Attorney for
Complainants.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 11-23-59 8:00 A.M.
Recorded *Lispen* book 5 page 93
Lispen
Judge of Probate

ALICE BOLAR and DOUGLAS
BOLAR

Complainants

VS

Lands and Persons Hereinafter
Described

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

No. 4769

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

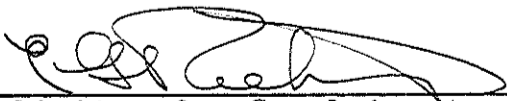
Comes the complainants in the above styled cause and shows unto the Register that an order of publication was made on the 19th day of November, 1959, which was duly published in the Fairhope Courier, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, commencing on the 26th day of November, 1959, and which was directed to LOUISE BROOKS, PARLE PAIGE, MAJOR CLAYTON, ROOSEVELT CLAYTON, MARVIN CLAYTON, CLARANCE CONAWAY, GUSSIE GIVAN, CHARLIE CLAYTON, RICHARD STUART, MATILDA FRANCES MCGILL, JOSEPH J. MCGILL, HIRAM T. MCGILL, AMANDA E. MCGILL, ANNES MATILDA MCGILL, JULIA MCGILL, MARTHA MCGILL, JULIA MCGILL (daughter of Joseph McGill), MATILDA MCGILL and JOSEPH CLAYTON, whose addresses are unknown and any other person or persons claiming to be interested in said lands; respondents in said cause, which required the said respondents to plead, answer or demur to the bill of complaint in this cause by the 20th day of January, 1960, which the said respondents have to this date failed to do, wherefore the complainant moved the Court to grant a decree pro confesso against the said respondent.

This the 8 day of Feb, 1960

FILED

FEB 9 1960

ALICE J. DUCK, CLERK
REGISTER


Solicitor for Complainant

ALICE BOLAR and DOUGLAS
BOLAR

Complainants

VS

Lands and Persons Hereinafter
Described

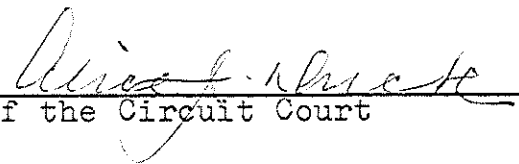
Defendants

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

DECREE PRO CONFESSO ON PUBLICATION

It appears to the Court that the order of publication directed to respondents heretofore made in this cause was published for four consecutive weeks, commencing on the 26th day of November, 1959, in the Fairhope Courier, a newspaper of general circulation and published in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in the County of Baldwin on the _____ day of _____, 1960. And it now further appearing to the Court, that the said respondents 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 complainant, ordered and decreed by the Court, that the said Decree Pro Confesso on Publication be, and hereby is in all things taken as confessed against the said LOUISE BROOKS, PARLE PAIGE, MAJOR CLAYTON, ROOSEVELT CLAYTON, MARVIN CLAYTON, CLARANCE CONAWAY, GUSSIE GIVAN, CHARLIE CLAYTON, RICHARD STUART, MATILDA FRANCES MCGILL, JOSEPH J. MCGILL, HIRAM T. MCGILL, AMANDA E. MCGILL, ANNES MATILDA MCGILL, JULIA MCGILL, MARTHA MCGILL, JULIA MCGILL (daughter of Joseph McGill, MATILDA MCGILL and JOSEPH CLAYTON, whose addresses are unknown and any other person or persons claiming to be interested in said lands.

Done this the 8 day of Feb, 1960.



Judge of the Circuit Court

4769

ALICE BOLAR and DOUGLAS BOLAR,
Complainants

IN THE CIRCUIT COURT OF

VS

BALDWIN COUNTY, ALABAMA

LANDS and PERSONS HEREINAFTER DESCRIBED,
Defendants

IN EQUITY
CASE NO. 4769

APPOINTMENT OF GUARDIAN AD LITEM

In this cause it is made to appear to the Register by the Complainant, Alice Bolar and Douglas Bolar, that the Respondents may be unknown minors, insane parties or parties in themilitary services; and if further appearing that Hon. Phyllis S. Nesbit, an attorney at Law, is in all respects a suitable person to act as guardian ad litem for such parties; and the said Hon. Phyllis S. Nesbit, having filed her consent in writing to act as such;

It is therefore ordered by the Register of said Court that the said Hon. Phyllis S. Nesbit, be and the same hereby is appointed guardian ad litem in this cause for the said parties.

