

2986

OTTO P. RANDALL,

Complainant,

-VS -

The Southeast Quarter (SE $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$) of Section
thirty-three (33), Township six (6)
South, Range two (2) East, in Baldwin
County, Alabama, and WILLIAM BAYARD,
G. WOODWARD, LAURENT MILLAUDON, W. F.
CLEVELAND, WILLIAM J. CLEVELAND,
ERNEST F. GOOD, HERMAN F. SHILLEMANN,
ELIZABETH SHILLEMANN, EMANUEL R. SCHOW-
ALTER, V. McR. SCHOWALTER, B. S. BROAD-
WOOD, EMIL BIHLER, J. B. BALDWIN, BLANCHE
SCHOWALTER, if they be living and if they
be dead, their unknown heirs, devisees,
or personal representatives of them
and each of them and any and all persons,
firms, or corporations, claiming any in-
terest in or title to the above described
land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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

Comes your Complainant, Otto P. Randall, and brings this his
Bill of Complaint against the following described real property
situated in Baldwin County, Alabama, to-wit:-

The Southeast Quarter (SE $\frac{1}{4}$) of the North-
east Quarter (NE $\frac{1}{4}$) of Section thirty-three
(33), Township six (6) South, Range two (2)
East.

The Complainant further brings his complaint against any and
all persons, firms or corporations claiming any title to, interest
in, or lien or encumbrance upon the above described lands or any
part thereof or any interest therein and especially brings his Bill
of Complaint against William Bayard, G. Woodward, Laurent Millaudon,
W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F.
Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR.
Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche
Schowalter, and any and all persons, firms or corporations claiming
any interest in the above described lands and Complainant respect-
fully shows unto your Honor as follows:

FIRST:

That he is in the actual, peaceable, adverse possession of
the above described lands, claiming to own the same in fee simple
and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test the complainant's title to, interest in, or right of possession of said land.

THIRD:

Complainant further shows unto your Honor that he claims the entire fee simple title in and to said land, having acquired the same as follows: The East half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the said Section thirty-three (33) Township six (6) South, Range two (2) East by Warranty Deed from E. W. Walthall, a single man, dated June 23, 1942, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77 NS, Page 393. The West half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section thirty-three (33) Township six (6) South, Range two (2) East, by Quit Claim Deed from the Magnolia Springs Land Company, a corporation, dated June 6, 1941, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75 NS, Pages 231 and 232. The conveyance last above specified retained to the said Magnolia Springs Land Company an undivided one-half interest in and to all oil, gas and minerals. This undivided one-half interest was conveyed to the Complainant by the Magnolia Land Company, successor to the Magnolia Springs Land Company, by Quit Claim Deed dated July 25, 1952, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, on April 1, 1953, and not yet of record. Complainant therefore shows unto your Honor that all the said property described herein stands in his name on the records of the office of the Judge of Probate of Baldwin County, Alabama.

FOURTH:

Complainant further shows unto your Honor that he has made a diligent inquiry in the neighborhood of said lands as to the prior ownership of same and possession of same, the whereabouts of any and all persons who are or may be interested in the same or who claim any interest therein; that your Complainant in this investigation and inquiry has had an abstract of title to said real estate made from the records of Baldwin County, Alabama; that Complainant has used diligence in trying to ascertain the names and residences

and post office addresses of the defendants named herein and that he has been unable to do so.

FIFTH:

Complainant further shows unto your Honor that no one has paid taxes on the lands above described for the last ten years except your Complainant, and that he has annually assessed and paid the taxes on the same.

The Complainant calls upon the several persons hereinabove named as defendants or any one else interested to set forth or specify his, hers or its interest, in, title to, or lien or encumbrance upon said land and how and by what instrument or otherwise the same is derived or created.

PRAYER FOR PROCESS

To the end therefore, that equity may be had in the premises, Complainant prays that your Honor cause the usual writ of process to be issued to the following named defendants, viz:- William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Schillemann, Elizabeth Schillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if they be dead, their unknown heirs, devisees or personal representatives of them and each of them and to any and all persons, firms or corporations claiming any interest in the above described land in the usual form and according to the practices of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law and the practices of this Honorable Court and that Your Honor will cause Notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama, authorizing the quieting of title by proceedings in rem; that your Honor will also order that notice be given of the filing of this Bill of Complaint to the aforesaid defendants, whose residences and post office addresses are unknown, by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF

Complainant further prays that on hearing of this cause that your Honor will establish Complainant's right of title to said lands and will decree that the Complainant is the owner in fee simple of the land herein described and that no other person, firm or corporation has any title to, interest in, or lien or encumbrance upon said lands or any part thereof and especially that William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and all other persons, firms or corporations claiming any interest in the above described land have no right, title or interest in or lien or encumbrance upon said lands, and that in said decree your Honor will cause a certified copy of the decree to be filed in the Probate office of Baldwin County, Alabama, and to be recorded therein and that in said decree your Honor will direct in whose name it shall be indexed in the direct and indirect indexes of the records thereof in said Probate Court of Baldwin County, Alabama; and Complainant further prays for such other further, different and general relief as in equity may seem just and meet as Complainant will ever pray.



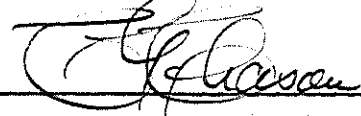
Solicitor for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, LILA S. GLOVER, a Notary Public in and for said County in said State, personally appeared C. G. Chason, who upon oath deposes and says that he is the agent of, and the attorney for the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant, all of the defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and all are non-residents of the

State of Alabama, their places of residence and post office addresses being unknown to your affiant; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named persons are dead, the names of their heirs, devisees or grantees are unknown and that all other matters and facts stated in the foregoing Bill of Complaint are upon knowledge true; that he is informed as to the facts stated upon information and belief and verily believes and so state that the same are true.



