

1337

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

DEMAND FOR ORAL EXAMINATION OF WITNESSES

TO R. S. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

You are hereby notified that the Complainants will re-
quire and therefore demand an oral examination of the following
witnesses:

- D. O. Callaway
- R. S. Duck
- F. L. Long

The examination of the said witnesses to be taken orally
before the Commissioner to be appointed by this Court at two
o'clock P. M. on July 31, 1945, at Orange Beach, Alabama.

Minnie Lee Brown, of Orange Beach, Alabama is hereby
suggested as a Commissioner to take the testimony of the said
witnesses.

Dated this 26th day of July, 1945.

J. B. Blackburn
Solicitor for Complainants.

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

TO THE UNKNOWN HEIRS OF PHILLIPINE BALDWIN, ALSO KNOWN AS PHILLIPIENA
BALDWIN, AND PHILIPINEA BALDWIN, EDNA O. MORGAN, FRED S. BALDWIN AND
MRS. FRED S. BALDWIN, AND TO W. H. HAWKINS, AS GUARDIAN AD LITEM:

You are hereby notified that the foregoing requirement
for oral examination of witnesses was filed with me on this date
and that a Commissioner will be appointed and testimony taken as
provided herein.

Decrees Pro Confesso having been rendered against the
unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin
and Philipinea Baldwin, Edna O. Morgan, Fred S. Baldwin and Mrs. Fred
S. Baldwin, it is further ORDERED that a copy of this application
be placed on the Order Book of the Register for three days.

Dated this 26th day of July, 1945.

R. R. R. R.

Register.

*Service Accepted July 26,
1945.*

*W. H. Hawkins
Guardian Ad Litem*

RECORDED

DEMAND FOR ORAL EXAMINATION OF
WITNESSES AND NOTICE THEREOF.

D. H. FLEISCHER AND ANNA K.
FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

*Filed and dated
July 26, 1945.*

*R. H. [Signature]
Registrar*

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA. IN EQUITY.

NUMBER 1337

DECREES PRO CONFESSO

In this cause it appears to the Register that the Order of Publication heretofore made in this cause was published for four consecutive weeks commencing on May 24, 1945, in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama; that a copy of the said order was posted at the front door of the Court House at Bay Minette, in Baldwin County, Alabama, and copies thereof mailed to the following respondents at the following addresses: Edna O. Morgan, Chicago, Illinois; Edna O. Morgan, C/o Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois; Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois; within twenty days after making of such order and further that on May 15, 1945, a copy of the Bill of Complaint filed in this cause, together with a summons requiring Mrs. Fred S. Baldwin to appear and plead, answer or demur to the said Bill of Complaint within thirty days from service thereof, was mailed to her by registered mail, postage prepaid, marked: "For Delivery Only to the Person to Whom Addressed" with return receipt requested, at 902 Dawes Avenue, Wheaton, Illinois; that the said return card or receipt was signed by the said Respondent and received and filed by the Register of this Court on May 21, 1945, and that to the said date the unknown heirs of Phillipine Baldwin, also known as Phillipinea Baldwin and Philipinea Baldwin; Edna O. Morgan, Fred S. Baldwin and Mrs. Fred S. Baldwin, have each and all failed to appear and plead to, answer or demur to the Bill of Complaint filed against them in this cause:

IT IS THEREFORE, on motion of the Complainants, Ordered, and Decreed by the Register that the said Bill of Complaint be and

and it hereby is in all things taken as confessed against the said unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Edna O. Morgan, Fred S. Baldwin and Mrs. Fred S. Baldwin.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Court on this the 26th day of July, 1945.

R. L. Welch

Register.

RECORDED
INDEXED
JUL 27 1945
CLERK OF COURT
INDIANAPOLIS, INDIANA

RECORDED

DECREES PRO CONFESSO

D. H. FLEISCHER AND ANNA K.
FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337

NOTICE OF APPOINTMENT, ACCEPTANCE AND ANSWER
OF GUARDIAN AD LITEM

TO W. H. HAWKINS, ESQUIRE:

You are hereby notified that you have been appointed
Guardian Ad Litem to represent the minor heirs of Phillipine Baldwin,
also known as Phillipiena Baldwin and Philipinea Baldwin, and any
of the unknown heirs of the said party who are now in the military
service.

Dated this 26th day of July, 1945.



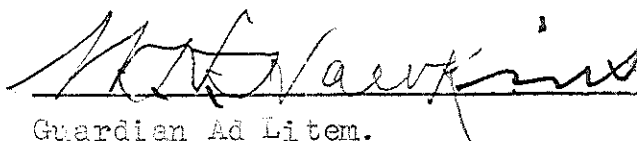
Register.

STATE OF ALABAMA

BALDWIN COUNTY

I, W. H. Hawkins, do hereby accept appointment as
Guardian Ad Litem for any minor heirs of Phillipine Baldwin, also
known as Phillipiena Baldwin and Philipinea Baldwin, and as
Guardian Ad Litem for any of the heirs of the said party who are
now in the military service and for answer to the Bill of Complaint
filed in this cause and to each and every count thereof separately
and severally, I deny each and all of the allegations of the Bill
of Complaint and demand strict proof of same.

Dated this 26th day of July, 1945.


Guardian Ad Litem.

RECORDED

NOTICE OF APPOINTMENT, ACCEPT-
ANCE AND ANSWER OF GUARDIAN AD
LITEM.

D. H. FLEISCHER AND ANNA K.
FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

SUMMONS

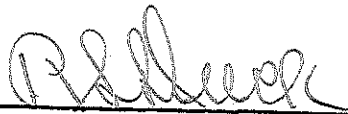
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Fred S. Baldwin, Mrs. Fred S. Baldwin and Mrs. Edna O. Morgan to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, and then and there demur, plead to or answer the Bill of Complaint filed against them by D. H. Fleischer and Anna K. Fleischer.

Witness my hand this 15th day of May, 1945.



As Register of the Circuit Court of
Baldwin County, Alabama in Equity.

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

Your Orators, D. H. Fleischer and Anna K. Fleischer, present this Bill of Complaint against the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan, and thereupon your Orators complain and show unto the Court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and residents of Pensacola, Florida. The heirs of Phillipine Baldwin, Deceased, also known as Phillipinea Baldwin and Philipinea Baldwin/are unknown; your Orators have made diligent inquiry to ascertain the same and their residence as your Orators believe is not in the State of Alabama. Fred S. Baldwin and Mrs. Fred S. Baldwin are non-residents of the State of Alabama; are each over twenty-one years of age, whose residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; Edna O. Morgan is over twenty-one years of age, is a non-resident of the State of Alabama whose residence and post office address is Chicago, Illinois but is otherwise unknown to your Orators and cannot be ascertained after diligent inquiry to ascertain the same.

2. Your Orators claim to own and are in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point or place of beginning, containing $12\frac{1}{2}$ acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

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

Your Orators, D. H. Fleischer and Anna K. Fleischer, present this Bill of Complaint against the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan, and thereupon your Orators complain and show unto the Court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and residents of Pensacola, Florida. The heirs of Phillipine Baldwin, Deceased, also known as Phillipinea Baldwin and Philipinea Baldwin/are unknown; your Orators have made diligent inquiry to ascertain the same and their residence as your Orators believe is not in the State of Alabama. Fred S. Baldwin and Mrs. Fred S. Baldwin are non-residents of the State of Alabama; are each over twenty-one years of age, whose residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; Edna O. Morgan is over twenty-one years of age, is a non-resident of the State of Alabama whose residence and post office address is Chicago, Illinois but is otherwise unknown to your Orators and cannot be ascertained after diligent inquiry to ascertain the same.