Witness my hand this 9 day of February, 1960.

Alvin J. Duke
REGISTER

CONSENT TO ACT

I, Hon. Phyllis S. Nesbit, hereby accept the above appointment as guardian ad litem, and consent to act as such in the above cause.

Witness my hand this 9th day of February, 1960.

Phyllis S. Nesbit

ALICE BOLAR and DOUGLAS BOLAR,
Complainants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS

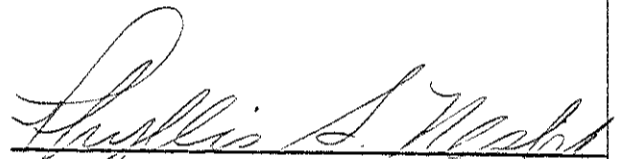
IN EQUITY

LANDS and PERSONS HEREINAFTER DESCRIBED,
Respondents

CASE NO. 4769

ANSWER OF GUARDIAN AD LITEM

Comes all unknown minors and insane parties, as well as all persons who might be in the military services of the United States by their Guardian ad Litem, Hon. Phyllis S. Nesbit, and for answer to the Bill of Complaint filed in the above cause, denies each and every allegation of said Bill and demands strict proof.



Guardian ad Litem and Attorney
representing parties in the military
services.

CERTIFICATE

I do hereby certify that I have served a copy of the above on E. G.
Riskerby, attorney for Complainant, by delivery, on this 9
day of February, 1960.



Guardian ad Litem and Attorney repre-
senting parties in the Military
services.

The State of Alabama,

BOOK 322 PAGE 249

Baldwin COUNTY

Know All Men by These Presents:

THAT WHEREAS, Douglas Boler and Alice Boler husband and wife are indebted to Central Baldwin Bank, a corporation of Robertsdale, Alabama in the sum of Two Hundred Twenty Four & 10/100 Dollars, as evidenced by one promissory note, bearing even date herewith, and payable as follows, to-wit: Due and Payable to Central Baldwin Bank, Robertsdale, Alabama on September 21st, 1959 in the sum of \$ 224.10

NOW, In order to secure the prompt payment of said note when due we the said Douglas Boler and Alice Boler husband and wife

for and in consideration of the premises, and the sum of Five Dollars to us this day in hand paid by the said Central Baldwin Bank, Robertsdale, Ala.

the receipt whereof is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto the said Central Baldwin Bank,

All of the following described real estate, lying and being situated in Baldwin County, State of Alabama, to-wit: North Half of Southeast Quarter of Southeast Quarter of Section Twenty Two (22) Township Five (5) South Range Two East

STATE OF ALABAMA, BALDWIN COUNTY

Filed 8-4-59

Recorded MTA

W. P. Stuart Judge of Probate

STATE OF ALABAMA BALDWIN COUNTY

I hereby certify that no Mortgage Tax has been collected on this instrument.

NO TAX COLLECTED

B

4

3-21-59

322-249-51

MORTGAGE

FROM

Mr Douglas Baker
Alice Baker

TO

Central Bank Bank

THE STATE OF ALABAMA.

.....COUNTY.

OFFICE OF JUDGE OF PROBATE.

I hereby certify that the within Mortgage was
filed in this office for record on the.....day
of..... A. D. 19.....
at..... o'clock.....M., and duly re-
corded in Book.....of Mortgages, Page
..... and that \$.....

