

RUTH SCHULTZ MORSE,
 Complainant
 vs.
 CERTAIN LANDS, EMILY SCHULTZ,
 ET AL.,
 Defendants

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

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 ($N\frac{1}{2}$), lying East of Bon Secour River of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) 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:

FIRST

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 Ruth 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.

FIFTE

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

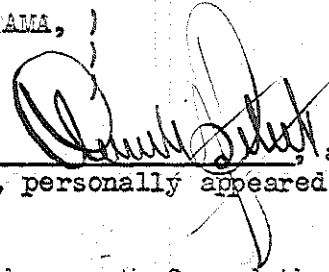
will also order that notice be given of the filing of this Bill of Complaint, to the aforesaid Defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint, and requiring them to plead, answer or demur to the same within the time as required 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,  a Notary Public, in and for said 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 hereto affixed by me, this the 19th day of February, 1945.

My Commission Expires Sept. 10, 1947


Notary Public

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 or 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 $\frac{1}{2}$) lying East of Bon Secour River of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) 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 20th day of February, 1945.

Forest A. Christian
Solicitor


R. S. Duck
As Register of the Circuit Court of
Baldwin County, Alabama

NOTICE TO NON-RESIDENT DEFENDANTS

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Judge of Probate

W. R. STUART

PROBATE JUDGE

No. **696**

Bay Minette, Ala.,

May 9

, 194*5*

Received of

R. L. Duck

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	<i>Final Decree</i>								
	<i>Ruth Schuelz Wise</i>								
	<i>US J</i>								
	<i>Certain Lands etc</i>					<i>1 25</i>		<i>1 25</i>	

FOR RECORD

TOTAL \$

W. R. Stuart

Judge of Probate.

RUTH SCHULTZ MORSE,)	
Complainant)	IN THE CIRCUIT COURT OF
)	
vs.)	BALDWIN COUNTY, ALABAMA
)	
CERTAIN LANDS, EMILY SCHULTZ,)	IN EQUITY.
ET AL.,)	
Defendants)	

BILL OF COMPLAINT

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

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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:

FIRST

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 Ruth Schultz Morse, your Complainant.

FOURTH

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

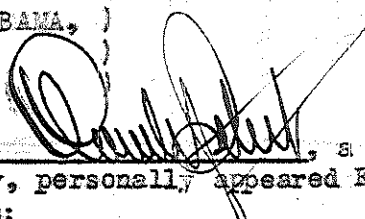
will also order that notice be given of the filing of this Bill of Complaint, to the aforesaid Defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint, and requiring them to plead, answer or demur to the same within the time as required 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, , a Notary Public, in and for said 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 hereto affixed by me, this the 19th day of February, 1945.

My Commission Expires Sept 10, 1947


Notary Public

CHANCERY EXECUTION

BILL OF COST

No. **1283**

Vs.

Ruth S Morse.

Certain Lands et al.

Plaintiff
Defendant

	Dollars	Cents		Dollars	Cents
FEES OF REGISTER					
Filing each bill and other papers.....	\$	10	Brought Forward.....	7	45
Issuing each subpoena.....		50	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.		
Issuing each copy thereof.....		40	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Entering each return thereof.....		15	Each notice sent by mail to creditor	15	
For each order of publication.....	1.00	00	Filing, receipting for and docketing each claim, etc.	25	
Issuing writ of injunction.....	1.50		For all entries on subpoena docket, etc.	50	
For each copy thereof.....		50	For all entries on commission docket, etc.	50	
Entering each return thereof.....		15	Making final record, per 100 words ...	15	6 40
Issuing writ of attachment.....	1.00		Certified copy of decree	1 00	1 00
Entering each return thereof.....		50	Report of divorce to State Health Office (Acts 1915)	50	
Docketing each case.....	1.00	00			
Entering each appearance.....		25	Total Fees of Register	14.85	
Issuing each decree pro confesso on per. ser.....	1.00		FEES OF SHERIFF		
Issuing each decree pro confesso on publication.....	1.00	00	Serving and returning subpoena on deft	\$1 50	
Each order appointing guardian.....	1.00		Serving and returning subpoena for witness	65	
Any other order by Register.....		50	Levying attachment.....	3 00	
Issuing commission to take testimony...		50	Entering and returning same	25	
Receiving and filing.....		10	Selling property attached		
Endorsing each package.....		10	Impaneling Jury	75	
Entering order submitting cause.....		50	Executing writ of possession	2 50	
Entering any other order of court.....		25	Collecting execution for costs	1 50	
Noting all testimony.....		50	Serving and returning sci. fa., each....	65	
Abstract of cause, etc.....	1.00	50	Serving and returning notice	65	
Entering each decree.....		75	Serving and returning writ of injunction	1 50	
For every 100 words over 500.....		15	Serving and returning writ of exeat ...	1 50	
Taking account, etc.....		3.00	Taking and approving bonds, each ...	75	
Taking testimony, etc.....		15	Collecting money on execution		
Each report, 500 words or less.....		2.50	Making deed	2 50	
For every 100 words over 500		15	Serving and returning application, etc.	1 00	
Amount claimed less than \$500, etc.....		2.00	Serving attachment, contempt of court	1 50	
Issuing each subpoena.....		25			
Witness certificate, each.....		25	Total Fees of Sheriff		
Issuing execution, each.....		75	RECAPITULATION		
Entering each return.....		15	Register's Fees	14	85
Taking and approving bond, each.....	1.00		Sheriff's Fees		
Making copy of bill, etc.....		15	Commissioner's Fees ??.....		
Each notice not otherwise provided for...		50	Solicitor's Fees		
Each certificate or affidavit, with seal....		50	Witness Fees		
Each certificate or affidavit, no seal		25	Guardian Ad Litem		
Hearing and passing on application, etc.	3.00		Printer's Fees ??.....		
Each settlement with receiver, etc.....	3.00		Trial Tax	3 00	3 00
Examining each voucher of receiver, etc....		10	Recording Decree in Probate Court ...		
Examining each answer, etc.....	3.00		Total less p. 75	2 00	
Recording resignation, etc.....		75	Decree 125		19. 85
Entering each certificate to Supreme Court.....		50			
Taking questions and answers, etc.....		25			
For all other ser. relating to such proceedings	1. 00				
For services in proceeding to relieve minors, etc., same fees as in similar cases.					
Commission on sales, etc.: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all all over \$20,000, 1-4 of 1 per ct..		7 45			
Sub Total Carried Forward.....					