2. Your Orators claim to own and are in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point or place of beginning, containing 12 $\frac{1}{2}$ acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

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

Your Orators, D. H. Fleischer and Anna K. Fleischer, present this Bill of Complaint against the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan, and thereupon your Orators complain and show unto the Court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and residents of Pensacola, Florida. The heirs of Phillipine Baldwin, Deceased, also known as Phillipinea Baldwin and Philipinea Baldwin/are unknown; your Orators have made diligent inquiry to ascertain the same and their residence as your Orators believe is not in the State of Alabama. Fred S. Baldwin and Mrs. Fred S. Baldwin are non-residents of the State of Alabama; are each over twenty-one years of age, whose residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; Edna O. Morgan is over twenty-one years of age, is a non-resident of the State of Alabama whose residence and post office address is Chicago, Illinois but is otherwise unknown to your Orators and cannot be ascertained after diligent inquiry to ascertain the same.

2. Your Orators claim to own and are in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point or place of beginning, containing $12\frac{1}{2}$ acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

EXCEPTION NO.1: Starting at a point 611 feet West of a stake marking the dividing line between the Suarez and Kee Grants; thence South 600 feet; thence due West 360 feet to a stake; thence North to Bay LaLaunch; thence along Bay LaLaunch Eastwardly to starting point, being a part of Section 36, Township 8 South Range 5 East and the property conveyed by W. E. Baldwin, a Widower, to W. H. Hawkins and A. H. Crovatt by deed dated August 1, 1931 and recorded in Deed Book 51 N.S. at page 203, Baldwin County, Alabama Records.

EXCEPTION NO. 2: Begin at the Southeast Corner of the Fractional Southwest Quarter of Regular Government Section 35, Township 8 South Range 5 East, and run thence West 1457 feet to starting point; thence West 100 feet to a stake; thence North 25 degrees West 310 feet to Bay LaLaunch; thence Northeastwardly along Bay 130 feet to a stake; thence South 401 feet to the point of beginning; being a tract of land now or formerly owned by Emanuel S. Baldwin.

3. The Respondents claim or are reputed to claim some right, title or interest in or encumbrance upon the said lands; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance upon the said lands and your Orators present this Bill of Complaint against the said Respondents to settle the title to the said lands and to clear up all doubts and disputes concerning the same. Your Orators here and now call upon the said Respondents to set forth and specify their right, title or interest in, lien or encumbrance on the said lands or any part thereof and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS

Your Orators pray that the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them.

PRAYER FOR RELIEF

Your Orators further pray that upon a final hearing of this cause the Court will make and enter a proper decree against the

said Respondents and each of them, quieting your Orators' title to the said lands, adjudging and decreeing that your Orators are the owners thereof in their own right; that title thereto is in them, forever quieting their title against the said Respondents, adjudging and decreeing that the said Respondents and each of them are without right, title or interest in the said lands and have and hold no encumbrance thereon. Your Orators further pray for such other, further and general relief as they may be equitably entitled to the premises considered.

J. B. Blackburn
Solicitor for Complainants.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared D. H. Fleischer and Anna K. Fleischer, who, after being by me first duly and legally sworn, do each depose and say: That the heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Phillipinea Baldwin are unknown to affiants and cannot be ascertained on diligent inquiry; that they have made diligent inquiry to ascertain the same and that their residence, as affiants believe, is not in the State of Alabama.

Affiants further depose and say that they have each read over the foregoing Bill of Complaint and that each and all of the allegations contained therein are true.

D. H. Fleischer
Anna K. Fleischer

Sworn to and subscribed before me
on this the 14 day of May, 1945.

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

KNOW ALL MEN BY THESE PRESENTS, That _____
Fred S. Baldwin, brother
Edna O. Morgan, sister
of William E. Baldwin, deceased
of Chicago

in the County of Cook and State of Illinois for and
in consideration of the sum of ----- lawful money of the
United States of America, to _____ in hand paid by _____
has remised, released and forever discharge, and, by these
Presents, do, for _____ heirs, executors and adminis-
trators, remise, release and forever discharge the said _____
heirs, executors and administrators, We the undersigned, relin-
quish any claim on property owned by William E. Baldwin deceased,
near Orange Beach, Baldwin County, Alabama of and from all
manner of actions, cause, and causes of action, suits, debts, dues,
sums of money, accounts, reckonings, bonds, bills, specialties,
covenants, contracts, controversies, agreements, promises, variances,
trepasses, damages, judgments, executions, claims and demands,
whatsoever in law or in equity, which _____ now have against _____
or ever had, or which _____ heirs, executors, or administrators,
hereafter can, shall or may have, for, upon, or by reason of any
matter, cause or thing, whatsoever, from the beginning of the
world, to the day of the date of these Presents.

IN WITNESS WHEREOF, we have hereunto set our hand and
seal the 29th day of December in the year of our Lord
One Thousand Nine Hundred thirty-nine

SEALED AND DELIVERED IN THE PRESENCE OF

Glacys V. Baldwin

Fred S. Baldwin (Seal)

Subscribed and sworn to before
me a Notary Public in and for
Cook County, Illinois

Edna O. Morgan (Seal)

(Seal)

Roy Elis Johnson
Notary Public

COPY

Complanants
Exhibit 6
Minnie Lee Brown
Commissiour.

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That I, HILDUR P. BALDWIN, a widow, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations to me in hand paid by D. H. FLEISCHER and ANNA K. FLEISCHER, his wife, the receipt of which is hereby acknowledged, do GRANT, BARGAIN, SEEL, and CONVEY unto the said D. H. FLEISCHER, and ANNA K. FLEISCHER, his wife all the following described lands situated in Baldwin County, Alabama, to-wit:

The Fractional Southwest Quarter (F-SW $\frac{1}{4}$) of Section Thirty-five (35) in Township Eight (8), South, and Range Five (5) east; also known as Spanish Grant section Thirty-six (36) in said Township south, and Range east, and containing forty (40) acres, more or less.

ALSO, STARTING AT A STAKE, on Bay La Launch, running seven hundred thirty-five (735) feet, in a southerly direction on a line dividing the lands of L. Walker and G. R. Suarez to a stake; thence, on an easterly direction seven hundred thirty-five (735) feet, to a stake; thence, in a northerly direction seven hundred thirty-five (735) feet to a stake on Bay La Launch; thence, in a westerly direction, seven hundred thirty five (735) feet, along bay shore, to place of BEGINNING; and, all being in Section Thirty-five (35), same being part of Grant Section Thirty-six (36) in Township Eight (8), south, and Range Five (5), east. Same containing Twelve and one-quarter (12 $\frac{1}{4}$) acres.

The property to be excepted from above description is that of Crovatt and Hawkins (5 acres); Emanuel S. Baldwin (1 acre) and Edna Morgan (1 $\frac{1}{2}$ acres).