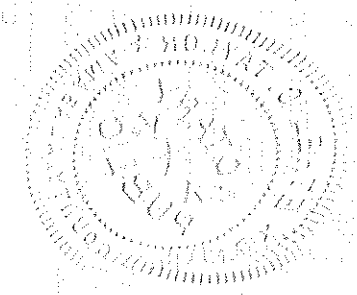
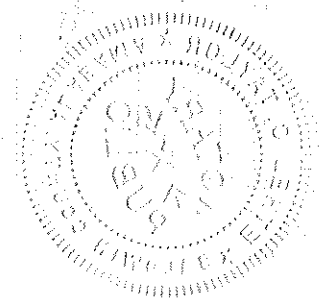
.....Cents Tax required by law has been
paid on said Mortgage.

.....
Judge of Probate.

R-270

BROWN PRINTING CO., MONTGOMERY 1956

Cent. Bank Ala



State of Alabama, }
Baldwin County

Know All Men by These Presents: That Douglas Bolar and Alice Bolar husband and wife hereinafter called mortgagor s , in consideration of the sum of Three Hundred Fifteen & No/100 DOLLARS, to US in hand paid by Central Baldwin Bank, a corporation of Robertsdale, Ala. hereinafter called mortgagee , the receipt whereof is hereby acknowledged, do ES by these presents grant, bargain, sell and convey unto said mortgagee Successors heirs and assigns forever, all The following Real Property in Baldwin County, State of Alabama:

North Half of Southeast Quarter of Southeast Quarter of Section Twenty Two Township Five South Range Two East in Baldwin County, Alabama.

Together with all and singular the tenements, rights, privileges and appurtenances, to said described premises in anywise belonging, TO HAVE AND TO HOLD the same forever. PROVIDED ALWAYS, and these presents are upon the express condition that if the said mortgagorS . shall well and truly pay to the mortgagee Central Baldwin Bank, Robertsdale, Alabama one prommissory Note even date herewith in the Sum of \$ 315.00 on December 1st, 1957

and shall also discharge all the duties imposed upon said morgagor S , by this mortgage, then these presents shall become void, otherwise to remain in full force.

In event of default in the payment at maturity of said mortgage debt, or any amount secured hereby, mortgagee is hereby authorized to sell said property, at auction, for cash, after giving notice by advertisement, once a week for three consecutive weeks, in any newspaper then published in Baldwin County, State of Alabama, to make proper conveyance to purchaser, and the proceeds of sale to apply first, to the payment of the costs of said sale, including a reasonable attorney's fee; second, to the payment of said mortgage debt and any sums herein provided for, the balance, if any, to be paid over to the said mortgagor. Mortgagee may purchase said property at such sale and, in that event, the auctioneer conducting the sale is authorized in the name of the mortgagor, and as their attorney in fact, to make deed to mortgagee . Mortgagor agrees to pay such reasonable attorney's fees as may be incurred by the mortgagee , in the collection of said mortgage debt, or otherwise by reason of any default on the part of the mortgagor . Mortgagor covenants that they are seized in fee simple of said property, that it is free from all encumbrances, that they will warrant the same to mortgagee , and to the purchaser thereof, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said mortgagor s ha hereunto set their hand and seal this 1st day of July A. D., 19 57

Douglas Bolar (Seal)
Alice Bolar (Seal)

BOOK 288 PAGE 218

THE STATE OF ALABAMA,

Baldwin County.

I, Joyce Petelinski,

BOOK 283 PAGE 219

Notary Public

in and for said County and State, hereby certify that

Douglas Bolan & Alice Bolan

whose names are

signed to the foregoing conveyance, and who are

known to me, acknowledged before me on this day that, being informed of the contents of the said conveyance,

they

executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st

day of July

1957

Joyce Petelinski

My Commission Expires Oct 1, 1958

THE STATE OF ALABAMA,

County.

in and for said County and State, do hereby certify that on

the

day of

19

, came before me the within

named

, known to me to be the wife of the within

named

who being examined separate and apart from the husband

touching her signature to the within conveyance acknowledged that she signed the same of her own free will and accord, and without fear, constraints, or threats on the part of the husband.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this

day of

19

ANNEX 770

STATE OF ALABAMA
BALDWIN COUNTY

I herby certify that no Mortgage Tax has been paid on this instrument.