Sworn to and subscribed before me,
a Notary Public, on this, the
1st day of April, 1953.



Notary Public, Baldwin County
State of Alabama

OTTO P. RANDALL

Complainant,

- VS -

The Southeast Quarter (SE $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$) of Section
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South, Range two (2) East, In Baldwin
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CLEVELAND, WILLIAM J. CLEVELAND,
ERNEST F. GOOD, HERMAN F. SHILLEMANN,
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OWALTER, V. McR. SCHOWALTER, PERCY R.
SCHOWALTER, B. S. BROADWOOD, EMIL
BIHLER, J. B. BALDWIN, BLANCHE SCHOW-
ALTER, if they be living and if they
be dead, their unknown heirs, devisees,
or personal representatives of them
and each of them and any and all per-
sons, firms, or corporations, claiming
any interest in or title to the above
described land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

It being made to appear to the Court that an ammendment to the
Complaint may be allowed to Complainant under the provisions of
Section "G" of Paragraph 1 of Equity Rule 28 as shown in Title 7 in
the Code of Alabama of 1940, and motion having been made for leave
to ammend by changing the spelling of the name of the Complainant,
and it being made to appear to the Court that a Decree Pro Confesso
has been lawfully taken against all parties respondent, and that
the ammendment desired asks no additional or further relief nor
does it set forth new grounds.

IT IS ORDERED, ADJUDGED AND DECREED by the Court that leave
be granted to the Complainant to ammend the Complaint heretofore
filed by changing the spelling of the name of the Complainant to
RANDELL.

Done this the 15 day of October, 1953.

Hulix on 2 tree

Judge of Probate

RECORDED

[illegible][illegible][illegible]

1. 1990年12月29日，中共中央、国务院作出《关于实行“以公有制为主体、多种所有制经济共同发展”方针的若干规定》，指出：“公有制为主体、多种所有制经济共同发展，是我国社会主义初级阶段的一项基本经济制度。这一制度是由社会主义性质和初级阶段国情决定的。在坚持公有制为主体的前提下，发展多种所有制经济，是符合社会主义要求的。在坚持公有制为主体的前提下，发展多种所有制经济，有利于生产力的发展，有利于提高经济效益，有利于扩大就业，有利于提高人民生活水平。在坚持公有制为主体的前提下，发展多种所有制经济，是符合社会主义要求的。在坚持公有制为主体的前提下，发展多种所有制经济，有利于生产力的发展，有利于提高经济效益，有利于扩大就业，有利于提高人民生活水平。”

[illegible]

Figure 1 illustrates the steps of the proposed algorithm for finding the minimum cost path. The diagrams show a sequence of nodes and edges, with the cost of the path increasing as the search progresses. The nodes are labeled with letters, and the edges are labeled with numbers. The cost of the path is indicated by a number in the top right corner of each diagram.

Figure 1. The effect of the number of trials on the number of correct responses. The number of correct responses (Y-axis) is plotted against the number of trials (X-axis). The data shows a positive correlation, indicating that the number of correct responses increases as the number of trials increases.

[illegible]

RECORDED

OTTO P. Randell

vs.

William Bayard and

Certain lands, et al

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, Motion for Decree Pro-confesso on service by publication, Decree Pro-confesso on service by publication, motion to ammend, Decree granting motion to ammend, and Testimony of Otto P. Randell and George Galgas.

and in behalf of Defendant upon Publication

Phagan
Subscribed for Complainant

Archie F. Wack

Register.

RECORDED

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

OTTO P. RANDELL

VS.

WILLIAM BAYARD and

Certain lands, et al

NOTE OF TESTIMONY

Filed in Open Court this 14th

day of Oct, 1943

Register.

Printed By The Baldwin Times

OTTO P. RANDELL,

Complainant,

- VS -

The Southeast Quarter (SE $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$) of Section
thirty-three (33), Township six (6)
South, Range two (2) East, in Baldwin
County, Alabama, and WILLIAM BAYARD,
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ELIZABETH SHILLEMANN, EMANUEL R. SCH*
OWALTER, V. McR. SCHOWALTER, PERCY R.
SCHOWALTER, B. S. BORADWOOD, EMIL
BIHLER, J. B. BALDWIN, BLANCHE SCHOW-
ALTER, if they be living and if they
be dead, their unknown heirs, devisees
or personal representatives of them
and each of them and any and all per-
sons, firms, or corporations, claiming
any interest in or title to the above
described land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FINAL DECREE

This cause, coming on to be heard, was submitted on behalf of Complainant upon Bill of Complaint, Affidavit of non-residence of Defendants, Order of Publication, Motion for Decree pro-confesso, on service by publication, and Testimony as noted by the Register, and it being made to appear to the satisfaction of the Court that the Complainant is entitled to the relief prayed for in said Bill of Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the Complainant, Otto P. Randell, is the owner in fee simple to the following described lands in Baldwin County, Alabama, to-wit:-

The Southeast Quarter of the Northeast Quarter
(SE $\frac{1}{4}$ of the NE $\frac{1}{4}$), Section thirty-three (33),
Township six (6) South, Range two (2) East,

and that no other person, firm, or corporation has any title to, interest in, lien or encumbrance upon said land, or any part thereof, and especially that William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, and their unknown heirs

(first page)

or personal representatives, devisees or next of kin, have no right, title to, interest in, or lien or unencumbrance upon said land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Register shall, within thirty (30) days from the rendition of this decree, file a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, showing title out of the Defendants above named, in the direct indexes of the records, and title into Otto P. Randell in the indirect indexes to the records, and that the expenses thereof shall be taxed with the costs of this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that Otto P. Randell, the Complainant, pay the costs herein to be taxed, for which execution may issue.