TOGETHER with all and singular, the rights, members, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said D. H. FLEISCHER and ANNA K. FLEISCHER, his wife, their heirs and assigns forever. And I do for myself, my heirs, executors and administrators, covenant with the said D. H. FLEISCHER and ANNA K. FLEISCHER, his wife, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances and that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors, and administrators shall warrant and defend the same to the

said D. H. FLEISCHER and ANNA K. FLEISCHER, his wife, their heirs and assigns forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 16th day of June, 1942.

Hildur P. Baldwin (SEAL)

STATE OF ILLINOIS

C O O K COUNTY

I, Dorothy Weinsheim, a Notary Public, in and for said County, in said state, hereby certify that HILDUR P. BALDWIN, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date,

Given under my hand and seal on this the 16th day of June, 1942.

Dorothy Weinsheim
Notary Public, Cook Co., Illinois

COPY

Complanants Exhibit 3
Minnie Lee Brown
Commissiour.

This instrument was filed for record on June 30, 1942 and is recorded in Deed Book 77 at page 454 Baldwin County, Alabama Records.

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

MOTION FOR DECREES PRO CONFESSO

Motion is hereby made for a Decree Pro Confesso against the unknown heirs of Phillipine Baldwin, also known as Philliipena Baldwin and Philipinea Baldwin; Edna O. Morgan, Fred S. Baldwin and Mrs. Fred S. Baldwin on the ground that the Order of Publication directed to the said Respondents in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, the said notice appearing in the issues of the said paper of May 24, 1945, May 31, 1945, June 7, 1945 and June 14, 1945, requiring the said Respondents and each of them to appear and plead to, answer or demur to the Bill of Complaint filed against them in this cause before June 25, 1945, or that a Decree Pro Confesso would be taken against them at the expiration of thirty days thereafter and further that a copy of the Bill of Complaint, together with a summons requiring the said Respondent to appear and plead, answer or demur to the Bill of Complaint in this cause within thirty days after service was mailed to the Respondent, Mrs. Fred S. Baldwin, by registered mail, postage prepaid, marked "For Delivery Only to the Person to Whom Addressed" with return receipt requested, directed to the Register of this Court as sending officer, was delivered to the said Respondent who signed the said registered article receipt which was received and filed by the Register of this Court on May 21, 1945, and that to date hereof the said Respondents and each of them have failed to appear and plead, answer or demur to

the said Bill of Complaint, all of which will fully appear from
the Certificate of the Register of this Court which bears even
date herewith and which has been filed in this cause/and also from
the proof of publication filed herein.

Dated this 26th day of July, 1945.

J. B. Blackburn
Solicitor for Complainants.

RECORDED

MOTION FOR DECREES PRO CONFESSO

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1337.

*Filed July 26,
1945,*

*R. W. Beck
Register.*

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

CERTIFICATE

I, R. S. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify as follows:

1. That I did on May 15, 1945, mail to Edna O. Morgan, Chicago, Illinois; Edna O. Morgan, C/o Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois; Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois and Mrs. Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois, by registered mail, postage prepaid, marked "For Delivery Only to the Person to Whom Addressed", return receipt requested, a copy of the Bill of Complaint filed against the Respondents in this cause, together with a summons requiring them to appear and plead, answer or demur to the said Bill of Complaint within thirty days from service thereof. The said instruments were mailed to each of the said Respondents separately and not to them jointly.


2. The said registered article addressed to Edna O. Morgan was marked "Return Receipt Requested Showing where Delivered". This registered article was returned undelivered. The said registered article addressed to Edna O. Morgan, C/o of Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois, was returned undelivered marked "Not at 902 Dawes Avenue, Wheaton, Illinois. Address unknown!" The said registered article addressed to Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois, was returned undelivered marked: "Not at home. Notice left. 5-18-45." "Delivery Cannot Be Made to Addressee in Person."

3. I further certify that the said registered article mailed to Mrs. Fred S. Baldwin as aforesaid was delivered to her on May 18, 1945, at which time she signed a return card or receipt which was received and filed by me as sending officer on May 21, 1945.

4. I further certify that I did on May 15, 1945 issue the Order of Publication in this cause and that within twenty days after the issuance of the said Order of Publication I posted a copy thereof at the front door of the Court House at Bay Minette, in Baldwin County, Alabama and mailed a copy thereof to Edna O. Morgan, Chicago, Illinois; Edna O. Morgan, C/o Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois and to Fred S. Baldwin, 902 Dawes Avenue, Wheaton, Illinois, by mail postage prepaid.

5. I further certify that the said Order of Publication was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, the said notice appearing in the issues of said paper of May 24, 1945, May 31, 1945, June 7, 1945, June 14, 1945. To date hereof Edna O. Morgan, Fred S. Baldwin and Mrs. Fred S. Baldwin and the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin, and each of them have failed to appear and plead, answer or demur to the Bill of Complaint filed against them in this cause.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Court on this the 26th day of July, 1945.



Register.

RECORDED

CERTIFICATE

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

*Stated and filed
July 26, 1945.*

*R. D. White
Registrar.*

LIS PENDENS NOTICE

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF
PHILLIPINE BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

STATE OF ALABAMA

BALDWIN COUNTY

TO WHOM IT MAY CONCERN:

Notice is hereby given that the said Complainants did on this date file in the Circuit Court of Baldwin County, Alabama, Equity Side, their Bill of Complaint against the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan, in which they allege that the said Complainants claim to own and are in the actual, peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point or place of beginning, containing 12 $\frac{1}{2}$ acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

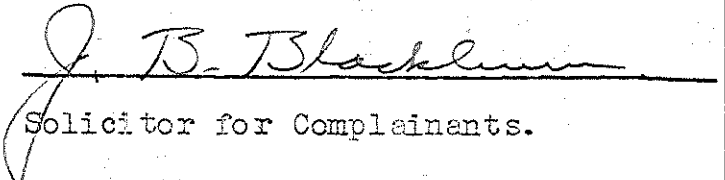
EXCEPTION NO. 1: Starting at a point 611 feet West of a stake marking the dividing line between the Suarez and Kee Grants; thence South 600 feet; thence due West 360 feet to a stake; thence North to Bay LaLaunch; thence along Bay LaLaunch Eastwardly to starting point, being a part of Section 36, Township 8 South Range 5 East and the property conveyed by W. E. Baldwin, a Widower, to W. H. Hawkins and A. H. Crovatt by deed dated August 1, 1931 and recorded in Deed Book 51 N.S. at page 203, Baldwin County, Alabama Records.

EXCEPTION NO. 2: Begin at the Southeast Corner of the Fractional Southwest Quarter of Regular Government Section 35, Township 8 South Range 5 East, and run thence West 1457 feet to starting point; thence West 100 feet to a stake; thence North 25 degrees West 310 feet to Bay LaLaunch; thence Northeastwardly along Bay 130 feet to a stake; thence South 401 feet to the point of beginning; being a tract of land now or formerly owned by Emanuel S. Baldwin.

That the Respondents claim or are reputed to claim some right, title or interest in, lien or encumbrance upon the said land, that no suit is pending to enforce or test the validity of such claim; that the said Respondents are called upon to set forth their right, title or interest in the said property.