M. Stewart
NO TAX COLLECTED

STATE OF ALABAMA, BALDWIN COUNTY

Filed 7-25-57

8 A.M.

Recorded mtge

book 283

page 218-9

M. Stewart

Judge of Probate

MORTGAGE DEED WITH POWER OF SALE

FROM
Douglas Bolan 23
Alice

TO
Central Baldwin Bank 45

STATE OF ALABAMA, }
Probate Court
County.

Filed in my office for record, this
day of 19

and recorded in Mortgage Book No. N.S.

Pages

Judge of Probate.

BIDGOOD'S IN 9-50 8-44111

25
7-1-57
283 - 218-9
R-150
Central Bald. Bank
R. Hale

ALICE BOLAR and DOUGLAS
BOLAR,

Complainants,

-VS-

Lands and Persons Herein-
after Described,

Defendants.

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

Case No. 4769

BOOK
290
PAGE 132

FINAL DECREE

This cause coming on to be heard this the 7
day of March, 1960, is submitted for final decree
upon complainants' verified bill of complaint and upon the
decree pro confesso rendered therein, and upon the testimony
of ALICE BOLAR, DOUGLAS BOLAR and LOUIS BONI, SR., taken
orally before the commissioner duly appointed by the Register,
and by order of the Court, and the certificate of the Register
and the pleadings and proof, as noted by the Register, and it
appearing to the satisfaction of the Court:

1. That the complainants, ALICE BOLAR and DOUGLAS BOLAR,
at the time of the filing of their bill of complaint in this
cause, claimed in their own right a fee simple title to, with
the exception of mortgages made to the Central Baldwin Bank
and recorded in Mortgage Book 249, Pages 470-2 and recorded in
Mortgage Book 322, page 249 of the Probate Records of Baldwin
County, Alabama, and which mortgages are assigned to LOUIS
BONI, SR., and, also, an agreement of sale made to Louis
Boni, Jr. and Fred G. Boni, dated 10 September, 1959, and were
in the actual, peaceable possession of the following described
lands lying and being situated in the County of Baldwin and

State of Alabama, and more particularly described as follows:

The North Half of the Southeast Quarter of
the Southeast Quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of
Section 22, Township 5 South, Range 2 East,
less the following described property: Be-
ginning at the Northeast corner of the South-
east Quarter of the Southeast Quarter (NE
corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 22, Township
5 South, Range 2 East, thence SIX HUNDRED AND
FIFTY-FOUR AND FOUR TENTHS (654.4) feet South,
4° 36 $\frac{1}{2}$ ' East, thence West FORTY (40) feet,
thence North 4° 36 $\frac{1}{2}$ ' West SIX HUNDRED AND

(Description cont'd on Page 2)

STATE OF ALABAMA, BALDWIN COUNTY

FILED S-22-60 8:30 A.M.

Recorded DEED book 290 page 132

M. P. ...
Judge of Probate

(Desc. Cont'd)

FIFTY-FOUR AND FOUR TENTHS (654.4) feet, thence East FORTY (40) feet to the Point of Beginning, which property is now being used for a public road.

2. That at the time of the filing of said bill of complaint no suit was pending to test their title to, interest in, or their right to the possession of said lands.

3. That their said bill of complaint was and is duly verified and was filed against said lands, and was to establish the right or title to such lands or interest and to clear up all doubts or disputes concerning the same, and that said bill of complaint did in all respects comply with the provisions of Section 1117 of Title 7, of the Code of Alabama.