Done this the 15th day of October, 1953.

Hubert M. Hall

Judge of the Circuit Court
of Baldwin County, Alabama,
in Equity

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 the above styled cause, which said decree is on file and enrolled in my office.

WITNESS my hand and seal this the 15th day of October, 1953.

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

STATE OF ALABAMA, BALDWIN COUNTY

Filed 11-12-53 10:25 A.M.

Recorded Dec 1 Book 203 page 56

W. R. Strait
Judge of Probate

(second and last page)

OTTO P. RANDELL,

Complainant,

vs.
MILLIE
YOUNG
and
GERRIE
JAMES
Defendants.

ALICE J. DUCK
Register of the Circuit Court of Baldwin County, Alabama

9
28
1953

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

October 13, 1953

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith are all papers necessary for the closing of the suit to quiet title of Otto P. Randell. You will notice that there is a motion to ammend and an order of the Court relative thereto.

I have discussed this with Judge Hall and he understands the situation, therefore, please deliver the motion and the suggested order granting the motion to him with the other papers.

Yours very truly,



C. G. Chason

CGC:fm

encls.

cc: Hon. H. M. Hall
Judge of the Circuit Court
Bay Minette, Alabama

OTTO P. RANDELL,

Complainant,

- VS -

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Northeast Quarter (NE $\frac{1}{4}$) of Section
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ALTER, if they be living and if they
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and each of them and any and all per-
sons, firms, or corporations, claiming
any interest in or title to the above
described land,

Defendants.

IN THE CIRCUIT COURT OF
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IN EQUITY

FINAL DECREE

This cause, coming on to be heard, was submitted on behalf of Complainant upon Bill of Complaint, Affidavit of non-residence of Defendants, Order of Publication, Motion for Decree pro-confesso, on service by publication, and Testimony as noted by the Register, and it being made to appear to the satisfaction of the Court that the Complainant is entitled to the relief prayed for in said Bill of Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the Complainant, Otto P. Randell, is the owner in fee simple to the following described lands in Baldwin County, Alabama, to-wit:-

The Southeast Quarter of the Northeast Quarter
(SE $\frac{1}{4}$ of the NE $\frac{1}{4}$), Section thirty-three (33),
Township six (6) South, Range two (2) East,

and that no other person, firm, or corporation has any title to, interest in, lien or encumbrance upon said land, or any part thereof, and especially that William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, and their unknown heirs

or personal representatives, devisees or next of kin, have no right, title to, interest in, or lien or uncumbrance upon said land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Register shall, within thirty (30) days from the rendition of this decree, file a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, showing title out of the Defendants above named, in the direct indexes of the records, and title into Otto P. Randell in the indirect indexes to the records, and that the expenses thereof shall be taxed with the costs of this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that Otto P. Randell, the Complainant, pay the costs herein to be taxed, for which execution may issue.

Done this the 15 day of October, 1953.

Hubert M. Hall

Judge of the Circuit Court
of Baldwin County, Alabama,
in Equity

OTTO P. RANDALL,

Complainant,

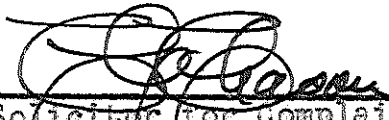
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be dead, their unknown heirs, devisees,
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and each of them and any and all per-
sons, firms, or corporations, claiming
any interest in or title to the above
described land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the Complainant in the above styled cause and citing to
the Court Section "G" of Rule 28 of the Equity Rule of the State
of Alabama as shown in Title 7 of the Code of Alabama of 1940, and
further shows to the Court that a Decree Pro Confesso has been ren-
dered against all parties respondent, and begs leave to ammend the
Complaint heretofore filed in said cause in order that the Final
Decree may show the name of the Complainant as OTTO. P. RANDELL,
which is the proper spelling.


Solicitor for Complainant

OTTO P. RANDELL

OTTO P. RANDALL

Complainant,

- VS -

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ALTER, if they be living and if they
be dead, their unknown heirs, devisees,
or personal representatives of them
and each of them and any and all per-
sons, firms, or corporations, claiming
any interest in or title to the above
described land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

It being made to appear to the Court that an ammendment to the
Complaint may be allowed to Complainant under the provisions of
Section "G" of Paragraph 1 of Equity Rule 28 as shown in Title 7 in
the Code of Alabama of 1940, and motion having been made for leave
to ammend by changing the spelling of the name of the Complainant,
and it being made to appear to the Court that a Decree Pro Confesso
has been lawfully taken against all parties respondent, and that
the ammendment desired asks no additional or further relief nor
does it set forth new grounds.

IT IS ORDERED, ADJUDGED AND DECREED by the Court that leave
be granted to the Complainant to ammend the Complaint heretofore
filed by changing the spelling of the name of the Complainant to
RANDELL.

Done this the _____ day of October, 1953.