The prayer of the said Bill of Complaint is that the Complainants' title to the said lands be quieted against the Respondents and each of them and for general relief. All persons are cautioned against acquiring any title whatever to the said property except subject to the rights of the Complainants in this suit.

Dated this 15th day of May, 1945.


Solicitor for Complainants.

The BALDWIN Times

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

ORDER OF PUBLICATION

D. H. FLEISCHER and
ANNA K. FLEISCHER, Complainants,

vs.

THE UNKNOWN HEIRS of
PHILLIPINE BALDWIN, et als,
Respondents.

In the Circuit Court of
Baldwin County, Alabama
in Equity.

It being made to appear in this cause from the affidavit of the Complainants that the heirs of Phillipine Baldwin, deceased, also known as Phillipina Baldwin and Phillipena Baldwin, who at one time owned an interest in a part of the property involved in this proceeding, are unknown to the Complainants and cannot be ascertained on diligent inquiry. That they have made diligent inquiry to ascertain the same and that their residence as affiants believe is not in the State of Alabama; that Fred S. Baldwin and Mrs. Fred S. Baldwin are each non-residents of the State of Alabama, each over twenty-one years of age whose place of residence and post office address is 902 Duwess Avenue, Wheaton, Illinois; that Edna O. Morgan is a non-resident of the State of Alabama, is over twenty-one years of age, whose residence and post office address is Chicago, Illinois but is otherwise unknown to Complainant affiants and cannot be ascertained after diligent inquiry to ascertain the same.

IT IS NOW THEREFORE ORDERED ADJUDGED and DECREED that the unknown heirs of Phillipine Baldwin, also known as Phillipina Baldwin and Phillipena Baldwin; Fred S. Baldwin and Mrs. Fred S. Baldwin and Edna O. Morgan appear in this Court and demur, plead to or answer the Bill of Complaint in this cause before the 25th day of June, 1945, lest on their having failed so to do at the expiration of thirty days from the said date a Decree Pro Confesso will be taken against each of them.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Register of this Court have this order published with as little delay as may be in the Baldwin Times, a newspaper published at Bay Minette, Baldwin County, Alabama once a week for four consecutive weeks and further that within twenty days from the making of this order he post a copy hereof at the front door of the Court House in Baldwin County, Alabama, and send copies hereof to Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan at their aforesaid places of residence.

ORDERED, ADJUDGED AND DECREED this 15th day of May, 1945.

R. S. DUCK, Register of the
Circuit Court of Baldwin County,
Alabama, in Equity.

B. BLACKBURN,
Attorney for Complainant

17-4tc

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

Order of Publication

COST STATEMENT

407 WORDS @ 4 1/2 cents \$ 18.32

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

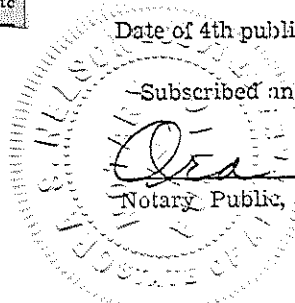
Ford Cook
Publisher.

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

- Date of 1st publication May 24, 1945 Vol. 56 No. 17
- Date of 2nd publication May 31, 1945 Vol. 56 No. 18
- Date of 3rd publication June 7, 1945 Vol. 56 No. 19
- Date of 4th publication June 14, 1945 Vol. 56 No. 20

Subscribed and sworn before the undersigned this 24 day of July, 1945

Orla J. Nelson
Notary Public, Baldwin County, State of Alabama
Ford Cook
Publisher.



ORDER OF PUBLICATION

D. R. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF
PHILIPINE BALDWIN, et al.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

It being made to appear in this cause from the affidavit of the Complainants that the heirs of Philippine Baldwin, Deceased, also known as Phillippina Baldwin and Philipina Baldwin, who at one time owned an interest in a part of the property involved in this proceeding, are unknown to the Complainants and cannot be ascertained on diligent inquiry. That they have made diligent inquiry to ascertain the same and that their residence as affiants believe is not in the State of Alabama; that Fred S. Baldwin and Mrs. Fred S. Baldwin are each non-residents of the State of Alabama, each over twenty-one years of age whose place of residence and post office address is 902 Dewee Avenue, Wheaton, Illinois; that Edna C. Morgan is a non-resident of the State of Alabama, is over twenty-one years of age, whose residence and post office address is Chicago, Illinois but is otherwise unknown to Complainant affiants and cannot be ascertained after diligent inquiry to ascertain the same.

IT IS NOW THEREFORE, ORDERED, ADJUDGED AND DECREED that the unknown heirs of Philippine Baldwin, also known as Phillippina Baldwin and Philipina Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna C. Morgan appear in this Court and demur, plead to or answer the Bill of Complaint in this cause before the 30th day of June, 1945, lest on their having failed so to do at the expiration of thirty days from the said date a Decree Pro Confesso will be taken against each of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court have this order published with as little delay as may be in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama once a week for four consecutive weeks and further that within twenty days from the making of this order he post a copy hereof at the front door of the Court House in Baldwin County, Alabama, and send copies hereof to Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan to their aforesaid places of residence.

ORDERED, ADJUDGED AND DECREED this 15th day of May, 1945.

W. S. BUCK, Register of the Circuit Court of Baldwin County, Alabama in Equity.

J. B. BLACKBURN,
Solicitor for Complainants.

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

Your Orators, D. H. Fleischer and Anna K. Fleischer, present this Bill of Complaint against the unknown heirs of Phillipine Baldwin, also known as Phillippina Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan, and thereupon your Orators complain and show unto the Court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and residents of Pensacola, Florida. The heirs of Phillipine Baldwin, also known as Philipinea Baldwin and Philipinea Baldwin/^{Deceased,} are unknown; your Orators have made diligent inquiry to ascertain the same and their residence and your Orators believe is not in the State of Alabama. Fred S. Baldwin and Mrs. Fred S. Baldwin are non-residents of the State of Alabama; are each over twenty-one years of age, whose residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; Edna O. Morgan is over twenty-one years of age, is a non-resident of the State of Alabama whose residence and post office address is Chicago, Illinois but is otherwise unknown to your Orators and cannot be ascertained after diligent inquiry to ascertain the same.

2. Your Orators claim to own and are in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point or place of beginning, containing 1.25 acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

SUMMONS

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Fred S. Baldwin, Mrs. Fred S. Baldwin and Mrs. Edna O. Morgan to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, and then and there demur, plead to or answer the Bill of Complaint filed against them by D. H. Fleischer and Anna K. Fleischer.

Witness my hand this 15th day of May, 1945.



As Register of the Circuit Court of
Baldwin County, Alabama in Equity.

EXCEPTION NO. 1: Starting at a point 611 feet West of a stake marking the dividing line between the Suarez and Kee Grants; thence South 600 feet; thence due West 360 feet to a stake; thence North to Bay LaLaunch; thence along Bay LaLaunch Eastwardly to starting point, being a part of Section 36, Township 8 South Range 5 East and the property conveyed by W. E. Baldwin, a Widower, to W. H. Hawkins and A. H. Crovatt by deed dated August 1, 1931 and recorded in Deed Book 51 N.S. at page 203, Baldwin County, Alabama Records.