THE STATE OF ALABAMA,
Baldwin County.

No. _____

CIRCUIT COURT, IN EQUITY

TERM, 194 _____

To any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of _____

Defendant

you cause to be made the sum of _____ Dollars,

which _____ Plaintiff

recovered of _____ on the _____ day of _____ 194 _____

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____

Dollars,

costs of suit, and have the same to render to the said _____ and make return of this Writ and the execution thereof, according to law.

Interest from _____ 194 _____ to date of collection.

Witness my hand, this _____ day of _____ 194 _____

_____, Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Alica A. Christian

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 L. V. Morse and Ruth Schultz Morse

as witnesses in behalf of Ruth Schultz Morse in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Ruth Schultz Morse

Complainant

and

Certain Lands, Emily Schultz, et al.

Defendant,

on oath to be by you administered, upon L. V. Morse and Ruth Schultz Morse

to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all Convenient speed, under your hand.

Witness 30 day of May, 1945.

R. DeLoe

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Alica A. Christian

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 L. V. Morse and Ruth Schultz Morse

as witnesses in behalf of Ruth Schultz Morse in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Ruth Schultz Morse

Complainant

and

Certain Lands, Emily Schultz, et al.

Defendant,

on oath to be by you administered, upon L. V. Morse and Ruth Schultz Morse

to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all Convenient speed, under your hand.

Witness 30 day of May, 1945.

R. Devel

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

RUTH SCHULTZ MORSE

Complainant

VS.

CERTAIN LANDS, EMILY SCHULTZ, ET. AL.

Defendant

Commission To Take Deposition

COMMISSIONER:

Alicia A. Christian

Witnesses:

L. V. Morse

Ruth Schultz Morse

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Ruth Schultz Morse

Complainant

VS.

Certain Lands, Emily Schultz, et al.

Respondent

I, Alica A. Christian

~~Commissioner~~ Commissioner

have called and caused to come before me L. V. Morse and Ruth Schultz Morse

witness^{es} named in the Requirement for Oral Examination, on the 4th day of May
194⁵, at the office of Forest A. Christian
in Foley, Alabama, and having first sworn said Witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said L. V. Morse and Ruth Schultz
Morse doth depose and say as follows:

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 ($N\frac{1}{2}$), lying East of the Bon Secour River of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) 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. Ruth 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.

L. V. Morse

L. V. Morse

ORAL EXAMINATION.

I, Alica A. Christian, as ~~Register~~ 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.

Alica A. Christian

NO. _____ PAGE _____

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

RUTH SCHULTZ MORSE

vs. Complainant

GERMAIN LANDS, EMILY SCHULTZ,

ET AL.

Respondent.

Oral Deposition

Filed _____, 194 _____

Register.

Recorded in

Record

Vol. _____

Page _____

Register.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Ruth Schultz Morse

Complainant

VS.

Certain Lands, Emily Schultz, et al.

Respondent

I, Alica A. Christian

as ~~Register~~ and Commissioner

have called and caused to come before me L. V. Morse and Ruth Schultz Morse

witness ~~es~~ named in the Requirement for Oral Examination, on the 4th day of May
1945, at the office of Forest A. Christian
in Foley, Alabama, and having first sworn said Witness ~~es~~ to speak the
truth, the whole truth, and nothing but the truth, the said L. V. Morse and Ruth Schultz
Morse doth depose and say as follows:

Testimony of Ruth Schultz Morse.