Judge of Probate

OTTO P. RANDALL

Complainant,

- VS -

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East, In Baldwin County, Alabama, and WILLIAM BAYARD, G. WOODWARD, LAURENT MILLAUDON, W. F. CLEVELAND, WILLIAM J. CLEVELAND, ERNEST F. GOOD, HERMAN F. SHILLEMANN, ELIZABETH SHILLEMANN, EMAUNUEL R. SCHOWALTER, V. McR. SCHOWALTER, PERCY R. SCHOWALTER, B. S. BROADWOOD, EMIL BIHLER, J. B. BALDWIN, BLANCHE SCHOWALTER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

It being made to appear to the Court that an ammendment to the Complaint may be allowed to Complainant under the provisions of Section "C" of Paragraph 1 of Equity Rule 28 as shown in Title 7 in the Code of Alabama of 1940, and motion having been made for leave to ammend by changing the spelling of the name of the Complainant, and it being made to appear to the Court that a Decree Pro Confesso has been lawfully taken against all parties respondent, and that the ammendment desired asks no additional or further relief nor does it set forth new grounds.

IT IS ORDERED, ADJUDGED AND DECREED by the Court that leave be granted to the Complainant to ammend the Complaint heretofore filed by changing the spelling of the name of the Complainant to RANDELL.

Done this the _____ day of October, 1953.

Judge of Probate

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 2986 _____, Term, 19____

OTTO P. RANDALL

Complainant

Vs.

Certain lands; AND WILLIAM BAYARD, ET AL, Defendant

Motion is hereby made for a Decree Pro Confesso against Certain Lands; and William

Bayard, et al,

Defendant

in the annexed stated cause. on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 8th day of October 19 53

746 Code

 Solicitor.

No. 2986

RECORDED
Page

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

OTTO P. RANDALL

Complainant

Vs.

CERTAIN LANDS: AND WILLIAM

BAYARD, ET AL

Defendant

Motion for Decree Pro Confesso
on Publication

Filed

FILED

19

OCT 9 1953

Register.

ALICE J. DUCK, Register

Recorded in Record

Vol. Page

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 2986, Term, 19

OTTO P. RANDALL

Complainant

Vs.

CERTAIN LANDS: AND WILLIAM BAYARD, ET AL, Defendant

In this cause it appears to the Register Alice J. Duck, that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 2nd day of April, 19 53, in the Foley Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 9th day of April 194 53 and

And it now further appearing to the Register Alice J. Duck that the said

CERTAIN LANDS: AND WILLIAM BAYARD, ET AL

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register Alice J. Duck, that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said CERTAIN LANDS: AND WILLIAM BAYARD, ET AL

This 8th day of October 19 53

Alice J. Duck Register.

RECORDED
1953

Page

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

OTTO P. RANDALL

Vs.

CERTAIN LANDS: AND WILLIAM

BAYARD, ET AL ..

Decree Pro Confesso of Publication

Issued 19

Register.

Recorded in FILED Record

Vol. Page 9 1953

ALICE J. DUCK, Register

Register.

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: FRANCES G. MALLORY

KNOW YE: that we, having full faith in your prudence and competency, have appointed you
Commissioner, and by these presents do authorize you, at such time and place as you may appoint,
to call before you and examine Otto P. Randell and George Galgas

as witnesses in behalf of Otto P. Randell in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein
Otto P. Randell

_____, Complainant
and William Bayard and Certain Lands, et al

_____, Respondent

on oath, to be by you administered, upon them
to take and certify the deposition s of the witness s and return the same to our Court, with all
convenient speed, under your hand.

Witness 15th day of October, 1953.

Archie L. Huck
Register.

Commissioner's Fee, \$ 10⁰⁰

Witness' Fees, \$ _____

No. 2986

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Otto P. Randell

Complainant—

vs.

William Bayard and Certain

lands, et al

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

OTTO P. RANDALL,

Complainant,

- VS -

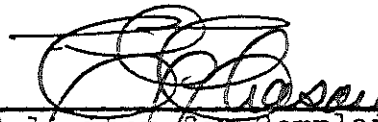
The Southeast Quarter (SE $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$) of Section
thirty-three (33), Township six (6)
South, Range two (2) East, in Baldwin
County, Alabama, and WILLIAM BAYARD,
G. WOODWARD, LAURENT MILLAUDON, W. F.
CLEVELAND, WILLIAM J. CLEVELAND,
ERNEST F. GOOD, HERMAN F. SHILLEMANN,
ELIZABETH SHILLEMANN, EMAUNUEL R. SCH-
OWALTER, V. McR. SCHOWALTER, PERCY R.
SCHOWALTER, B. S. BROADWOOD, EMIL
BIHLER, J. B. BALDWIN, BLANCHE SCHOW-
ALTER, if they be living and if they
be dead, their unknown heirs, devisees,
or personal representatives of them
and each of them and any and all per-
sons, firms, or corporations, claiming
any interest in or title to the above
described land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Comes the Complainant in the above styled cause and citing to
the Court Section "G" of Rule 28 of the Equity Rule of the State
of Alabama as shown in Title 7 of the Code of Alabama of 1940, and
further shows to the Court that a Decree Pro Confesso has been ren-
dered against all parties respondent, and begs leave to ammend the
Complaint heretofore filed in said cause in order that the Final
Decree may show the name of the Complainant as OTTO. P. RANDELL,
which is the proper spelling.


Solicitor for Complainant

[illegible]

60

14	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	

[illegible][illegible]

[The page contains faint, illegible markings.]

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The *Agrobacterium* strains were incubated in the presence of 100 mg/ml of tetracycline and 100 mg/ml of kanamycin. The concentration of the *Agrobacterium* suspension was 10⁶ cells/ml. The transformation efficiency was determined by the number of transformants per 10⁶ cells. The data are the mean \pm SD of three independent experiments.