EXCEPTION NO. 2: Begin at the Southeast Corner of the Fractional Southwest Quarter of Regular Government Section 35, Township 8 South Range 5 East, and run thence West 1457 feet to starting point; thence West 100 feet to a stake; thence North 25 degrees West 310 feet to Bay LaLaunch; thence Northeastwardly along Bay 130 feet to a stake; thence South 401 feet to the point of beginning; being a tract of land now or formerly owned by Emanuel S. Baldwin.

3. The Respondents claim or are reputed to claim some right, title or interest in or encumbrance upon the said lands; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance upon the said lands and your Orators present this Bill of Complaint against the said Respondents to settle the title to the said lands and to clear up all doubts and disputes concerning the same. Your Orators here and now call upon the said Respondents to set forth and specify their right, title or interest in, lien or encumbrance on the said lands or any part thereof and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS

Your Orators pray that the unknown heirs of Phillipine Baldwin, also known as Phillipiens Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them.

PRAYER FOR RELIEF

Your Orators further pray that upon a final hearing of this cause the Court will make and enter a proper decree against the

the

said Respondents and each of them, quieting your Orators' title to the said lands, adjudging and decreeing that your Orators are the owners thereof in their own right; that title thereto is in them, forever quieting their title against the said Respondents, adjudging and decreeing that the said Respondents and each of them are without right, title or interest in the said lands and have and hold no encumbrance thereon. Your Orators further pray for such other, further and general relief as they may be equitably entitled to the premises considered.

J. B. Blackburn
Solicitor for Complainants.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared D. H. Fleischer and Anna K. Fleischer, who, after being by me first duly and legally sworn, do each depose and say: That the heirs of Phillizine Baldwin, also known as Phillipona Baldwin and Phillipinea Baldwin are unknown to affiants and cannot be ascertained on diligent inquiry; that they have made diligent inquiry to ascertain the same and that their residence, as affiants believe, is not in the State of Alabama.

Affiants further depose and say that they have each read over the foregoing Bill of Complaint and that each and all of the allegations contained therein are true.

D. H. Fleischer
Anna K. Fleischer

Sworn to and subscribed before me on this the 17 day of May, 1945.

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

Wm. J. ...
Wm. J. ...

... of ...

Wm. J. ...
Wm. J. ...

(Copy)

SUMMONS AND BILL OF COMPLAINT

D. H. FLEISCHER,
Complainants,

VS.

THE UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,
Respondents.

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

Filed this 15th day of May 1945.

R. ...
Register.

WYDWIN COUNTY
BALDWIN COUNTY

...

Wm. J. ...

...

...

TESTIMONY OF D. O. CALLOWAY

My name is D. O. Calloway. I am 59 years of age and reside at Orange Beach in Baldwin County, Alabama, where I have resided practically all of my life. I live within one and one half miles of the property involved in this suit and have lived in this location for more than thirty years, during all of which time I have known all of the lands involved in this suit and the parties who were in possession of the property claiming to own it.

The part of the lands involved in this suit which are in the William Kee Grant were formerly owned by G. R. Suarez. He built a house on a part of the property in the said William Kee Grant which is involved in this suit and lived in it on this property for approximately ten years and until he sold the property to W. E. Baldwin and Phillipine Baldwin during the month of March, 1922.

Complainants introduce in evidence certified copy of Warranty Deed from G. R. Suarez and wife to W. E. Baldwin and Phillipine Baldwin, dated March 11, 1922, and recorded in Deed Book No. 42 at pages 244-5, Baldwin County, Alabama, records, and ask that it be identified as Exhibit 1 to the testimony of this witness.

Immediately after the Baldwin purchased the property they moved on it, where they resided until Mrs. Phillipine Baldwin died intestate during the month of June, 1930. Mr. W. E. Baldwin continued to reside on the property and lived on it up to the time of his death, which was in the month of July, 1939. After the death of Mrs. Phillipine Baldwin and before the death of W. E. Baldwin, he remarried and left surviving him his widow, Hildur P. Baldwin. After the death of W. E. Baldwin, the part of the property that is involved in this suit, which is situated in the William Kee Grant, was in the possession of Hildur P. Baldwin until she sold the property to the Complainants in this suit during the month of June, 1942.

Complainants introduce in evidence original deed from Hildur P. Baldwin, a widow, to D. H. Fleischer and Anna K. Fleischer dated June 16, 1942 and recorded in Deed Book 77 at page 454, Baldwin County, Alabama records and ask that it be identified as Exhibit 2 to the testimony of this witness.

D. H. Fleischer and Anna K. Fleischer remained in the possession of the said property continuously from the time they purchased it up to this date.

The part of the property involved in this suit, which is situated in the Samuel Suarez Spanish Grant, was owned and claimed by L. Walker, who was in possession of the said property when I first knew it. He remained in possession of that part of the property until he sold it to W. E. Baldwin in April, 1922.

Complainants introduce in evidence a certified copy of the deed from L. Walker and wife to W. E. Baldwin, dated April 3, 1922 and recorded in Deed Book No. 32 N. S. at pages 156-7, Baldwin County, Alabama Records and ask that it be identified as Exhibit 3 to the testimony of this witness.

Mr. W. E. Baldwin took possession of this tract of land and remained in the actual, open, notorious, hostile, exclusive, continuous and peaceable possession of it up to the time of his death in 1939. After his death it was in possession of his widow, Hildur P. Baldwin, up to the time that it was sold to the Complainants in this suit and conveyed by the above described deed and the

Complainants were in the actual, quiet and peaceable possession of the said property from the time they purchased it up to the time this suit was filed and up to this date. During all of the time that I have known all of the said property, it has been in the possession of the above named parties in the order outlined above and their title has not been disputed or their possession interfered with during all of the time that I have known the property, which has been for much over thirty years.

I know that Mrs. Phillipine Baldwin did not have any children and insofar as I know, her only heir was her husband, W. E. Baldwin.

For the purpose of showing the heirs of the said W. E. Baldwin, who was also known as William E. Baldwin, Complainants introduce in evidence a certified copy of the Petition for Letters of Administration, filed by Hildur P. Baldwin in the Probate Court of Baldwin County, Alabama and ask that it be identified as Exhibit 4 to the testimony of this witness.

The Complainants in this suit were in the undisputed, actual and peaceable possession of all of the property involved in this suit at the time it was filed and have remained in the actual undisputed possession of the said property up to this date. During all of this time the Complainants have claimed to own the property and their claim of ownership or right to possession has not been disputed in any way.

D. O. Ballaroy

CROSS EXAMINATION BY HONORABLE W. H. HAWKINS, GUARDIAN AD LITEM:
NONE.

TESTIMONY OF D. L. LONG

My name is D. L. Long. I am 58 years of age and a resident of Monroe County, Alabama, but spend a good part of my time near Orange Beach in Baldwin County, Alabama, where I have a home. This home is situated within 300 feet of the lands involved in this suit.

