(1283)

RUTH SCHULTZ MORSE,

Complainant

IN THE CIRCUIT COURT OF

WS.

BALDWIN COUNTY, ALABAMA

CERTAIN LANDS, EMILY SCHULTZ,

ET AL.,

Defendants

BILL OF COMPLAINT

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

Comes your Complainant, Ruth Schultz Morse, and brings this her Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to wit:

That part of the North Half (N2), lying East of Bon Secour River of the Northwest Quarter (NW2) of the Northeast Quarter (NB2) of Section Nineteen (19), Township Eight (8) South of Range Four (4) East, and being a part of the Augustine LaCoste Grant known as Section Thirty (30) and containing Thirteen (13) and 96/100 acres, more or less....

Complainant further brings her Bill of Complaint against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon, the above described land or any part thereof and especially brings this Bill of Complaint against Emily Schultz and Walter L. Schultz, if they be living and if dead against their heirs, devisees and grantees, and Complainant respectfully shows unto your Honor as follows:

<u>FIRS</u>T

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

SECOND

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

THIRD

Complainant further shows that she claims the entire fee simple title in and to said land, having acquired the same in the following manner:

- (1) The Sunny South Developing Company, Inc., by a warranty deed dated February 20, 1922, and filed for record in the Office of the Judge of Probate, Baldwin County, Alabama, on February 12, 1923, in Deed Book 32, N. S. pages 599 and 600, to Walter L. Schultz and Emily Schultz.
- (2) That about the year 1934, Emily Schultz died intestate without any known heirs and there were no Probate proceedings.
- (3) That about the year 1938, your Complainant married Walter L. Schultz.
- (4) That about the year 1939, Walter L. Schultz died intestate, the names and addresses of his heirs, if any, are unknown unto your Complainant.

- (5) That the property described above has been assessed in the name of Walter L. Schultz since prior to the year 1934, and that the said Walter L. Schultz paid these taxes, at least, since the year 1934, through the year 1939, when he died, and that since the year 1939, your Complainant has paid the taxes on this land, and that no other person has paid taxes thereon during any part of said period.
- (6) That prior to the year 1934, and from that year to the year 1939, Walter L. Schultz was in continuous, actual, peaceable, adverse possession of the above described land claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use, and that from the year 1939, to the present time your Complainant has been and is in continuous, actual, peaceable, adverse possession of the above described land claiming to own the same in her own right in fee simple and using the same in every way that it is susceptible to use.
- (7) That the land described above is all of the real estate owned by said Walter L. Schultz at the time of his death, in Alabama. Said property is of the value of less than \$2,000, and in area, less than 160 acres and was occupied as a homestead by said Walter L. Schultz, at the time of his death. That said Walter L. Schultz left surviving him, his widow, said Buth Schultz Morse, your Complainant.

FOURTE

Complainant further shows unto your Honor that all of the Defendants are over the age of 21 years and are non-residents of the State of Alabama, and that their place of residence and post office address is unknown to your Complainant; if any of the above named Defendants be dead, the names and addresses of their heirs and devisees or grantees, if any, are unknown to your Complainant; Complainant further shows unto your Honor that she has used diligence in trying to ascertain the residences or post office addresses of these several Defendants and has been unable to do so; that in this investigation and inquiry Complainant has had a complete abstract of title of said land as to the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or may be interested in the same or who claim any interest therein.

FIFTH

Complainant further shows unto your Honor that she and those through whom she claims have paid taxes for a period of ten consecutive years on the lands and that no other person has paid taxes thereon during any part of the said period.

That no one is known to your Complainant to claim said land or any part thereof or any interest therein, except your Complainant and the Defendants to this proceeding as hereinabove named, and Complainant calls upon the several persons hereinabove named as Defendants, or anyone else interested, to set forth or specify his or her or its claim, title, interest in 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 will cause the usual writ of process to issue to the following named Defendants, viz: Emily Schultz and Walter L. Schultz, if they be living and if dead the unknown heirs and devisees of them and each of them, and to any and all other persons, firms or corporations claiming any interest in, right, or title to said land, in the usual form and according to the practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law and the practice of this Honorable Court, and that your Honor will also 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 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

Your Complainant further prays that on a hearing of this cause that your Honor will establish Complainant's right to title to said land 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 land or any part thereof, and especially Emily Schultz and Walter L. Schultz, if living and if dead the unknown heirs and devisees of them and each of them, have no right, title, interest in, or lien or encumbrance upon said land that in said Decree your Honor will cause a certified copy of the Decree to be filed in the Probate Court 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, and Complainant will ever pray.