[illegible][illegible][illegible][illegible]

Filed 10-14-53
Kingsbeck
Reginald

[illegible]

(Faint bleed-through from the reverse side of the page)

272
OTTO P. RANDALL,

Complainant,

- vs -

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East, in Baldwin County, Alabama, and WILLIAM BAYARD, G. WOODWARD, LAURENT MILLAUDON, W. F. CLEVELAND, WILLIAM J. CLEVELAND, ERNEST F. GOOD, HERMAN F. SHILLEMANN, ELIZABETH SHILLEMANN, EMANUEL R. SCHOWALTER, V. McR. SCHOWALTER, PERCY R. SCHOWALTER, B. S. BROADWOOD, EMIL BIHLER, J. B. BALDWIN, BLANCHE SCHOWALTER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

It having been made to appear in the above styled cause from the affidavit of C. G. Chason, the solicitor of record for the Complainant in said cause, that the defendants above named, or their heirs or devisees are non-residents of the State of Alabama, their residences and post office addresses being unknown to Complainant.

NOTICE IS HEREBY GIVEN to William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if dead, then to the unknown devisees of them and each of them and to any and all persons, firms or corporations, claiming any interest in, title to, or lien or encumbrance upon said land herein described that on the 1st day of April, 1953, Otto P. Randall filed in the equity side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:-

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East.

and against the defendants hereinabove named and all persons, firms, or corporations claiming any interest in, lien or encumbrance upon

(first page)

said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 4th day of May, 1953, or a decree pro confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of quieting his title thereto and clearing up all doubts and disputes concerning the same; that title to said lands stands in the name of Complainant on the records of the office of the Judge of Probate of Baldwin County, Alabama; that the Complainant acquired title to the East half (E½) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section thirty-three (33), Township six (6) South, Range two (2) East, by Warranty Deed from E. W. Walthall, dated June 23, 1942, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77 NS, Page 397, and that he acquired title to the West half (W½) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) Section thirty-three (33), Township six (6) South, Range two (2) East, by Quit Claim Deed from the Magnolia Springs Land Company, a corporation, dated June 6, 1941, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75 NS, Pages 231-232, which said conveyance reserved an undivided one-half interest of all oil, gas and minerals, and that he acquired the remaining undivided one-half interest of the oil, gas and minerals which was retained by the Magnolia Springs Land Company by conveyance dated July 25, 1952, from the Magnolia Land Company, successors to the Magnolia Springs Land Company, which said conveyance was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on April 1, 1953, but has not yet been recorded; Complainant further alleges that no one has paid taxes on the land above described for the last ten (10) years except the Complainant and that he has annually assessed and paid the taxes on the same; and that he is in the quiet, peaceable, open, notorious possession of said land, claiming to own the same absolutely and in fee simple.

WITNESS my hand this the 1st day of April, 1953.

Bill of Complaint

C. G. CHASON
Solicitor for Complainant

As Register of the Circuit Court of
Baldwin County, Alabama

ms 2986.

BILL OF COMPLAINT

OTTO P. RANDALL,
Complainant,
- vs
Certain lands; and WILLIAM
BAYARD, et al,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED

4-1-53

DUCK, Register

AFFIDAVIT OF PUBLICATION

I, Tommy Lowell

Publisher

of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for Four consecutive weeks, com-
mencing with the issue dated April 2, 19 53, and
ending with the issue dated April 23, 19 53.

Tommy Lowell

Subscribed and sworn to before me this 30 day
of April, 19 53

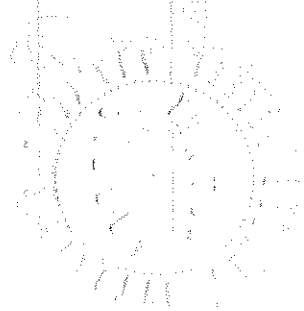
[Signature]
Notary Public.

NOT COMMISSION EXPIRES AUGUST 14, 1956

FILED

MAY 1 1903

ALICE J. COOK, Registrar



OTTO P. RANDALL,

Complainant,

- vs -

The Southeast Quarter (SE $\frac{1}{4}$) of the North-east Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East, in Baldwin County, Alabama, and WILLIAM BAYARD, G. WOODWARD, LAURENT MILLAUDON, W. F. CLEVELAND, WILLIAM J. CLEVELAND, ERNEST F. GOOD, HERMAN F. SHILLEMANN, ELIZABETH SHILLEMANN, EMANUEL R. SCHOWALTER, V. McR. SCHOWALTER, PERCY R. SCHOWALTER, B. S. BROADWOOD, EMIL BIHLER, J. B. BALDWIN, BLANCHE SCHOWALTER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land,

Defendants.

002 447
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

It having been amde to appear in the above styled cause from the affidavit of C. G. Chason, the solicitor of record for the Complainant in said cause, that the defendants above named, or their heirs or devisees are non-residents of the State of Alabama, their residences and post office addresses being unknown to Complainant.