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 (NW $\frac{1}{2}$), lying East of Bon Secour River of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) 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.....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, peaceable 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, Alabama, in the name of Walter L. Schultz and Emily Schultz. Emily Schultz died in 1934, 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.

Ruth Schultz Morse
Ruth Schultz Morse

ORAL EXAMINATION.

I, Alica A. Christian, as ~~Register~~ 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 her and she 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.

Alica A. Christian

NO. 1283

PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

EMPI SCHULZ MORSE

vs. Complainant

ORPAIN LANDS, EMILY SCHULZ,
ET AL.

Respondent.

Oral Deposition

Filed May 4th, 1945

Richard, Register.

Recorded in

Record

Vol. _____

Page _____

, Register.

RUTH SCHULTZ MORSE

VS.

~~CERTAIN LANDS, EMILY SCHULTZ, ET AL.~~

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

~~This cause is submitted in behalf of Complainant upon the original
Bill of Complaint, Summons, Order designating Newspaper, Notice to Non-
Resident Defendants, Affidavit of Publication, Motion for Decree Pro
Confesso on Publication, Testimony of L. V. Morse and Ruth Schultz Morse.~~

and in behalf of Defendant upon _____ Decree pro confesso

Sam A. Chisley
Solicitor

Register.

No. 1283

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

RUTH SCHULTZ MORSE

VS.

CERTAIN LANDS, EMILY SCHULTZ, ET. AL.

NOTE OF TESTIMONY

Filed in Open Court this 15th er

day of April 1945

R. H. [Signature]

Register.

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 Publication, 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 ($N\frac{1}{2}$), lying East of Bon Secour River of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) 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 null 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 ORDERED, 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 Monroeville, Alabama, this 4th day of May, 1945.

A. W. Lare
Judge Circuit Court, in Equity.

NOTICE 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 (N 1/2), lying East of Bon Secour River of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) 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 Complainant 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

I, Mrs. M. M. Barchard

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, commencing with the issue dated Feb. 22, 1945, and ending with the issue dated March 15, 1945.

Mrs. M. M. Barchard

Subscribed and sworn to before me this 21 day of April, 1945.

Notary Public

My Commission Expires Sept. 10, 1947

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

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

heretofore made in this cause, was published for four consecutive weeks, commencing on the 22nd day of February, 1945, in the 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 3rd day of March 1945 notice was filed for record as a

~~and~~

And it now further appearing to the Register R. S. Duck that the said That part of the North Half (N $\frac{1}{2}$), lying East of Bon Secour River of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) 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 Emily Schultz and Walter L. Schultz, if they be living and if dead the unknown heirs and devisees of them and each of them,

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 R. S. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said above named Respondents.

This 20 day of May 1945



Register.

No. 1280

Page 1

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

RUTH SCHULTZ MORSE

Vs.

CERTAIN LANDS, EMILY SCHULTZ, ET AL.

Decree Pro Confesso of Publication

Issued May 30 1945
[Signature]
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

RUTH SCHULTZ MORSE

Complainant

Vs.

CERTAIN LANDS, EMILY SCHULTZ, ET. AL.

Defendant-s

That part of the North Half (N $\frac{1}{2}$), lying
East of Bon Secour River of the Northwest

~~Motion is hereby made for a Decree Pro Confesso against Quarter (NW $\frac{1}{4}$) of the Northeast Quarter
(NE $\frac{1}{4}$) 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) $\frac{96}{100}$ acres, more or less, and Emily Schultz and Defendant-s
Walter L. Schultz, if they be living and if dead the unknown heirs and devisees of the
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 4th day of May 19 45

746 Code

Solicitor.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

RUTH SCHULTZ MORSE

Complainant _____

Vs.

CERTAIN LANDS, EMLY SCHULTZ, ET. AL.

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed May 30 1945
Burdick
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

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 ($N\frac{1}{2}$), lying East of Bon Secour River of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) 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 20th day of February, 1945.

Forest A. Christian
Solicitor


R. S. Duck
As Register of the Circuit Court of
Baldwin County, Alabama

1283

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

STATEMENT OF WORK

It is hereby agreed that the following work shall be performed by the contractor...

to be performed by the contractor in accordance with the following specifications...

The contractor shall be responsible for the procurement of all materials and labor...

The contractor shall be responsible for the procurement of all materials and labor...

Contractor shall provide all necessary equipment and tools for the completion of the work...

The contractor shall be responsible for the procurement of all materials and labor...

The contractor shall be responsible for the procurement of all materials and labor...

The contractor shall be responsible for the procurement of all materials and labor...

The contractor shall be responsible for the procurement of all materials and labor...

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Contractor shall provide all necessary equipment and tools for the completion of the work...

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