Forest A. Christian, Foley, Alabama Solicitor for Complainant.

THE STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, State and County, personally appeared Forest A. Christian, 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 21 years and non-residents of the State of Alabama, their place of residence 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 Defendants are dead, the names of their heirs, devisees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residence as he believes is not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believe, and so states, that the same are true.

Forest A. Christian

Sworn to and subscribed before me, a Notary Public, whose seal is here to affixed by me, this the 19th day of February, 1945.

My Commission Expires Sept. 10, 2947

Notary Public

VS.

CERTAIN LANDS, EMILY SCHULTZ, ET AL., Defendants

NOTICE TO NOW-RESIDENT DEPENDANTS

It having been made to appear in the above styled cause from the Affidavit of Forest A. Christian, the Solicitor of Record for the Complainant in said cause, that the Defendants, Emily Schultz and Walter L. Schultz, are non-residents of the State of Alabama, their residences or Post Office address being unknown to Complainant.

NOTICE IS HEREBY GIVEN TO Emily Schultz and Walter L. Schultz, if they be living and if dead the unknown heirs and devisees of them and each of them, and to any and all persons, firms or corporations claiming any interest in, title to, lien or encumbrance upon the land herein described; that on the 20th day of February, 1945; Ruth Schultz Horse, filed in the Equity 3ide of the Circuit Court of Baldwin County, Alabama, her Bill of Complaint against the following described land in Baldwin County, Alabama, viz:

That part of the North Half (Nt); lying Bast of Bon Secour River of the Northwest Suarter (NW) of the Northeast Suarter (NE) of Section Nineteen (19), Township Eight (8) South of Range Four (4) East, and being a part of the Augustine TaCoste Grant known as Section Thirty (30) and containing Thirteen (13) and 96/100 acres, more or less....

and against the Defendants hereinabove named and any and all other persons, firms, or corporations claiming any interest in, lien or encumbrance upon the above described land, and you are hereby notified to appear and plead, answer or demur within thirty days from the 26th day of March, 1945, or a decree pro confesso will be rendered against you;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complaint to said land and for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same:

That the title to said land stands in the name of the Defendants on the records in the office of the Judge of Probate in Baldwin County, Alabama.

That Complainant claims the title to said land by virtue of being the heir and widow of Walter L. Schultz.

Complainant further alleges in her Bill of Complaint that she is in the quiet and peaceable possession of said land claiming to own the same absolutely and in fee simple and that she and those under whom she claims, have been in possession of said land for more than 10 years next preceding the filing of the Bill of Complaint, and they have paid the taxes on said land for the last 10 years, prior to the filing of said Bill of Complaint and no other person, firm or corporation has paid any taxes on said land during said 10 year period.

Witness my hand this the 201 day of February, 1945.

Forest A. Christian Solicitor

R. S. Duck

As Begister of the Circuit Court of Baldwin County, Alabama

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> Forest A. Christian, Foley, Alabama Solicitor for Complainant.

THE STATE OF ALABAMA

BALDWIN COUNTY.

Appeared Forest A. Christian, who upon eath Before me, State and County, personally 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 21 years and nonresidents of the State of Alabama, their place of residence 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 Defendants are dead, the names of their heirs, devicees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residence as he believes is not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believe, and so states, that the same are true.

Sworm to and subscribed before me, Notary Public, whose seal is hereto affixed by me, this the 19th day of Rebynary

My Commission Expires Sept 10, 1947

Notary

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THE STAT	E OF	ALABA	MA
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HUTH SOI	IULTZ MO	rse	
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DERTAIN LANDS	s. Warra	SOHULOZ	RΦ. Δ1
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THE STATE OF ALABAMA, Baldwin County.

