

1592

JOHN J. JURKIEWICZ,
COMPLAINANT,

VS.

MARY A. PATRICK, CHAS. P. DAILEY, JOHN F. DAILEY, L. F. CLEWLEY, if they be living, and if dead, the unknown heirs, devisees, grantees, personal representatives and assigns of each of them, and any and all other persons, firms, or corporations claiming any title to, interest in, lien or encumbrance upon the following described lands, or any part or parcel thereof, situated in Baldwin County, Alabama, to-wit: The $W\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres, more or less; The $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.87 acres, more or less.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

NO. 1292.

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the Court that the Complainant is the owner of and in the peaceable possession of the said lands, and each and every parcel thereof, and that the title of the Complainant has been duly and justly proven by legal and competent evidence, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Respondents, Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, and the unknown heirs, devisees, grantees, personal representatives and assigns of them, and each of them, and any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon said land, or any part or parcel thereof, have no estate, right, claim, interest in, or encumbrance upon the following described lands, or any part or parcel thereof, in Baldwin County, Alabama, to-wit:

The West half of the Northwest quarter of the Northwest quarter, or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres, more or less;

The Southwest quarter of the Northwest quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens, Meridian, containing 39.87 acres, more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the full fee simple title to the said lands to-wit, is vested absolutely in the Complainant, John J. Jurkiewicz.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, in the direct index in the names of Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, and in the indirect index of John J. Jurkiewicz.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register shall, within 30 days from the rendition of this decree, file a certified copy thereof in the office of the Judge of Probate of Baldwin County, Alabama, for record and that the cost thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the cost of this cause, for which execution may issue.

Done at Monroeville, Alabama, on this the 6th day of July, 1945.

F. W. Hare
Judge of the 21st Judicial Circuit

1392

JOHN J. JURKIEWICZ,
COMPLAINANT,

VS.

MARY A. PATRICK, et al
RESPONDENTS.

FINAL DECREE

Filed July 9 1945
R. J. [Signature]
[Signature]

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JOHN J. JURKIEWICZ,
COMPLAINANT,

VS.

MARY A. PATRICK, et al,
RESPONDENTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,


IN EQUITY,

NO. 1292

NOTE OF TESTIMONY.

This cause is submitted on behalf of the Complainant upon
the following:

1. Original summons and complaint.
2. Decree pro confesso on publication.
3. Lis pendens notice.
4. Request for appointment of commissioner.
5. Notice of time of taking testimony on behalf of the Complainant.
6. Copy of notice in Baldwin Times, a newspaper published in Bay Minette, Alabama.
7. Proof of publication of notice in Baldwin Times.
8. Request for taking testimony.
9. Appointment of commissioner.
10. Testimony of John J. Jurkiewicz, with exhibits attached.
11. Testimony of Hubert M. Hall.
12. Request for decree pro confesso on services by publication.



Register

JOHN J. JURKIEWICZ,
COMPLAINANT,
VS.
MARY A. PATRICK, et al,
RESPONDENTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY,
No. 1292.

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 1st day of March, 1945, in the Baldwin Times, a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, Alabama on the 28th day of February, 1945.

And it now further appearing to the Register, R. S. Duck, that the said Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, 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 the complaint, ordered and decreed by the Register, R. S. Duck, that the bill of complaint in this cause be, and it hereby is all things taken as confessed against the said Respondents herein named.

Dated this the 18th day of June, 1945.


Register

1246

RECORDED

Dece Pro Carthage

Filed June 18 1945
R. R. [unclear]
[unclear]

6/18/45

JOHN J. JURKIEWICZ,
COMPLAINANT,

VS.

MARY A. PATRICK, et al,
RESPONDENTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

NO. 1292


Notice is hereby given that the Complainant will on the 30th day of June, 1945, before Lillian Patterson as special commissioner, take the testimony orally of the following witnesses, on behalf of the Complainant:

John J. Jurkiewicz, Summerdale, Alabama.

Hubert M. Hall, Bay Minette, Alabama.

Dated this the 20th day of June, 1945.

BEEBE & HALL

By: 
Solicitors for the Complainant.

1292

RECORDED

Notes at Line
and Place at
Taking Inventory

Field June 20 1945
R. M. Welch
R. J. R.