I have known the property and the parties who were in possession of it for a little over seven years. I knew the property during the life time of William E. Baldwin, who was also known as W. E. Baldwin, and have known it continuously since the date of his death. All of the property involved in this suit was in the actual possession of W. E. Baldwin until the date of his death. After his death it was in the actual, peaceable possession of his widow, Hildur P. Baldwin, who claimed to own it until she sold it to the Complainants in this suit. It was in the actual, quiet and peaceable possession of the Complainants in this suit from the time they purchased it in 1942 up to the date of this suit, that is, the date this suit was filed, which was on May 15, 1945 and, in fact, up to this date, during all of which time they claimed to own it.

The property that is involved in this suit, which is situated nearest my property, has a small lake thereon and several years ago I received permission from the Complainants to put a boat in this lake and maintain the boat there, which I have done continuously up to this time. I have, in a sense, acted as a caretaker for that part of the property which is nearest me in return for their allowing me to keep my boat in this lake. During all of the time that I have known the said property, I have never heard of any claim being made to it by any person other than William E. Baldwin, who is also known as W. E. Baldwin, Hildur P. Baldwin and the Complainants in this suit and during all of the time that I have known the property no one, other than these parties, have been in the possession of any part of the property or claimed it or had any interest therein.

The part of the property that is situated in the William Kee Grant is under fence and has buildings thereon. The part of the property that is involved in this suit that is situated in the Samuel Suarez Grant has been under fence for many years, but this fence is not now in a good state of repair.

The Complainants were in the actual, visible, quiet and undisputed possession of all of the property involved in this suit at the time this suit was filed and they have continuously remained in possession of the said property up to this date, during all of which time they have claimed to own it.



CROSS EXAMINATION BY HONORABLE W. H. HAWKINS, GUARDIAN AD LITEM, NONE.

TESTIMONY OF R. S. DUCK

My name is R. S. Duck. I am over twenty-one years of age and a resident of Baldwin County, Alabama. I am Clerk of the Circuit Court of Baldwin County, Alabama and Register of the Circuit Court of Baldwin County, Alabama, in Equity.

No suit is pending to enforce or test the validity of the title to, interest in, lien or other encumbrance on all of the lands involved in this suit, which the Respondents named in this suit claim, or are reputed to claim, except, of course, this pending case.

R. S. Duck

CROSS EXAMINATION BY HONORABLE W. H. HAWKINS, GUARDIAN AD LITEM:
NONE.

Complainants introduce in evidence the Original Verified Bill of Complaint that has been filed in this cause and ask that it be identified as Complainants' Exhibit 5.

Complainants introduce in evidence an Original Deed or Release from Fred S. Baldwin and Edna O. Morgan, dated December 29, 1939, which has not been recorded, and ask that it be identified as Complainants' Exhibit 6.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

D. H. FLEISCHER and ANNA K. FLEISCHER ComplainantS

THE UNKNOWN HEIRS OF PHILLIPINE BALDWIN,
et als, Respondent S

I, Minnie Lee Brown

as Register and Commissioner

have called and caused to come before me D. O. Calloway, D. L. Long and R. S. Duck

witness es named in the Requirement for Oral Examination, on the 31st day of July
1945, at the office of in Orange Beach

XX, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said witnesses
doth depose and say as follows:

ORAL EXAMINATION.

I, MINNIE LEE BROWN, as ~~XXXXXXXX~~ Commissioner hereby certify that the foregoing deposition ~~S~~ on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself, J. B. Blackburn and W. H. Hawkins at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

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

Given under my hand and seal, this 31st day of July, 1945.

Minnie Lee Brown (L.S.)

NO. 1337 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

D. H. FLEISCHER and ANNA K.

FLEISCHER,

vs. Complainants

THE UNKNOWN HEIRS OF PHILLIP

INE BALDWIN, et als,

Respondents

Oral Deposition

Filed August 1, 1945

J. B. Blackburn, Register.

Recorded in

Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO MINNIE LEE BROWN

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 D. O. Calloway, D. L. Long and R. S. Duck

as witnesses in behalf of Complainants in a cause pending in our Circuit Court of Baldwin County, of said State, wherein D. H. Fleischer and Anna K. Fleischer

Complainant^S

and The unknown heirs of Phillipine Baldwin, et als

Defendant^S

on oath to be by you administered, upon the said witnesses 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 31st day of July, 1945.



REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

no. 1337

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

D. H. FLEISCHER and ANNA K.

FLEISCHER,

Complainant S

VS.

THE UNKNOWN HEIRS OF PHILLIPINE

BALDWIN, et als,

Defendant S

Commission To Take Deposition

COMMISSIONER:

Witnesses:

*delivery cannot be made
to addressee in person*

After Five Days Return To
R. S. DUCK
CLERK CIRCUIT COURT, BALDWIN COUNTY
Bay Minette, Ala.



FOR DELIVERY ONLY TO THE PERSON TO WHOM ADDRESSED

*not at home
notice left 5-18-45*

Return Receipt Requested
unclaimed

Deliver to Addressee Only

~~Mr. Fred S. Baldwin
902 Dawes Avenue
Wheaton, Illinois~~

REGISTERED
NO. 1837

REGISTERED: RETURN RECEIPT REQUESTED:

not called for

RETURNED TO
UNWRITER
REASON CHECKED
Unclaimed Refused
Unknown
For better address
Inmate; List in
the post office

WHEATON
MAY 22
1945
ILL.

BAY MINETTE
MAY 18
1945
ALA.

WHEATON
MAY 21
1945
ILL.

BAY MINETTE
MAY 24
1945
ALA.

BAY MINETTE
MAY 15
1945
ALA.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Deliver to Addressee Only

1 _____
(Signature or name of addressee)

2 *Mrs. G. S. Baldwin* _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE, above)

Date of delivery *5-18*, 194*5*

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



POSTMARK OF DELIVERING
OFFICE

Return to R. S. Duck
(NAME OF SENDER)

Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No. 1838
INSURED PARCEL

Post Office Bay Minette, Ala.

700 5.21.45
State Ala.
Palmer

16-12421

RECEIPT FOR REGISTERED ARTICLE No.

20 fee paid. 1st class postage paid. 5-15, 1945

Declared value, \$ papers Surcharge paid, \$

From P S Duck (Sender)

Addressed to Bay Minette Ala (Post office and State)

Chicago Ill (Address)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee 4 (in person) Special delivery fee Postmaster, per

Delivery restricted to addressee Fee paid 20



RECEIPT FOR REGISTERED ARTICLE No.

20 fee paid. 1st class postage paid. 5-15, 1945

Declared value, \$ papers Surcharge paid, \$

From P S Duck (Sender)

Addressed to Bay Minette Ala (Post office and State)

907 Fred S B... (Address)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee 4 (in person) Special delivery fee Postmaster, per

Delivery restricted to addressee Fee paid 20



RECEIPT FOR REGISTERED ARTICLE No.

20 fee paid. 1st class postage paid. 5-15, 1945

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From P S Duck (Sender)

Addressed to Bay Minette Ala (Post office and State)

907 Fred S B... (Address)

Accepting employee will place initials in space below, indicating restricted delivery

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Delivery restricted to addressee Fee paid 20



RECEIPT FOR REGISTERED ARTICLE No.

20 fee paid. 1st class postage paid. 5-15, 1945

Declared value, \$ papers Surcharge paid, \$

From Mrs Fred S B... (Sender)

Addressed to P S Duck (Address)

Bay Minette Ala (Post office and State)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee 4 (in person) Special delivery fee Postmaster, per

Delivery restricted to addressee Fee paid 20



After Five Days Return To
R. S. DUCK
CLERK CIRCUIT COURT, BALDWIN COUNTY
Bay Minette, Ala.