Circuit Court of Baldwin County, Alabama (In Equity)

Ruth Schultz Morse	Complainant
vs.	Complamant
Certain Lands, Emily Schu	ltz, et al. Respondent
I, Alica A. Christian	
Commissioner	
have called and caused to come before me	V. Morse and Ruth Schultz Morse
·	
And the second s	
witness es named in the Requirement for Oral 1945, at the office of Forest A. Christi	Examination, on the 4th day of May an
in Foley , Alabama, and have	ring first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, Morse	the said L. V. Morse and Buth Schultz
doth depose and	say as follows:
Testimour of T	77 nn

Testimony of L. V. Morse

My name is L. V. Morse. I am over the age of 21 years and a resident of the Bon Secour Community, Foley, Alabama. I am the husband of Ruth Schultz Morse, who filed a Bill of Complaint against the following described land: That part of the North Half (Ng), lying East of the Bon Secour River of the Northwest Quarter (NW2) of the Mortheast Quarter (NEt) of Section Nineteen (19), Township Eight (8) South of Range Four (4) East, and being a part of the Augustine LaCoste Grant known as Section Thirty (30) and containing Thirteen (13) and 96/100 acres, more or less. and the defendants named therein. The said Ruth Schultz Morse was at the time of filing of her Bill of Complaint in said cause and still is, in actual, peaceable, adverse possession of said land above described, claiming to own the same in her own right in fee simple and using the same in every way that it is susceptible to use; there was no pending suit to test the title of Ruth Schultz Morse, her interest in, or its right to possession of said land. The said Ruth Schultz Morse and those under whom she claims have been in actual, peaceable, adverse possession of said land, paying taxes on the same for more than 10 years next preceding the filing of the Bill of Complaint in said cause. The said Ruth Schultz Morse acquired the title to said lands as set out in the Bill of Complaint. There was no other person, firm, or corporation in the actual possession of said land or any part thereof at the time of filing the said Bill of Complaint, nor at this time. I am personally acquainted with the lands involved in this suit, having lived within three miles of said land since 1926. The title to said land stands on the records in the Office of the Judge of Probate of Baldwin County, Alabama, in the name of Walter L. Schultz and Emily Schultz. All of the Defendants named in the said Bill of Complaint are over the age of 21 years and are non-residents of the State of Alabama, their places of residence being unknown to me. Mrs. Buth Schultz Morse and I have used due diligence in trying to ascertain the residences and post office addresses of the several Defendants and were unable to do so. We have had a complete abstract of title of said real estate made from the records in the Office of the Judge of Probate of Baldwin County, Alabama, and have made inquiries in the neighborhood of said real estate as to ownership of same and the addresses of any persons, firms, or corporations who might claim any interest in same and have obtained no such information.

T. V. Morse

	I, Alica A. Christian, as Accister and Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words
	of the witness—and read over to him and he signed the same in the presence of
	myself and Forest A. Christian
	at the time and place herein mentioned; that I have personal knowledge of personal identity of
	said witness or had proom made before me of the identity of said witness; 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 4th day of May 1945.
	Clica 4. Christosh
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Complainant

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THE STATE OF ALABAMA, Baldwin County.

Circuit Court of Baldwin County, Alabama (In Equity)

	But	h Schultz	Morse			_Complainant	4	
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I,	Alica A. Chri			,		Responde	nt	
<u> </u>	and Commissione and caused to co		e	V. Morse	and Ruth	ı Schultz Mo	rse	
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witness as	named in the Rec	quirement for Eorest A.	r Oral Chris	Examinatio tian	on, on the	4th day of	May	
in Foley		, Alabama,	and hav	ing first s	worn said	Witness ^{es} rse and Ruth	to speak to Schultz	he
Morse		— doth depo	se and	say as foll	ows:			

My name is Ruth Schultz Morse. I am over the age of 21 years and a resident of the Bon Secour Community near Foley, Alabama. I am the Complainant in the above styled cause. I have known the land in Baldwin County, Alabama, described as follows: That part of the North Half (Ng), lying East of Bon Secour River of the Northwest Quarter (NW2) of the Northeast Quarter (NW2) of Section Mineteen (19), Township Eight (8) South of Range Four (4) East, and being a part of the Augustine LaCoste Grant known as Section Thirty (30) and containing Thirteen (13) and 96/100 acres, more or less...........for a number of years. I was in acutal, peaceable and adverse possession of said land, claiming to own the land in fee simple and using it in every way that it is susceptible to use, at the time of filing the Bill of Complaint and at the present time. There was no suit pending at the time of the filing of said Bill of Complaint. I acquired the said land as set out in the Bill of Complaint. I have used due diligence in trying to learn the names and addresses of any person, firm or corporation claiming to own said land, or any part thereof, and whether or not any of them were dead. I and those under whom I claim, have been in the actual, peacable and adverse possession of said lands during that period of time. I have had a complete abstract of title made to said lands and have diligently made inquiry in the neighborhood of said real estate as to the names and addresses of any person, firm or corporation who might claim to own the same or any part thereof but have found no claimant. The said land stands on the records in the Probate Office of Baldwin County, Ala bama, in the name of Walter L. Schultz and Emily Schultz. Emily Schultz died in 1954, without leaving a will and I married Walter L. Schultz in 1938, and Walter L. Schultz died in 1940. I continued to live on the land after his death. I have tried to find some relatives and heirs of Emily Schultz and Walter L. Schultz but have found none.