NOTICE IS HEREBY GIVEN to William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if dead, then to the unknown devisees of them and each of them and to any and all persons, firms or corporations, claiming any interest in, title to, or lien or encumbrance upon said land herein described that on the 1st day of April, 1953, Otto P. Randall filed in the equity side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:-

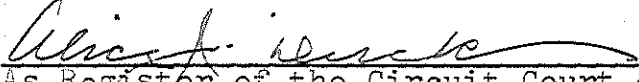
The Southeast Quarter (SE $\frac{1}{4}$) of the North-east Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East.

and against the defendants hereinabove named and all persons, firms, or corporations claiming any interest in, lien or encumbrance upon

879
102
448

said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 4th day of May, 1953, or a decree pro confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of quieting his title thereto and clearing up all doubts and disputes concerning the same; that title to said lands stands in the name of Complainant on the records of the office of the Judge of Probate of Baldwin County, Alabama; that the Complainant acquired title to the East half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East, by Warranty Deed from E. W. Walthall, dated June 23, 1942, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77 NS, Page 397, and that he acquired title to the West half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) Section thirty-three (33), Township six (6) South, Range two (2) East, by Quit Claim Deed from the Magnolia Springs Land Company, a corporation, dated June 6, 1941, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75 NS, Pages 231-232, which said conveyance reserved an undivided one-half interest of all oil, gas and minerals, and that he acquired the remaining undivided one-half interest of the oil, gas and minerals which was retained by the Magnolia Springs Land Company by conveyance dated July 25, 1952, from the Magnolia Land Company, successors to the Magnolia Springs Land Company, which said conveyance was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on April 1, 1953, but has not yet been recorded; Complainant further alleges that no one has paid taxes on the land above described for the last ten (10) years except the Complainant and that he has annually assessed and paid the taxes on the same; and that he is in the quiet, peaceable, open, notorious possession of said land, claiming to own the same absolutely and in fee simple.

WITNESS my hand this the 1st day of April, 1953.


As Register of the Circuit Court of
Baldwin County, Alabama

C. G. C.

C. G. CHASON
Solicitor for Complainant

STATE OF ALABAMA, BALDWIN COUNTY

Filed 4-1-53 3 P M

Recorded in Book 02 page 447-9
and I certify that the following Privilege Tax
has been paid.

Deed Tax

Mortgage Tax

W. R. Stuart

Judge of Probate

By C. S.

BOOK 002-149

Att. R. Raddell

2986-

P-1-50
Mrs. D. C. D. C.

447-9

FILED

APR 1 1953

CLERK OF COURT

OTTO P. RANDALL,

Complainant,

-vs -

The Southeast Quarter (SE $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$) of Section
thirty-three (33), Township six (6)
South, Range two (2) East, in Baldwin
County, Alabama, and WILLIAM BAYARD,
G. WOODWARD, LAURENT MILLAUDON, W. F.
CLEVELAND, WILLIAM J. CLEVELAND,
ERNEST F. GOOD, HERMAN F. SHILLEMANN,
ELIZABETH SHILLEMANN, EMANUEL R. SCHOW-
ALTER, V. McR. SCHOWALTER, B. S. BROAD-
WOOD, EMIL BIHLER, J. B. BALDWIN, BLANCHE
SCHOWALTER, if they be living and if they
be dead, their unknown heirs, devisees,
or personal representatives of them
and each of them and any and all persons,
firms, or corporations, claiming any in-
terest in or title to the above described
land,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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

Comes your Complainant, Otto P. Randall, and brings this his
Bill of Complaint against the following described real property
situated in Baldwin County, Alabama, to-wit:-

The Southeast Quarter (SE $\frac{1}{4}$) of the North-
east Quarter (NE $\frac{1}{4}$) of Section thirty-three
(33), Township six (6) South, Range two (2)
East.

The Complainant further brings his complaint against any and
all persons, firms or corporations claiming any title to, interest
in, or lien or encumbrance upon the above described lands or any
part thereof or any interest therein and especially brings his Bill
of Complaint against William Bayard, G. Woodward, Laurent Millaudon,
W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F.
Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR.
Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche
Schowalter, and any and all persons, firms or corporations claiming
any interest in the above described lands and Complainant respect-
fully shows unto your Honor as follows:

FIRST:

That he is in the actual, peaceable, adverse possession of
the above described lands, claiming to own the same in fee simple
and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test the complainant's title to, interest in, or right of possession of said land.

THIRD:

Complainant further shows unto your Honor that he claims the entire fee simple title in and to said land, having acquired the same as follows: The East half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the said Section thirty-three (33) Township six (6) South, Range two (2) East by Warranty Deed from E. W. Walthall, a single man, dated June 23, 1942, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77 NS, Page 393. The West half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section thirty-three (33) Township six (6) South, Range two (2) East, by Quit Claim Deed from the Magnolia Springs Land Company, a corporation, dated June 6, 1941, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75 NS, Pages 231 and 232. The conveyance last above specified retained to the said Magnolia Springs Land Company an undivided one-half interest in and to all oil, gas and minerals. This undivided one-half interest was conveyed to the Complainant by the Magnolia Land Company, successor to the Magnolia Springs Land Company, by Quit Claim Deed dated July 25, 1952, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, on April 1, 1953, and not yet of record. Complainant therefore shows unto your Honor that all the said property described herein stands in his name on the records of the office of the Judge of Probate of Baldwin County, Alabama.

FOURTH:

Complainant further shows unto your Honor that he has made a diligent inquiry in the neighborhood of said lands as to the prior ownership of same and possession of same, the whereabouts of any and all persons who are or may be interested in the same or who claim any interest therein; that your Complainant in this investigation and inquiry has had an abstract of title to said real estate made from the records of Baldwin County, Alabama; that Complainant has used diligence in trying to ascertain the names and residences

and post office addresses of the defendants named herein and that he has been unable to do so.

FIFTH:

Complainant further shows unto your Honor that no one has paid taxes on the lands above described for the last ten years except your Complainant, and that he has annually assessed and paid the taxes on the same.