6/20/45

1296

RECORDED

Notice

~~June~~ June 20 1945
Direct
Ryker

6/20/45

plead, answer, or demur to the bill of complaint in this cause filed, on or before the 2nd day of April, 1945, or upon their failure to do so, at the expiration of said date this cause will be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, R. S. Duck, as Register, have hereunto set my hand and seal on this the 28th day of February, 1945.



Register, Circuit Court of Baldwin
County, Alabama

BEEBE & HALL
Solicitors for the Complainant

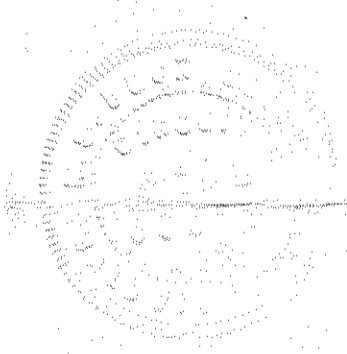
STATE OF ALABAMA
BALDWIN COUNTY

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published at Bay Minette, Alabama, in the cause of John J. Jurkiewicz, Complainant, vs. Mary A. Patrick, et al, Respondents, and filed in the office of the Probate Judge of Baldwin County, Alabama, the County in which said lands lie, in accordance with the law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 28th day of February, 1945.



Register, Circuit Court, Baldwin County,
Alabama.



1293

RECORDED

2-28-45

JOHN J. JURKIEWICZ ⁸³
COMPLAINANT

VS.

MARY A. PATRICK, et al ⁶⁹
RESPONDENTS
Chas. B. Bailey ⁶¹
John T. Bailey ⁶¹
L. F. Clewley ⁴⁷

NOTICE

STATE OF ALABAMA, BALDWIN COUNTY

Filed March 2, 1945 10:40 AM

Recorded Lib. Prod. book 1 page 272

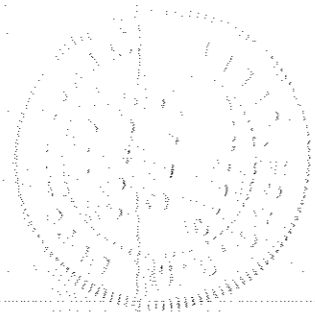
and I certify that the following Privilege Tax has been paid,

Deed Tax _____

Mortgage Tax _____

By W. R. Shuch
Judge of Probate
LSW

R 145 R. S. Duck



STATE OF ALABAMA

BALDWIN COUNTY

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

TO ANY SHERIFF OF THE STATE OF ALABAMA - - GREETINGS:

WE COMMAND YOU that you summon MARY A PATRICK, CHAS. P. DAILEY, JOHN F. DAILEY, and L. F. CLEWLEY, if they be living, and if dead, the unknown heirs and devisees of them, and each of the, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction, within 30 days after service of summons, and there to answer, plead, or demur, without oath, to a bill of complaint lately exhibited by John J. Jurkiewicz, against said above named, and further to do and perform what the said Judge shall order and direct in that behalf. And this the said Respondents shall in no wise omit under penalty of the law. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, this the 28 day of February, 1945.


Register

JOHN J. JURKIEWICZ
COMPLAINANT

VS.

MARY A. PATRICK, et al
RESPONDENTS

o o o o o o o

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY ALABAMA
) IN EQUITY

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

Comes your Complainant, John J. Jurkiewicz, and presents this his bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

The West half of the Northwest Quarter of the Northwest Quarter, or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres more or less;

The Southwest Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.87 acres, more or less;

and against Mary A. Patrick, Chas. P. Dailey, John F. Dailey, and L. F. Clewley, and against each of them separately and severally, and if either or any of them be dead, then against their and each of their heirs and devisees, separately and severally and against any and all other persons

firms, or corporations, claiming any title to, interest in, lien, or encumbrance upon the said lands, or any part or parcel thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age, and a bona fide resident of Summerdale, in Baldwin County, Alabama; that he is the owner in fee simple and in the actual possession of the lands in Baldwin County, Alabama, described as follows, to-wit:

The West half of the Northwest Quarter of the Northwest Quarter, or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres more or less;

The Southwest Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.87 acres, more or less;

2.

That no suit is pending to test the Complainant's title to, interest in, or his rights to the possession of said lands;

3.

That the Complainant obtaining title to said lands by purchase from Dreis Improvement Company, an Alabama Corporation, by warranty deed dated July, 1943, filed for record in the office of the Probate Judge of Baldwin County, Alabama, on August 3, 1943, and of record therein in Deed Book 80 NS, pages 183-4;

4.