5
23
Directory



FOR DELIVERY ONLY TO THE PERSON TO WHOM ADDRESSED

INSUFFICIENT ADDRESS

REGISTERED
NO. 1835

RETURN TO WRITER.
Deliver to Addressee Only

Return Receipt Requested

Mrs. Edna O. Morgan
Chicago, Illinois

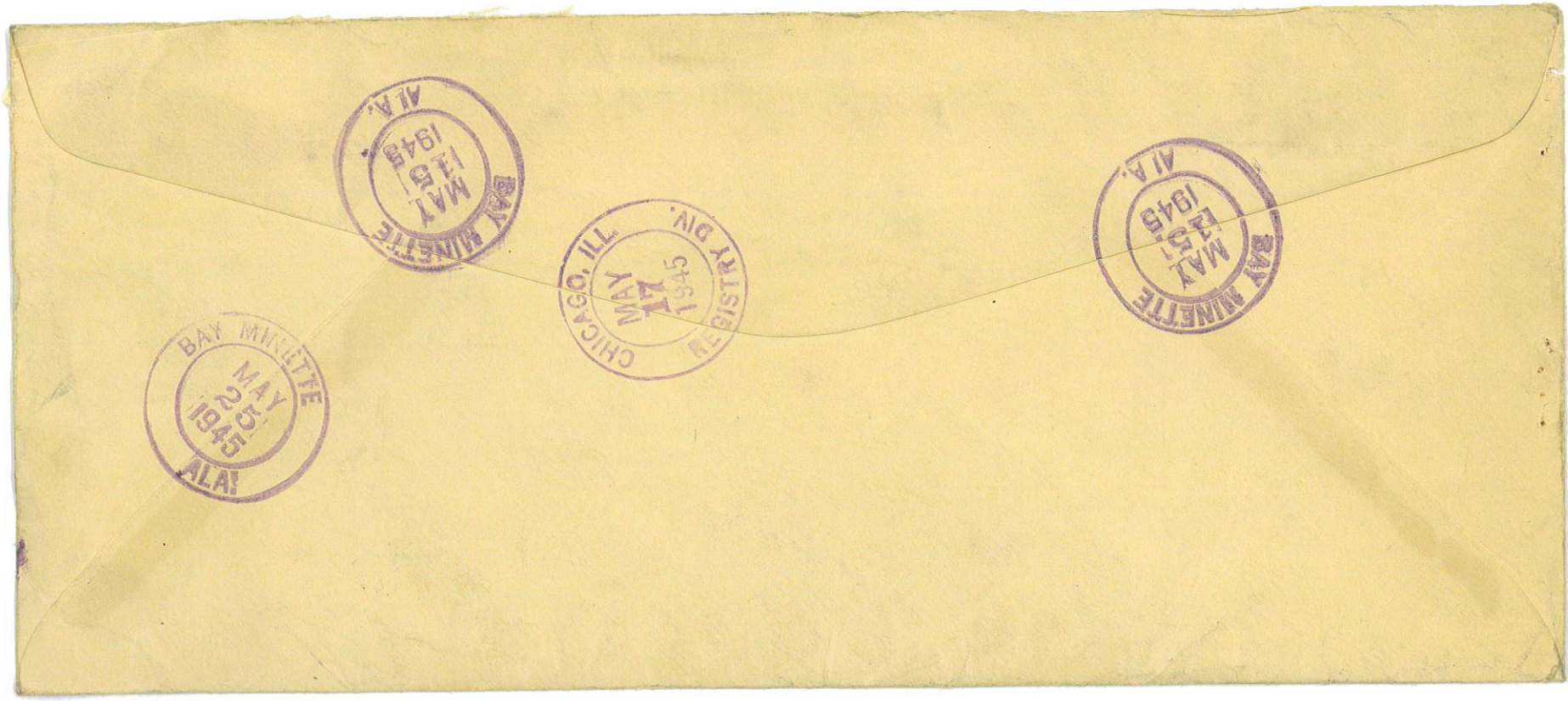
RETURN RECEIPT REQUESTED
SHOWING ADDRESS
WHERE DELIVERED.

REGISTERED: RETURN RECEIPT REQUESTED:

RETURN TO WRITER

Deliver to Addressee Only

NOTICE SENT
MAY 17 1945



BAY MINETTE
ALA.
MAY 13
1945

BAY MINETTE
ALA.
MAY 13
1945

CHICAGO, ILL.
REGISTRY DIV.
MAY 14
1945

BAY MINETTE
ALA.
MAY 13
1945

ORDER OF PUBLICATION

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF
PHILLIPINE BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

It being made to appear in this cause from the affidavit of the Complainants that the heirs of Phillipine Baldwin, Deceased, also known as Phillipiana Baldwin and Philipinea Baldwin, who at one time owned an interest in a part of the property involved in this proceeding, are unknown to the Complainants and cannot be ascertained on diligent inquiry. That they have made diligent inquiry to ascertain the same and that their residence as affiants believe is not in the State of Alabama; that Fred S. Baldwin and Mrs. Fred S. Baldwin are each non-residents of the State of Alabama, each over twenty-one years of age whose place of residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; that Edna C. Morgan is a non-resident of the State of Alabama, is over twenty-one years of age, whose residence and post office address is Chicago, Illinois but is otherwise unknown to Complainant affiants and cannot be ascertained after diligent inquiry to ascertain the same.

IT IS NOW THEREFORE, ORDERED, ADJUDGED AND DECREED that the unknown heirs of Phillipine Baldwin, also known as Phillipiana Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna C. Morgan appear in this Court and demur, plead to or answer the Bill of Complaint in this cause before the 20th day of June, 1945, lest on their having failed so to do at the expiration of thirty days from the said date a Decree Pro Confesso will be taken against each of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court have this order published with as little delay as may be in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama once a week for four consecutive weeks and further that within twenty days from the making of this order he post a copy hereof at the front door of the Court House in Baldwin County, Alabama, and send copies hereof to Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan to their aforesaid places of residence.

ORDERED, ADJUDGED AND DECREED this 15th day of May, 1945.

E. E. DUCK, Register of the Circuit Court of Baldwin County, Alabama in Equity.

J. B. BLACKBURN,
Solicitor for Complainants.

SUMMONS

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Fred S. Baldwin, Mrs. Fred S. Baldwin and Mrs. Edna O. Morgan to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, and then and there demur, plead to or answer the Bill of Complaint filed against them by D. H. Fleischer and Anna K. Fleischer.

Witness my hand this 15th day of May, 1945.



As Register of the Circuit Court of
Baldwin County, Alabama in Equity.