4. That the names of none of the parties defendants were known to complainants except the following: Louise Brooks, whose address is unknown, but who was last heard from in New York; Parle Paige, whose address is unknown, but who was last heard from in Philadelphia, Pennsylvania; Major Clayton, whose address is unknown; Roosevelt Clayton, whose address is unknown; Marvin Clayton, whose address is unknown, but who was last heard from in Port Huron, Michigan; Clarence Conaway, whose address is unknown, but who was last heard from in Mobile, Alabama; Gussie Given, whose address is unknown, but who was last heard from in Mobile, Alabama; and Joseph Clayton, whose address is unknown; and the following parties whose addresses are unknown, and whom petitioners believe are dead, namely: Charlie Clayton, Richard Stuart, Matilda Frances McGill, Joseph J. McGill, Hiram T. McGill, Amanda E. McGill, Annes Matilda McGill, Julia McGill, Elizabeth McGill, Martha McGill and Julia McGill (daughter of Joseph McGill), Matilda McGill and Joseph Clayton, and the heirs or devisees of the above named parties, if said parties be deceased; that they have exercised diligence to ascertain the facts with regard thereto.

5. That notice of the pendency of said bill of complaint was drawn and signed by the Register of this Court and said Register did have said notice published once a week for four consecutive weeks in the Fairhope Courier, a newspaper having general circulation and published in the County of Baldwin, Alabama, and author-

BOOK 290 PAGE 133

ized by law to receive and publish legal advertisements, where the lands described in the bill of complaint lie, as prescribed by law and rule of this Honorable Court made in this cause.

6. That a copy of said notice certified by the Register of this Court as being correct was recorded as a lis pendens in the office of the Judge of Probate of said County, and said notice being in strict accord and compliance with Section 1121, Title 7, of the Code of Alabama.

7. That it has been more than sixty days since the first publication of said notice and the filing of a certified copy of said notice in the office of the Probate Judge of said county where said lands lie.

8. That no person has intervened in said cause.

9. That the complainants have established or shown by legal evidence that they are the owners of a fee simple title to said lands with the exception of mortgages made to the Central Baldwin Bank and which mortgages are assigned to Louis Boni, Sr., and, also, an agreement of sale made to Louis Boni, Jr. and Fred G. Boni, dated 10 September, 1959.

10. That all the allegations of fact contained in complainants' bill of complaint are true.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that the complainants are entitled to the relief prayed for in their said bill of complaint, and that the fee simple title, with the exception of mortgages made to the Central Baldwin Bank and recorded in Mortgage Book 249, Pages 470-2 and recorded in Mortgage Book 322, page 249 of the Probate Records of Baldwin County, Alabama, and which mortgages are assigned to Louis Boni, Sr., and, also, an agreement of sale made to Louis Boni, Jr. and Fred G. Boni, dated 10 September, 1959, claimed by the complainants in and to the above described lands has been duly proven.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the complainants are the owners of said lands and have a fee simple title thereto, free of all liens and incumbrances, with the exception of the said mortgages to the Central Baldwin Bank and agreement of sale to Louis Boni, Jr. and Fred G. Boni, and mortgage assign-

ment herein referred to, and that their said title thereto be and is hereby established, and that all doubts and disputes concerning the same are hereby cleared up.

It is further ORDERED, ADJUDGED AND DECREED by the said Court that a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the names of ALICE BOLAR and DOUGLAS BOLAR in both the direct index and the indirect index of the record thereof.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the complainants pay the costs of this proceeding, for which let execution issue.

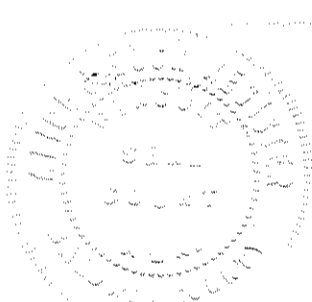
Done this the 7th day of March, 1960.

Hubert M. Hall

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 7 day of March 1960

HUBERT M. HALL, Circuit Judge.

Alice J. Duck
Register of Circuit Court, in Equity



BOOK 290 PAGE 135

3-7-60

ALICE BOLAR and DOUGLAS
BOLAR,

Complainants,

vs.

Lands and Persons Herein-
after Described,

Defendants.