The Complainant calls upon the several persons hereinabove named as defendants or any one else interested to set forth or specify his, hers or its interest, in, title to, or lien or encumbrance upon said land and how and by what instrument or otherwise the same is derived or created.

PRAYER FOR PROCESS

To the end therefore, that equity may be had in the premises, Complainant prays that your Honor cause the usual writ of process to be issued to the following named defendants, viz:- William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if they be dead, their unknown heirs, devisees or personal representatives of them and each of them and to any and all persons, firms or corporations claiming any interest in the above described land in the usual form and according to the practices of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law and the practices of this Honorable Court and that Your Honor will cause Notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama, authorizing the quieting of title by proceedings in rem; that your Honor will also order that notice be given of the filing of this Bill of Complaint to the aforesaid defendants, whose residences and post office addresses are unknown, by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF

Complainant further prays that on hearing of this cause that your Honor will establish Complainant's right of title to said lands and will decree that the Complainant is the owner in fee simple of the land herein described and that no other person, firm or corporation has any title to, interest in, or lien or encumbrance upon said lands or any part thereof and especially that William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and all other persons, firms or corporations claiming any interest in the above described land have no right, title or interest in or lien or encumbrance upon said lands, and that in said decree your Honor will cause a certified copy of the decree to be filed in the Probate office of Baldwin County, Alabama, and to be recorded therein and that in said decree your Honor will direct in whose name it shall be indexed in the direct and indirect indexes of the records thereof in said Probate Court of Baldwin County, Alabama; and Complainant further prays for such other further, different and general relief as in equity may seem just and meet as Complainant will ever pray.



Solicitor for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, LILA S. GLOVER, a Notary Public in and for said County in said State, personally appeared C. G. Chason, who upon oath deposes and says that he is the agent of, and the attorney for the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant, all of the defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and all are non-residents of the

State of Alabama, their places of residence and post office addresses being unknown to your affiant; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named persons are dead, the names of their heirs, devisees or grantees are unknown and that all other matters and facts stated in the foregoing Bill of Complaint are upon knowledge true; that he is informed as to the facts stated upon information and belief and verily believes and so state that the same are true.

E. J. Gibson

Sworn to and subscribed before me,
a Notary Public, on this, the
1st day of April, 1953.

L. S. Gibson
Notary Public, Baldwin County
State of Alabama

FILED

APR 1 1953

NOTARY PUBLIC

44
4
20

MD 2986

See Vol. of Whitt, 1923.
A History of the City of
St. Louis, Mo. and adjacent
territory.

State of Missouri,
St. Louis County,
City of St. Louis.

FILED

4-1-53

ALICE J. DUCK, Register

[Handwritten signature]

and belief and verify persons and so state that the same are true.
I have never in the foregoing bill of complaint nor upon personal
knowledge nor by means of any other person and that all other matters and
things so recited are true and have been made so by me; and I
as being informed of the same; that he has made a diligent in-
quire of the persons of residence and has office address-

11-12, 1953

[illegible]

2984

Ranelli

v. c.

Certainly

RECORDED

TESTIMONY OF OTTO P. RANDELL

My name is Otto P. Randell. I am over the age of twenty-one years and a resident of Baldwin County, Alabama. I am the Complainant in a suit to quiet title against the following described lands in Baldwin County, Alabama, to-wit:-

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East,

and against defendants named in my suit.

I purchased the East half (E $\frac{1}{2}$) of this property by Warranty Deed from E. W. Walthall, a single man, on June 23, 1942, which is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77 NS, Page 393. I purchased the West half (W $\frac{1}{2}$) of this land from the Magnolia Springs Land Company by Quit Claim Deed, dated June 6, 1941, which is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75 NS, Pages 231 and 232. The conveyance from the Magnolia Springs Land Company, a corporation, reserved an undivided one-half ($\frac{1}{2}$) interest in and to all oil, gas and minerals, however, this interest in the minerals has since been purchased by me on July 25, 1952, and the conveyance is recorded in the office of the Judge of Probate of Baldwin County, Alabama. Fee simple title to all the property described in my suit stands in my name on the records of the Probate Court of Baldwin County, Alabama, and has been in my name for a period of over ten (10) years. I am, and have been, since the date of purchases as herein set out, in the actual, open, notorious, peaceable and adverse possession of all of the property above described, and have been using it as a farm and in other ways that it is susceptible to use. No one has paid any taxes on the property above described for more than ten (10) years last proceeding, except me, and I have annually assessed and paid the taxes. I have had prepared an abstract of title covering the lands hereinabove described by a licensed abstract firm in Baldwin County, Alabama, and have made inquiry in the neighborhood of said lands as to prior ownership and possession and as to the whereabouts of any persons who are or who may be or may have been interested in the same who

c. g. c.

(first page)

ORAL DEPOSITION

Printed by the Baldwin Times, Bay Minette, Alabama.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

OTTO P. RANDELL Complainant
VS.