That the title to said lands claimed by the Complainant stands upon the records in the Probate Court of Baldwin County, Alabama, in the name of John J. Jurkiewicz;

5.

That no one has at any time within 10 years next preceding the filing of this bill of complaint, paid any taxes upon, or had any possession of said lands, or any part thereof, except the Complainant and the Dreis Improvement Company, through which he holds;

That the only persons known by your Complainant to claim said lands, or any part thereof, or any interest therein are; John J. Jurkiewicz, Mary A. Patrick, Chas. P. Dailey, John F. Dailey, and L. F. Clewley; that a diligent search and inquiry has been made from residents at Foley, the vicinity in which said lands lie, Bay Minette, Alabama, and from the records of Bay Minette, the County seat of Baldwin County, Alabama, to ascertain the present addresses of the Respondents herein, and that they are unknown; and whether or not they, or any of them have died; and if dead, the names, ages and addresses of their and each of their heirs and devisees, and they are unknown; and that from such information obtainable, all are over twenty-one years of age and non residents of the State of Alabama.

WHEREFORE your Complainant prays that this Honorable Court will by proper process make the said Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, and each of them, and the unknown heirs and devisees of them if any, or either of them should be dead, and any other person, firm, or corporation claiming any right, title to, interest in, or encumbrance upon said lands to-wit:

The West half of the Northwest Quarter of the Northwest Quarter, or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres, more or less;

The Southwest Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.87 acres, more or less;

situated in Baldwin County, Alabama, or any part thereof, be made parties Respondents to this bill of complaint and by appropriate process require them and each of them to, separately and severally, plead, answer, or demur to the same, within the time and under the penalties prescribed and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances, to the said lands to each part and parcel thereof is vested in your Complainant, John

J. Jurkiewicz, as against Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, if they be living, and if dead, their and each of their unknown heirs and devisees, and any and all other persons, firms, or corporations claiming any title to, interest in, lien or encumbrance upon the said lands, or any part thereof, and that any and all doubts and disputes concerning the same be cleared up. And your Complainant prays for such other, further, different, or general relief as in equity and good conscience shall seem mete and proper.

BEEBE & HALL

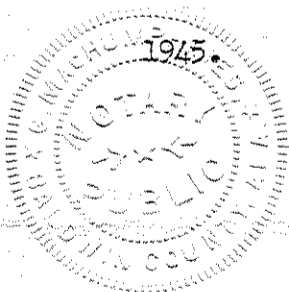
By: Hubert M. Hall
Solicitors for the Complainant

STATE OF ALABAMA
BALDWIN COUNTY

Before me the undersigned authority in and for said County in said State, personally appeared Hubert M. Hall, who is known to me and having been by me first duly sworn, deposes and says; that he is a member of the Firm of Beebe & Hall, Solicitors of Record, and agents of the Complainant, John J. Jurkiewicz, in the above styled cause and duly authorized by him to make this affidavit and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true and from such information obtained, he verily believes and so states that the same are true.

Hubert M. Hall

Sworn to and subscribed before me on this the 28 day of February,



James M. [Signature]
Notary Public, Baldwin County, Ala.

1292

RECORDED

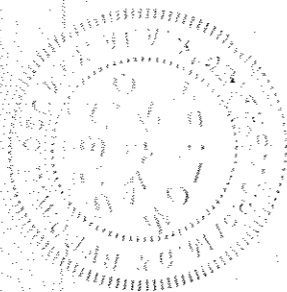
JOHN J. JURKIEWICZ
COMPLAINANT

VS.

MARY A. PATRICK, et al
RESPONDENTS

SUMMONS AND COMPLAINT

Sued Feb 28 1945
R. J. P. P. P.
P. J. P.



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THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

JOHN J. JURKIEWICZ

Complainant

VS.

MARY A. PATRICK, et al

Respondent

I

Lillian Patterson

as ~~Register~~ Commissioner

have called and caused to come before me John J. Jurkiewicz, and
Hubert M. Hall

witnesses named in the Requirement for Oral Examination, on the 30th day of June
1945, at the office of Beebe & Hall
in Bay Minette, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said John J. Jurkiewicz and
Hubert M. Hall doth depose and say as follows:

My name is John J. Jurkiewicz. I am over twenty-one years of age, and a bona fide resident of Summerdale, in Baldwin County, Alabama. I am the owner in fee simple and in the actual possession of the following described lands in Baldwin County, Alabama, and being the lands described in the bill of complaint in this cause:

West Half of the Northwest quarter of the Northwest quarter of Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof, of record in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, page 152, containing 20 acres more or less; also the Southwest quarter of the Northwest quarter of Section 33, Township 8 South, Range 4 East, containing 39.87 acres, more or less.