FINAL DECREE

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY Case # 4769

Alice J. Duck



R-350

[Faint, mostly illegible text from the reverse side of the document, including names like 'ALICE BOLAR' and 'DOUGLAS BOLAR']

I, Beverley Shepherd, the Commissioner named in the attached commission issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in a case pending in the Equity side of said Court, wherein Alice Bolar and Douglas Bolar, Complainants and Louis Boni, Sr., is Defendant, under and by virtue of the power conferred upon me by said commission, I caused the witnesses named in the commission, namely: Alice Bolar and Douglas Bolar, and, Louis Boni, Sr., who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in the Bank Building in the City of Fairhope, Alabama, where the said witnesses after being first duly sworn by me, upon examination by E. G. Rickarby, Esquire, Solicitor for Complainant, and Mrs. Newbit, Guardian Ad Litem, testified as hereinbefore written.

That their testimony was by me reduced to writing as given by them, as near as might be in their identical language and after being so reduced to writing, was read over by the said witnesses, who assented to and signed the same in my presence.

I further certify that I am not of counsel or of kin to either of the parties to the cause, or anywise interested in the results thereof.

IN WITNESS WHEREOF, I hereunto set my hand as Commissioner this 5th day of March, 1960.



Commissioner

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Miss Beverley Shepherd

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

Alice Bolar and Douglas Bolar, Complainants, and,
Louis Boni, Sr., Defendant.

a witness in behalf of Alice and Douglas Bolar, Complainants a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Alice Bolar and Douglas Bolar , Complainant

and

Lands and Persons Hereinafter Described Respondent
on oath, to be by you administered, upon Alice and Douglas Bolar and Louis Boni, Sr.
to take and certify the deposition of the witness and return the same to our Court, with all con-
venient speed, under your hand.

Witness day of

, 19

Alice J. ...
Register

Commissioner's Fee, \$

Witness' Fees, \$

ALICE BOLAR and DOUGLAS BOLAR,
Complainants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS

IN EQUITY

LANDS and PERSONS HEREINAFTER DESCRIBED,
Respondents

CASE NO. 4769

ANSWER OF GUARDIAN AD LITEM

Comes all unknown minors and insane parties, as well as all persons who might be in the military services of the United States by their Guardian ad Litem, Hon. Phyllis S. Nesbit, and for answer to the Bill of Complaint filed in the above cause, denies each and every allegation of said Bill and demands strict proof.

Phyllis S. Nesbit
Guardian ad Litem and Attorney
representing parties in the military
services.

CERTIFICATE

I do hereby certify that I have served a copy of the above on E.
H. Pickens, attorney for Complainant, by delivery, on this 9.
day of February, 1960.

Phyllis S. Nesbit
Guardian ad Litem and Attorney repre-
senting parties in the Military
services.

E. G. RICKARBY

392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA

January 30, 1960

Mrs. Alice J. Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed find Decree and Motion for Decree
Pro Confesso on Publication. Please process
and oblige.

Yours very truly,



EGR/bs
Enclosure

*Please send me
commission to take testimony
of a post guardian of letters
of attorney at law*

The Fairhope Courier

Publishers and Printers

ESTABLISHED 1894

E. B. GASTON ESTATE, PUBLISHERS

P. O. BOX 268

PHONE WA8-9188

This is to certify that the
attached legal notice appeared
in The Fairhope Courier, a weekly
newspaper published in the City of
Fairhope, County of Baldwin, State
of Alabama on the dates of Nov. 26 -
Dec. 3 - 10 - 17, 1959.

FAIRHOPE, ALABAMA

"On Mobile Bay"

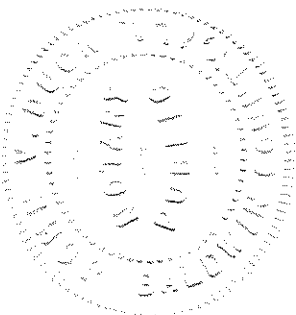
Thomas S. Crawford
Editor

State of Alabama
County of Baldwin

Sworn to and subscribed this 25th

day of Dec A. D. 1959, before me.

John J. Duck
Notary Public, Baldwin County



LAW OFFICES
E. G. RICKARBY
392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA

February 6, 1960

Mrs. Alice J. Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Alice & Douglas Bolar

Enclosed find Motion for Decree Pro Confesso
on Publication in Bolar vs. Certain Lands.