Buth Schultz Morse

I, Alica A. Christian	 ,	as Krzisto ix	zad Com	nission	er hereby	y c ertify
that the foregoing deposition—on Oral Exam	ninatio	n was taken	down by r	ne in w	riting in t	he words
of the witness and read over to her		she	signed the			
myself and Forest A. Christian						
at the time and place herein mentioned; the	hat I	have person	al knowled	ge of r	nersonal id	lentity of
said witnessor had proom made before i						
counsel or of kin to any of the parties to sa						
I enclose the said Oral Examination in				************************	and the state of the state of the state of	it thereor
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RUTH SCHULTZ MORSE	THE STATE OF ALABAMA,
	BALDWIN COUNTY
VS.	
COUNTY TATES TANKS THE TAKE CONTRACTOR	IN EQUITY
OBSERTAL LANDS, SHIPE STORY STORY ALL	CIRCUIT COURT OF BALDWIN COUNT
Resident Defendants, Affidents of	chalf of Complainant upon the original designating Newspaper, Notice to Won-Publication, Motion for Decree Prefer of L. V. Morse and Ruth Schultz Morse.
and in behalf of Defendant upon	Confesso
ong A Chr 14 / 144	Register.

No	12	<u>83</u>

The State of Alabama, BALDWIN COUNTY

EQUITY IN

CIRCUIT COURT OF BALDWIN COUNTY

RUTH SCHULTZ MORSE

VS.

CERTAIN LANDS, EMILY SOHULTZ, ET. AL.

NOTE OF TESTIMONY

Filed in Open Court this -

day of-

Register.

Moore Printing Co.

THE STATE OF ALABAMA,)
BALDWIN COUNTY.

RUTH SCHULTZ MORSE,

Complainant

VS.

CERTAIN LANDS, EMILY SCHULTZ ET AL Defendant

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY.

FINAL DECREE

This cause coming on to be heard is submitted for Final Decree upon the Bill of Complaint, the Affidavit attached hereto, the Notice of Publication, the Order Designating Newspaper, the Affidavit of Publication, Decree Pro Confesso on Fublication, against said Defendants, and the Testimony as noted. And it appearing to the Court that Ruth Schultz Morse is in the actual, peaceable, adverse possession of the following described real estate, situated in Baldwin County, Alabama, to wit:

That part of the North Half (Ng), lying East of Bon Secour River of the Northwest Quarter (NW1) of the Northeast Quarter (NE1) of Section Nineteen (19), Township Eight (8) South of Range Four (4) East, and being a part of the Augustine LaCoste Grant known as Section Thirty (30) and containing Thirteen (13) and 96/100 acres, more or less...

being the same land as heretofore described in the caption of this Decree and against which this proceeding is brought, claiming to own the same in her own right in fee simple and using the same in every way that it is susceptible to use.

And it appearing to the Court that no suit is pending to test Complainant's title to, interest in or right to possession of said land.

And it appearing to the Court that all parties interested in said land, together with the Defendants, whose names are set forth in the Bill of Complaint, have had due notice of these proceedings by publication for the length of time as prescribed by law and the rules of this Court, and the Court understanding the same is of the opinion that Complainant is entitled to the relief prayed for in her Bill of Complaint.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Complainant, is the owner in fee simple of the lands described in this Decree and that no other person, firm or corporation has any title to, interest in or lien or encumbrance upon said land or any part thereof and especially is this so as to the Defendants whose names are set forth in the caption of this Decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any claim, title to, or interest in or encumbrance upon the aforesaid land or any part thereof that Emily Schultz and Walter L. Schultz, if they be living and if dead the unknown heirs and devisees of them and each of them hold or claim to hold are a cloud upon the title of the Complainant in this cause as to the aforesaid land, and that their said title to, interest in, lien or encumbrance upon said land or any part thereof are hereby decreed to be mull and void and as such are removed as a cloud upon the title of the Complainant and that such title to, interest in, lien or encumbrance upon said land or any part thereof held by the aforesaid Defendants or any of them, are hereby removed and held for naught as being void and of no force and effect, and such Defendants have no interest in, title to, lien or encumbrance upon said land or any part thereof.