There is no suit pending to test the title to, or any interest in, or rights of possession to said lands. I secured title to said lands by purchase from the Dreis Improvement Company, a corporation, by warranty deed dated July, 1943, and filed for record in the office of the Probate Judge of Baldwin County, Alabama, on August 3, 1943, and of record therein in Deed Book 80 NS, pages 183-4. I am attaching hereto a certified copy of the said deed and I am asking that it be marked Exhibit "A". I do not have the original deed.

The title to the lands herein above described stands upon the records of the Probate Court of Baldwin County, Alabama, at Bay Minette, in my name. No one has at anytime within 10 years next preceding the filing of this bill of complaint, paid any taxes upon, or had any possession of said land, or any part thereof, except me and the Dreis Improvement Company, from which I purchased. I have had a complete abstract of title made to the said lands and the only persons known to claim, or to have any interest in said lands are; Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, and myself. I have myself, and have also employed the firm of Beebe & Hall, to examine the records and to make proper inquiry as to the present addresses of the parties known to claim any interest in the said lands. A diligent search and inquiry has been made from residents of Foley, the vicinity in which the said lands lie, and also from various residents throughout the County, to ascertain the present addresses of the said parties, but they are unknown. From all information obtainable, all the said Respondents are over twenty-one years of age, and non residents of the State of Alabama. I, and my predecessor in title have been in the actual possession of said lands under color of title for more than 10 years next preceding the filing of this bill of complaint. Neither of the Respondents herein named, nor any other person, firm, or corporation has claimed any title to, or attempted to exercise any rights over the said lands for more than 10 years next preceding the filing of this bill of complaint. I have had the occasion to see the said lands at least once a week and many times more often, and state the facts herein are my own personal knowledge.

John J. Jurkiewicz

Hubert M. Hall, a witness for the complainant, being first duly sworn,
deposes and says:

My name is Hubert M. Hall. I live at Bay Minette, in Baldwin County, Alabama. I am a practicing attorney and a member of the firm of Beebe & Hall. We represent the Complainant in the above styled cause. I, at the request of the Complainant, made an extended search and inquiry to ascertain the present addresses of the Respondents, searching the records at Bay Minette, and also inquiring of residents of Foley, who were personally acquainted with the several Respondents. I have been unable to find out the addresses of the Respondents, but known from information available that they are non residents of the State of Alabama, and over twenty-one years of age, and that they are not in the Military or Naval Service of the United States.

Hubert M. Hall

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]

Lillian Patterson

Of the witness and read over to _____ and _____ signed the same as _____
myself and Hubert M. Hall

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 witnesses _____; 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 30th day of June, 1945.

Lillian Patterson (L. S.)

Commo fee \$10.00

NO. <u>1892</u>	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY.	
vs.	Complainant
Respondent	
Oral Deposition	
Filed <u>June 30</u>	, 19 <u>45</u>
<u>Hubert M. Hall</u>	, Register.
Recorded in _____	Record
Vol. _____	Page _____
, Register.	

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Lillian Patterson

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 John J. Jurkiewicz and Hubert M. Hall

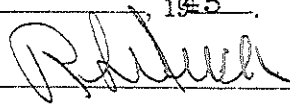
as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein John J. Jurkiewicz

Complainant
and Mary A Patrick et al.

Defendant,
on oath to be by you administered, upon them

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 18th day of June, 1945.



REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NO. 1292

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

John J. Jurkiewicz

Complainant

vs.

Mary. A. Patrick et al.

Defendant

Commission To Take Deposition

COMMISSIONER:

Lillian Patterson

Witnesses:

The BALDWIN TIMES

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

Legal Notices

JOHN J. JURKIEWICZ, Complainant
VS.