Please execute same, name Guardian Ad Litum
and I will go ahead and take testimony.

Yours very truly,



EGR/bs
Enclosure

E. G. RICKARBY

392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA

March 2, 1960

Honorable Hubert M. Hall
Circuit Judge
Bay Minette, Alabama

Dear Judge Hall:

Re: Bolar
Vs: Certain Lands
File: 4869

Enclosed find Final Decree in the Bolar
vs. Certain Lands together with Deposition,
Note of Evidence, and Exhibit.

Please let me have a Decree.

Yours very truly,



EGR/bs
Enclosures

STATUTORY WARRANTY DEED

STATE OF ALABAMA

BALDWIN COUNTY

THIS INDENTURE, made and entered into on this the 22nd day of October, 1943, by and between John Montgomery, a Widower, hereinafter referred to as the party of the first part, and Alice Boler and Douglas Boler, hereinafter referred to as the parties of the second part, WITNESSETH:

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

North Half of Southeast Quarter of Southeast Quarter of Section Twenty-two (22) Township Five (5) South Range Two (2) East.

TO HAVE AND TO HOLD unto the said Alice Boler and Douglas Boler during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever.

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

John Montgomery (SEAL)

STATE OF ALABAMA

BALDWIN COUNTY

I, J. B. Blackburn, a Notary Public, within and for said County in said State, hereby certify that John Montgomery, a Widower, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 22 day of October, 1943.

J. B. Blackburn
Notary Public, Baldwin County, Alabama

200000
6/2/43

A

ALICE BOLAR and DOUGLAS
BOLAR,

Complainants,

-VS-

Lands and Persons Hereinafter
Described,

Defendants.

¶
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¶
¶
¶
¶

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

ORDER FOR PUBLICATION

It appearing by the verified Bill of Complaint filed in this cause, that the residences of the defendants named in this cause are unknown and that the Complainants request publication against them;

It is therefore, Ordered, Adjudged, and Decreed that notice of the pendency of the Bill of Complaint shall be drawn and signed by the Register of the Circuit Court of Baldwin County, Alabama, and the Register shall have such notice published once a week, for four consecutive weeks, in the _____ newspaper, a newspaper having general circulation and publication in Baldwin County, Alabama, as required by Law, and that a copy of this notice, certified by the Register as being correct, shall be recorded a a lis pendens in the office of the Judge of Probate, Baldwin County, Alabama.

Done this the _____ day of _____, 1959.

Circuit Judge.

T E S T I M O N Y

Testimony taken in the case of ALICE BOLAR and DOUGLAS BOLAR, Complainants, vs. LOUIS BONI, SR., Respondent, on the 17th day of February, 1960.

Direct examination of ALICE BOLAR by E. G. RICKARBY, Attorney for Complainants.

Q. What is your name?

A. My name is Alice Bolar.

Q. Where do you live?

A. I live in Daphne, Baldwin County, Alabama, and I am over the age of twenty-one years.

Q. What is your husbands name?

A. My husband is Douglas Bolar and he lives in Daphne, Baldwin County, Alabama, and is over the age of twenty-one years.

Q. I have here the deed under which you got this property and I am offering it as evidence and having it marked exhibit A. This is the deed to the property that we are trying to clear up in this suit. That is correct, is it, Alice?

A. Yes, and I own that property except for the public roads on it.

Q. Except for the mortgage I had on the property which Mr. Boni took up, these papers that I am looking at are the two mortgages that were on this property, and I ask that they be marked exhibit B and C. Is that correct, Alice?

A. Yes.

Q. How long have you been living on this property?

A. Since about 1943, with my husband.

Q. What are you doing with that land?

A. We are farming it.

Q. Is it fenced?

A. Yes, it is fenced.

Q. Has anybodyelse been farming this land or claiming

any part of the land?