William Bayard and Certain Lands, et al Respondent

I, Frances G. Mallory
as Register and Commissioner in Chancery
have called and caused to come before me Otto P. Randell and George Galgas
witnesses named in the Requirement for Oral Examination, on the 18th day of October
1945, at the office of C. G. Chason
in Foley, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Otto P. Randell
and George Galgas doth depose and say as follows:

now claim any interest therein. I have used diligence in trying to ascertain the names and residences and Post Office addresses of the persons named as defendants in my suit and have been unable to locate them. My inquiries and the examination of the abstract have led me to believe that the following named persons may have some claim or interest in said land adverse to mine, to-wit:- William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, and any of their unknown heirs, devisees or personal representatives. My knowledge of this land goes back considerably beyond the date of my purchase and none of these persons have had any possession of the property nor have they evidenced physically any claim thereto, nor have I had any notice, of any kind or nature, from any of these persons or their unknown heirs or devisees that they claim any interest in the land, during the period of time that I have owned and claimed it, or during the period of time that I have been familiar with it. The land is known in the vicinity in which it is located as my property and no one in the vicinity whom I have been able to contact, knows of any valid claim adverse to mine.



TESTIMONY OF GEORGE GALGAS

My name is GEORGE GALGAS . I am over the age of twenty-one years and a resident of Baldwin County, Alabama. I am completely familiar with the property in Baldwin County, Alabama, described as the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East, which property is owned and claimed by Otto P. Randall. I have been familiar with this property for over twenty (20) years. Otto P. Randall purchased this property over ten (10) years ago. I believe that he purchased the East half (E $\frac{1}{2}$) from E. W. Walthall, in 1942, and the West half (W $\frac{1}{2}$) from the Magnolia Springs Land Company, a

corporation, in 1941. He has been in the actual, open, notorious, peaceable and adverse possession of this property since that time, and has been farming it and using it in all ways that it is susceptible to use. To the best of my knowledge, information and belief, no one other than Otto P. Randall has paid any taxes on this property for a period of over ten (10) years, and to my actual knowledge, no one has had any possession of the property, or claimed any interest therein, for this period of time, except Otto P. Randall. This land is and has been known in the vicinity where it is located as the property of Otto P. Randall for a period of over ten (10) years, and his right of possession and use is not questioned in this vicinity.

George Galgas

ORAL EXAMINATION.

I, Frances G. Mallory, as Register and Commissioner hereby certify that the foregoing deposition S on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and C. G. Chason

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 18th day of October, 194 53.

Frances G. Mallory (L. S.)

Filed 10-14-53.
Wright-Neuch
Reg.

THE FOLEY ONLOOKER

BALDWIN NEWS-HERALD

FOLEY, ALA., April 30 1933

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Alice J. Duck

Bay Minette, Ala.

Brought Forward

April	2	Legal notice	
"	9	for	
"	16		
"	23	OTTo P. Randall	\$47. 32

LEGAL NOTICE

Otto P. Randall, Complainant,
Versus

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East, in Baldwin County, Alabama, and William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land, Defendants.

In the Circuit Court of Baldwin County, Alabama in equity:

It having been made to appear in the above styled cause from the affidavit of C. G. Chason, the solicitor of record for the Complainant in said cause, that the defendants above named, or their heirs or devisees are non-residents of the State of Alabama, their residences and post office addresses being unknown to Complainant.

Notice is hereby given to William Bayard, G. Woodward, Laurent Millaudon, W. F. Cleveland, William J. Cleveland, Ernest F. Good, Herman F. Shillemann, Elizabeth Shillemann, Emanuel R. Schowalter, V. McR. Schowalter, Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if dead, then to the unknown devisees of them and each of them and to any and all persons, firms or corporations, claiming any interest in, title to, or lien or encumbrance upon said land herein described that on the 1st day of April, 1953, Otto P. Randall filed in the equity side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:—

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three, Township six (6) South, Range two (2) East.

and against the defendants hereinabove named and all persons, firms, or corporations claiming any interest in, lien or encumbrance upon said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 4th day of May, 1953, or a decree pro confesso will be

Percy R. Schowalter, B. S. Broadwood, Emil Bihler, J. B. Baldwin, Blanche Schowalter, if they be living and if dead, then to the unknown devisees of them and each of them and to any and all persons, firms or corporations, claiming any interest in, title to, or lien or encumbrance upon said land herein described that on the 1st day of April, 1953, Otto P. Randall filed in the equity side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:—

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three, Township six (6) South, Range two (2) East.

and against the defendants hereinabove named and all persons, firms, or corporations claiming any interest in, lien or encumbrance upon said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 4th day of May, 1953, or a decree pro confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of quieting his title thereto and clearing up all doubts and disputes concerning the same; that title to said lands stands in the name of Complainant on the records of the office of the Judge of Probate of Baldwin County, Alabama; that the Complainant acquired title to the East half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section thirty-three (33), Township six (6) South, Range two (2) East, by Warranty Deed from E. W. Walthall, dated June 23, 1942, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 77 NS, Page 397, and that he acquired title to the West half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) Section thirty-three (33), Township six (6) South, Range two (2) East, by Quit Claim Deed from the Magnolia Springs Land Company, a corporation, dated June 6, 1941, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 75 NS, Pages 231-232, which said conveyance reserved an undivided one-half interest of all oil, gas and minerals, and that he acquired the remaining undivided one-half interest of the oil, gas and minerals which was retained by the Magnolia Springs Land Company by conveyance dated July 25, 1952, from the Magnolia Land Company, successors to the Magnolia Springs Land Company, which said conveyance was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on April 1, 1953, but has not yet been recorded; Complainant further alleges that no one has paid taxes on the land above described for the last ten (10) years except the Complainant and that he has annually assessed and paid the taxes on the same; and that he is in the quiet, peaceable, open, notorious possession of said land, claiming to own the same absolutely and in fee simple.

Witness my hand this the 1st day of April 1953.

ALICE J. DUCK,
As Register of the Circuit
Court of Baldwin County,
Alabama.

C. G. CHASON,
Solicitor for Complainant.