MARY A. PATRICK, et al. Respondent
In The Circuit Court of Baldwin
County, Alabama In Equity

It having been made to appear in the above cause, by the affidavit of Hubert H. Hall, Solicitor of record and agent of John J. Jurkiewicz, Complainant in the above cause, that Mary A. Patrick, Chas. P. Dally, John F. Dally and L. F. Clewley, if they be living, or, if they be dead, their heirs and devisees, are non residents of the state of Alabama, their addresses being unknown; that the said Complainant owns in fee simple the following described lands in Baldwin County, Alabama, To-wit:

The West half of the Northwest Quarter of the Northwest Quarter, or, Division G, of Section 27, Township 7 South Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres more or less;

The Southeast Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.57 acres, more or less;

having acquirer the same by warranty deed from Dreis Improvement Company, dated July 1943, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 80 NS, Pages 183-4; that the title to said lands stands on the record of the Probate Court of Baldwin County, Alabama, the County in which said lands lie, in the names of the parties hereinabove named; that no person is known to have paid taxes upon said lands or to have been in possession thereof, or any part thereof, within 10 years next prior to the filing of this bill of complaint, except John J. Jurkiewicz, and Dreis Improvement Company.

IT IS THEREFORE ORDERED, and notice is hereby given that said Respondents, Mary A. Patrick, Chas. P. Dally, John F. Dally and L. F. Clewley, if they be living, or if they be dead, their heirs and devisees, or any other person, firm, or corporation claiming any right, title to, interest in, or encumbrance upon said lands herein described, in Baldwin County, Alabama, or any part or parcel thereof, appear in this court and plead, answer or demur to the bill of complaint in this cause filed on or before the 2nd day of April, 1945, or upon their failure to do so, at the expiration of said date this

cause will be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, R. S. DUCK, as Register, have hereunto set my hand and seal on this the 23rd day of February, 1945.

R. S. DUCK,
Register, Circuit Court of
Baldwin County, Alabama.
BEEBE & HALL,
Solicitors for the Complainant. 5-4tc

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY

Ford Cook, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

John J. Jurkiewicz
V.S.

Mary A. Patrick

COST STATEMENT

478 WORDS @ 4 1/2 cents \$ 21.41

I hereby certify this is correct, due and unpaid (paid).

Ford Cook
Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication	<u>March 1</u>	194 <u>5</u>	Vol. <u>56</u>	No. <u>2</u>
Date of 2nd publication	" <u>8</u>	194 <u>5</u>	Vol. <u>56</u>	No. <u>6</u>
Date of 3rd publication	" <u>15</u>	194 <u>5</u>	Vol. <u>56</u>	No. <u>7</u>
Date of 4th publication	" <u>22</u>	194 <u>5</u>	Vol. <u>56</u>	No. <u>8</u>

Subscribed and sworn before the undersigned this _____ day of _____ 1945.

Notary Public, Baldwin County.
Ford Cook
Publisher.

STATE OF ALABAMA

BALDWIN COUNTY

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)
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)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA - - GREETINGS:

WE COMMAND YOU that you summon MARY A PATRICK, CHAS. P. DAILEY, JOHN F. DAILEY, and L. F. CLEWLEY, if they be living, and if dead, the unknown heirs and devisees of them, and each of the, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction, within 30 days after service of summons, and there to answer, plead, or demur, without oath, to a bill of complaint lately exhibited by John J. Jurkiewicz, against said above named, and further to do and perform what the said Judge shall order and direct in that behalf. And this the said Respondents shall in no wise omit under penalty of the law. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, this the ____ day of February, 1945.

Register

JOHN J. JURKIEWICZ
COMPLAINANT

VS.

MARY A. PATRICK, et al
RESPONDENTS

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY ALABAMA
IN EQUITY

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

Comes your Complainant, John J. Jurkiewicz, and presents this his bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

The West half of the Northwest Quarter of the Northwest Quarter, or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres more or less;

The Southwest Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.87 acres, more or less;

and against Mary A. Patrick, Chas. P. Dailey, John F. Dailey, and L. F. Clewley, and against each of them separately and severally, and if either or any of them be dead, then against their and each of their heirs and devisees, separately and severally and against any and all other persons

firms, or corporations, claiming any title to, interest in, lien, or encumbrance upon the said lands, or any part or parcel thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age, and a bona fide resident of Summerdale, in Baldwin County, Alabama; that he is the owner in fee simple and in the actual possession of the lands in Baldwin County, Alabama, described as follows, to-wit:

The West half of the Northwest Quarter of the Northwest Quarter, or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres more or less;

The Southwest Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.87 acres, more or less;

2.

That no suit is pending to test the Complainant's title to, interest in, or his rights to the possession of said lands;

3.