IT IS FURTHER OFDERED, ADJUDGED AND DECREED that a certified copy of this Decree be recorded in the Office of the Judge of Probate of Baldwin County, Alabama, and that said Decree shall be indexed on the Direct Indexes in the names of Emily Schultz and Walter L. Schultz and that it shall be indexed in the Indirect Indexes on the records of Baldwin County, Alabama, in the name of Ruth Schultz Morse, and that the Register of this Court shall within thirty days from the rendition of this Decree file said certified copy of this Decree in the Office of the Judge of Probate for record and tax the expense thereof as a part of the cost of this proceeding, and that the Probate Judge shall record such a copy in the same book and manner in which deeds are recorded and index the same as said Decree orders and directs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Ruth Schultz Morse be and she is taxed with the cost of this proceeding for which execution may issue.

Dated at Monscerille, Alabama, this 7th day of May, 1945.

Judge Circuit Court, in Equity.

RUTH SCHULTZ MORSE, Complainant

Vs.

CERTAIN LANDS, EMILY SCHULTZ, ET. AL.

TICE TO NON-RESIDENT DEFENDANTS

Ruth Schultz Morse, Complainant

vs. Certain Lands, Emily Schultz, et al., Defendants

NOTICE TO NON-RESIDENT DEFENDANTS

It having been made to appear in the above styled cause from the Affidavit of Forest A. Christian, the Solicitor of Record for the Complainant in said cause, that the Defendants, Emily Schultz and Walter L. Schultz, are non-residents of the State of Alabama, their residences or Post Office address being unknown to Complainant.

NOTICE IS HEREBY GIVEN TO Emily Schultz and Walter L. Schultz, if they be living and if dead the unknown heirs and devisees of them and each of them, and to any and all persons, firms or corporations claiming any interest in, title to, lien or encumbrance upon the land herein described; that on the 20th day of February, 1945, Ruth Schultz Morse, filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, her Bill of Complaint against the following described land in Baldwin County, Alabama, viz:

That part of the North Half (N½), lying East of Bon Secour River of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Nineteen (19), Township Eight (8) South of Range Four (4) East, and being a part of the Augustine LaCoste Grant known as Section Thirty (30) and containing Thirteen (13) and 96-100 acres, more or less. . . .

and against the Defendants hereinabove named and any and all
other persons, firms, or corporations claiming any interest in, lien
or encumbrance upon the above
described land, and you are hereby
notified to appear and plead, answer or demur within thirty days
from the 26th day of March, 1945,
or a decree pro confesso will be
rendered against you;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complaint to said land and for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same;

That the title to said land stands in the name of the Defendants on the records in the office of the Judge of Probate in Baldwin County, Alabama.

That Complainant claims the title to said land by virtue of being the heir and widow of Walter L. Schultz.

Complainant further alleges in her Bill of Complaint that she is in the quiet and peaceable possession of said land claiming to own the same absolutely and in fee simple and that she and those under whom she claims, have been in possession of said land for more than 10 years next proceeding the filing of the Bill of Complaint, and that they have paid the taxes on said land for the last 10 years, prior to the filing of said Bill of Complaint and no other person, firm or corporation has paid any taxes on said land during said 10 year period.

Witness my hand this the 20 day of February, 1945.

R. S. DUCK,
As Register of the
Circuit Court of Baldwin County, Alabama.
FOREST A. CHRISTIAN,

Solicitor.

22-1-8-15

AFFIDAVIT OF PUBLICATION

Mrs. M. M. Barchard

1,
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 4 consecutive weeks, com-
mencing with the issue dated Feb. 22 , 1945 , and
ending with the issue dated March 15, 1945.
Mr. M. Sn. Bareland
Subscribed and sworn to before me this day of Notary Paris
My Commission Soles Sept. 10, 1942

THE STATE OF ALABAMA, CIRCUIT COU	RT, IN EQUITY
BALDWIN COUNTY No	, Term, 19
Ruth Schultz Morse	Complainant
Vs.	
Certain Lands, Emily Schultz, et. al.	Defendant
In this cause it appears to the Register R. S. Duck	that the order of publication
eretofore made in this cause, was published for four consecutive weeks, com-	mencing on the 22nd
lay of February , 1945 in the Onlooker notice wa	a newspaper published
notice was Follow	s filed for record as a
in Foley Alabama that a copy of said water was perfect the judge of Probate are Baldwin County, on the 3rd day of	March 1945
That part of the North Helf (NZ), lying East of Bon Secon Quarter (NWZ) of the Northeast Quarter (NWZ) of Section Eight (8) South of Range Four (4) East, and being a part LaCoste Grant known as Section Thirty (30) and containing 96/100 acres, more or less	of the Augustine grant Thirteen (13) and
	gister R. S. Duck
that the Bill of Complaint in this cause be, and it here	gister R. S. Duck
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that the Bill of Complaint in this cause be, and it here	gister R. S. Duck
that the Bill of Complaint in this cause be, and it here	gister R. S. Duck eby is in all things taken as