A. No.

Q. That is the last deed on this land, is it?

A. Yes.

Q. Do you know of anybody that thinks they own this land?

A. Only us.

Q. Who made the deed of this property to you?

A. John Montgomery.

Q. Who has been paying the taxes on this property?

A. We have, that is, Douglas and I.

Q. Have you looked around to see if anybody was claiming this property?

A. It was no use.

Q. Has anybody filed suit against you for this property?

A. No.

ON CROSS EXAMINATION OF THIS WITNESS, SHE TESTIFIED:

Cross-examination by Mrs. Nesbit, Guardian ad litem.

Q. Did I understand you to say you had been farming this land since you had possession of it?

A. Yes.

Q. Is the home that you have been living in since 1943, on this property?

A. Yes.

Q. Was John Montgomery related to you in any way at all?

A. No.

Q. Were the Clayton's that owned this property prior to the Montgomerys related to you?

A. Yes.

Q. Have you heard of a Laura Montgomery?

A. Yes.

Q. Do you know what relation she was to John?

A. Yes, she was his wife.

Q. Do you know under what circumstances Laura paid the taxes for Clayton?

A. Yes, she paid them every year, just like I did.

Q. Was she related to Turner Clayton?

A. No.

Abdul Balar

Direct examination of DOUGLAS BOLAR by E. G.

RICKARBY, Attorney for Complainants.

Q. Are you and Alice Bolar husband and wife?

A. Yes.

Q. How long have you been living there on this property that is involved in this suit?

A. Ever since 1943.

Q. Have you been in possession of that land since that time?

A. Yes.

Q. Has anybody else tried to take any part of the land involved in this suit?

A. No.

Q. Who has paid the taxes on this property for the last ten years?

A. Me and Alice.

Q. Do you know the addresses of any of the Claytons now?

A. No.

Q. Has any suit been filed against you or Alice regarding this property?

A. No.

Q. Do you and Alice claim to own this land?

A. Yes.

Q. Did you owe a mortgage to the Central Baldwin Bank on this property?

A. Yes.

Q. Did you agree to sell it to Mr. Boni?

A. Yes.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Cross-examination by Mrs. Nesbit, Guardian ad litem.

Q. What kind of crops have you been growing on this land?

A. Cotton, corn and a few potatoes.

Q. How many acres in this land?

A. Suppose to be twenty.

Q. Is that twenty acres including the roads or not counting the roads?

A. That is twenty acres with the roads.

Q. Do you now claim to own these roads?

A. No.

Douglas Bolan X

Direct examination of MR. LOUIS BONI, SR., by E. G.

RICKARBY, Attorney for Complainants.

Q. What is your name?

A. My name is Louis Boni, Sr., and I live in Belforest, Baldwin County, Alabama, and I have known the Bolan's who are bringing this suit for as long as they have been there, that is since 1943.

Q. Have they been occupying the property?

A. Yes.

Q. Do you know whether anybody else has been occupying it during this time?

A. Not that I know of.

Q. Where is this property in relation to your home?

A. It is adjoining my property and about a quarter of a mile from my house, and, is on the Northwest side of my house.

Q. Did you agree to buy this property for your boy from the Bolan's.

A. Yes.

Q. Was there a mortgage on this property in favor of the Central Baldwin Bank?

A. Yes.

Q. Who now holds that mortgage?

A. I do.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Cross-examination by Mrs. Nesbit, Guardian ad litem.

Q. Mr. Boni, were you familiar with this land before the Bolans acquired it?

A. Yes.

Q. Who claimed the property before they purchased it?

A. I do not know who owned or claimed the property before

that. John Montgomery was working it.

Q. You mean farming?

A. Yes.

Q. How long have you owned this property adjacent to the Bolar property?

A. Well, about fifty-one years.

Q. No further questions.

Louis Boni Sr.

I, BEVERLEY SHEPHERD, commissioner, duly appointed in said cause hereby certify that the witnesses, namely, ALICE BOLAR and DOUGLAS BOLAR and LOUIS BONI, SR., subscribed and sworn to the foregoing testimony before me on the date set opposite there signatures.

IN WITNESS WHEREOF I have hereunto set my hand this the 20 day of February, 1960.

Beverley Shepherd
COMMISSIONER