That the Complainant obtaining title to said lands by purchase from Dreis Improvement Company, an Alabama Corporation, by warranty deed dated July, 1943, filed for record in the office of the Probate Judge of Baldwin County, Alabama, on August 3, 1943, and of record therein in Deed Book 80 NS, pages 183-4;

4.

That the title to said lands claimed by the Complainant stands upon the records in the Probate Court of Baldwin County, Alabama, in the name of John J. Jurkiewicz;

5.

That no one has at any time within 10 years next preceding the filing of this bill of complaint, paid any taxes upon, or had any possession of said lands, or any part thereof, except the Complainant and the Dreis Improvement Company, through which he holds;

That the only persons known by your Complainant to claim said lands, or any part thereof, or any interest therein are; John J. Jurkiewicz, Mary A. Patrick, Chas. P. Dailey, John F. Dailey, and L. F. Clewley; that a diligent search and inquiry has been made from residents at Foley, the vicinity in which said lands lie, Bay Minette, Alabama, and from the records of Bay Minette, the County seat of Baldwin County, Alabama, to ascertain the present addresses of the Respondents herein, and that they are unknown; and whether or not they, or any of them have died, and if dead, the names, ages and addresses of their and each of their heirs and devisees, and they are unknown; and that from such information obtainable, all are over twenty-one years of age and non residents of the State of Alabama.

WHEREFORE your Complainant prays that this Honorable Court will by proper process make the said Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, and each of them, and the unknown heirs and devisees of them if any, or either of them should be dead, and any other person, firm, or corporation claiming any right, title to, interest in, or encumbrance upon said lands to-wit:

The West half of the Northwest Quarter of the Northwest Quarter, or, Division G, of Section 27, Township 7 South, Range 3 East, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Misc. Book 1, at Page 152, containing 20 acres, more or less;

The Southwest Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 4 East, of St. Stephens Meridian, containing 39.87 acres, more or less;

situated in Baldwin County, Alabama, or any part thereof, be made parties Respondents to this bill of complaint and by appropriate process require them and each of them to, separately and severally, plead, answer, or demur to the same, within the time and under the penalties prescribed and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances, to the said lands to each part and parcel thereof is vested in your Complainant, John

J. Jurkiewicz, as against Mary A. Patrick, Chas. P. Dailey, John F. Dailey and L. F. Clewley, if they be living, and if dead, their and each of their unknown heirs and devisees, and any and all other persons, firms, or corporations claiming any title to, interest in, lien or encumbrance upon the said lands, or any part thereof, and that any and all doubts and disputes concerning the same be cleared up. And your Complainant prays for such other, further, different, or general relief as in equity and good conscience shall seem mete and proper.

STATE OF ALABAMA
BALDWIN COUNTY

BEEBE & HALL

By: *[Signature]*

Solicitors for the Complainant

STATE OF ALABAMA
BALDWIN COUNTY
COMPLAINANT
J. JURKIEWICZ

1283

STATE OF ALABAMA
BALDWIN COUNTY

Before me the undersigned authority in and for said County in said State, personally appeared Eubert M. Hall, who is known to me and having been by me first duly sworn, deposes and says; that he is a member of the Firm of Beebe & Hall, Solicitors of Record, and agents of the Complainant, John J. Jurkiewicz, in the above styled cause and duly authorized by him to make this affidavit and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true and from such information obtained, he verily believes and so states that the same are true.

Eubert M. Hall

Sworn to and subscribed before me on this the 18 day of February, 1945.

Notary Public, Baldwin County, Ala.

W. R. STUART
PROBATE JUDGE

No. 157

Bay Minette, Ala.,

3/2

, 1942

Received of

R. B. Duck

No.	Deed Tax		Mortgage Tax		Recording Fees		Total	
	\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
<i>Sid Perkins</i>					<i>1</i>	<i>15</i>	<i>1</i>	<i>15</i>
<i>John J. Jenkins 18</i>								
<i>Mary A. Patrick et al.</i>								

FOR RECORD

TOTAL \$ *1.15*

W. R. Stuart

Judge of Probate.

W. R. STUART

PROBATE JUDGE

No. **1295**

Bay Minette, Ala.,

July 7

, 194*5*

Received of

R. S. Duck

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	<i>Deed</i>								
	<i>John J. Jurkiewicz</i>								
	<i>v s</i>								
	<i>Mary A. Patrick et al</i>					<i>1 25</i>		<i>1 25</i>	

FOR RECORD

TOTAL \$ *1 25*

W. R. Stuart

Judge of Probate.