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The State of Alabama, BALDWIN COUNTY

	:
CIRCUIT COURT, IN	EQUITY
RUTH SCHULTZ MORSE	
Vs.	
DERTAIN LANDS, EMILY SCHOOL	TZ, ET AL.
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Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA,	CIRCUIT COL	JRT, IN EQUITY
BALDWIN COUNTY	No	, Term, 19
RUTH SCHULTZ MORSE		Complainant
	Vs.	
CERTAIN LANDS, EMILY SO	HULTZ, ET. AL.	Defendant_S
Motion is hereby made for a Decree Pro Conf (NE2) of Section Nineteen (19), To being a part of the Augustine LaCo Thirteen (13) & 90/100 acres, more Walter L. Schultz, if they be living in the annexed stated cause, on the ground the of publication was made under the order of the Court that said Defendant is a non-resident of	wnship Eight (8) South ste Grant known as Sect or less, and Emily Schung and if dead the unknown that more than thirty days have his Court; and it having been	of Range Four (4) East, and cion Thirty (30) and containing the late and Defendants—nown heirs and devisees of the elapsed since the perfection shown by due proof to the
demur to the Bill in this cause, to the date he	ereof.	
This 4th day of 746 Code	May 19	Solicitor.

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The State of Alabama, BALDWIN COUNTY

CIRCUI	T CC	OURT,	IN EQI	JITY
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RUTH	aohum	ez mor:) E	
		Vs.	Complain	ant
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Moore Printing Co., Bay Minette, Ala.

RUTH SCHULTZ MORSE,

Complainant

VS.

CERTAIN LANDS, EMILY SCHULTZ, ET AL., Defendants

NOTICE TO NON-RESIDENT DEFENDANTS

It having been made to appear in the above styled cause from the Affidavit of Forest A. Christian, the Solicitor of Record for the Complainant in said cause, that the Defendants, Emily Schultz and Walter L. Schultz, are non-residents of the State of Alabama, their residences or Post Office address being unknown to Complainant.

NOTICE IS HEREBY GIVEN TO Emily Schultz and Walter L. Schultz, if they be living and if dead the unknown heirs and devisees of them and each of them, and to any and all persons, firms or corporations claiming any interest in, title to, lien or encumbrance upon the land herein described; that on the 20th day of February, 1945, Ruth Schultz Morse, filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, her Bill of Complaint against the following described land in Baldwin County, Alabama, viz:

> That part of the North Half $(N_{\mathbb{Z}}^1)$, lying East of Bon Secour River of the Northwest Quarter (NW2) of the Northeast Quarter (NEL) of Section Nineteen (19), Township Eight (8) South of Range Four (4) East, and being a part of the Augustine LaCoste Grant known as Section Thirty (30) and containing Thirteen (13) and 96/100 acres, more or less.....

and against the Defendants hereinabove named and any and all other persons, firms, or corporations claiming any interest in, lien or encumbrance upon the above described land, and you are hereby notified to appear and plead, answer or demur within thirty days from the 26th day of March, 1945, or a decree pro confesso will be rendered against you;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complaint to said land and for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same;

That the title to said land stands in the name of the Defendants on the records in the office of the Judge of Probate in Baldwin County, Alabama.

That Complainant claims the title to said land by virtue of being the heir and widow of Walter L. Schultz.

Complainant further alleges in her Bill of Complaint that she is in the quiet and peaceable possession of said land claiming to own the same absolutely and in fee simple and that she and those under whom she claims, have been in possession of said land for more than 10 years next preceding the filing of the Bill of Complaint, and they have paid the taxes on said land for the last 10 years, prior to the filing of said Bill of Complaint and no other person, firm or corporation has paid any taxes on said land during said 10 year period.

Witness my hand this the 200 day of February, 1945.

Forest A. Christian Solicitor

R. S. Duck

As Register of the Circuit Court of

Baldwin County, Alabama

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