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

Your Orators, D. H. Fleischer and Anna K. Fleischer, present this Bill of Complaint against the unknown heirs of Phillipine Baldwin, also known as Phillipina Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan, and thereupon your Orators complain and show unto the Court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and residents of Pensacola, Florida. The heirs of Phillipine Baldwin, also known as Phillipinea Baldwin and Philipinea Baldwin/^{Deceased,} are unknown; your Orators have made diligent inquiry to ascertain the same and their residence as your Orators believe is not in the State of Alabama. Fred S. Baldwin and Mrs. Fred S. Baldwin are non-residents of the State of Alabama; are each over twenty-one years of age, whose residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; Edna O. Morgan is over twenty-one years of age, is a non-resident of the State of Alabama whose residence and post office address is Chicago, Illinois but is otherwise unknown to your Orators and cannot be ascertained after diligent inquiry to ascertain the same.

2. Your Orators claim to own and are in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point or place of beginning, containing 12 $\frac{1}{2}$ acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

EXCEPTION NO. 1: Starting at a point 611 feet West of a stake marking the dividing line between the Suarez and Kee Grants; thence South 600 feet; thence due West 360 feet to a stake; thence North to Bay LaLaunch; thence along Bay LaLaunch Eastwardly to starting point, being a part of Section 36, Township 8 South Range 5 East and the property conveyed by W. E. Baldwin, a Widower, to W. E. Hawkins and A. H. Crovatt by deed dated August 1, 1931 and recorded in Deed Book 51 N.S. at page 205, Baldwin County, Alabama Records.

EXCEPTION NO. 2: Begin at the Southeast Corner of the Fractional Southwest Quarter of Regular Government Section 35, Township 8 South Range 5 East, and run thence West 1457 feet to starting point; thence West 100 feet to a stake; thence North 25 degrees West 310 feet to Bay LaLaunch; thence Northeastwardly along Bay 150 feet to a stake; thence South 401 feet to the point of beginning; being a tract of land now or formerly owned by Emanuel S. Baldwin.

3. The Respondents claim or are reputed to claim some right, title or interest in or encumbrance upon the said lands; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance upon the said lands and your Orators present this Bill of Complaint against the said Respondents to settle the title to the said lands and to clear up all doubts and disputes concerning the same. Your Orators here and now call upon the said Respondents to set forth and specify their right, title or interest in, lien or encumbrance on the said lands or any part thereof and how and by what instrument the same is derived and created.

PRAYER FOR PROCESE

Your Orators pray that the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them.

PRAYER FOR RELIEF

Your Orators further pray that upon a final hearing of this cause the Court will make and enter a proper decree against the

said Respondents and each of them, quieting your Orators' title to the said lands, adjudging and decreeing that your Orators are the owners thereof in their own right; that title thereto is in them, forever quieting their title against the said Respondents, adjudging and decreeing that the said Respondents and each of them are without right, title or interest in the said lands and have and hold no encumbrance thereon. Your Orators further pray for such other, further and general relief as they may be equitably entitled to the premises considered.

J. B. Blackburn
Solicitor for Complainants.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared D. H. Fleischer and Anna K. Fleischer, who, after being by me first duly and legally sworn, do each depose and say: That the heirs of Phillipine Baldwin, also known as Philippina Baldwin and Philipinea Baldwin are unknown to affiants and cannot be ascertained on diligent inquiry; that they have made diligent inquiry to ascertain the same and that their residence, as affiants believe, is not in the State of Alabama.

Affiants further depose and say that they have each read over the foregoing Bill of Complaint and that each and all of the allegations contained therein are true.

D. H. Fleischer
Anna K. Fleischer

Sworn to and subscribed before me on this the 14 day of May, 1945.

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

Circuit Clerk
EDWIN COUNTY
MINETTE, ALA.

DIRECTORY SERVICE
HAS BEEN GIVEN
CHICAGO, ILL. (10)

Edna O. Morgan
Chicago, Illinois

INSUFFICIENT ADDRESS
Returned to Writer
Unclaimed from
Chicago, Ill. (D.B.)
DO NOT REMAIN IN THIS ENVELOPE OR WRAPPER

MINETTE
JUN 8
18 PM
1945
ALA.



EDWIN
JUN 11
1945

After Five Days Return To
R. S. DUCK
CLERK CIRCUIT COURT, BALDWIN COUNTY
Bay Minette, Ala.

Deliver to Addressee Only



FOR DELIVERY ONLY TO THE PERSON TO WHOM ADDRESSED

Return Receipt Requested

md at
RETURNED TO
Mrs. ~~Edith~~ Morgan
C/o Mr. Fred S. Baldwin
902 ~~Lawes~~ Avenue
Wheaton, Illinois
Unclassified
Unknown
Refused
For better address
Moved, Left no address
Such notice to return

REGISTERED
NO. 1836

REGISTERED: RETURN RECEIPT REQUESTED

address unknown



W. R. STUART
PROBATE JUDGE

No. 739

Received of R. S. Duck Bay Minette, Ala., 5/15, 1945

No.	Deed Tax	Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.
<u>Lisa Sanders</u>							
<u>D. H. Fleischer et ux -</u>							
<u>1/3</u>							
<u>Unknown heirs of Phillip</u>							
<u>Barrow et al</u>					<u>90</u>	<u>90</u>	

FOR RECORD

TOTAL \$.....
W. R. Stuart
Judge of Probate.

Table of Receipts

Handwritten notes in blue ink, possibly a signature or date.

КНИЖКА

№	Дата	Содержание	Доступ		Списание		Итого
			Сумма	Вид	Сумма	Вид	
			40		47		
			47		47		
			47		47		
			47		47		
			40				
			<u>228</u>				

Handwritten notes in blue ink, possibly a signature or date.

Received of

Handwritten signature

№ 128

Без Преплаты

БЮРО

М. В. СЛОНОВ

1912

Handwritten signature

ORDER OF PUBLICATION

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF
PHILLIPINE BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

It being made to appear in this cause from the affidavit of the Complainants that the heirs of Phillipine Baldwin, Deceased, also known as Phillipiana Baldwin and Philipinea Baldwin, who at one time owned an interest in a part of the property involved in this proceeding, are unknown to the Complainants and cannot be ascertained on diligent inquiry. That they have made diligent inquiry to ascertain the same and that their residence as affiants believe is not in the State of Alabama; that Fred S. Baldwin and Mrs. Fred S. Baldwin are each non-residents of the State of Alabama, each over twenty-one years of age whose place of residence and post office address is 902 Duwess Avenue, Wheaton, Illinois; that Edna O. Morgan is a non-resident of the State of Alabama, is over twenty-one years of age, whose residence and post office address is Chicago, Illinois but is otherwise unknown to Complainant affiants and cannot be ascertained after diligent inquiry to ascertain the same.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the unknown heirs of Phillipine Baldwin, also known as Phillipiana Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan appear in this Court and occur, plead to or answer the Bill of Complaint in this cause before the 25th day of June, 1945, lest on their having failed so to do at the expiration of thirty days from the said date a Decree Pro Confesso will be taken against each of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court have this order published with as little delay as may be in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama once a week for four consecutive weeks and further that within twenty days from the making of this order he post a copy hereof at the front door of the Court House in Baldwin County, Alabama, and send copies hereof to Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan to their aforesaid places of residence.

ORDERED, ADJUDGED AND DECREED this 15th day of May,
1945.

R. S. DUCK, Register of the Circuit
Court of Baldwin County, Alabama in
Equity.

J. E. BLACKBURN,
Solicitor for Complainants.

In The Matter of The Estate
of
WILLIAM E. BALDWIN, DECEASED

In the Probate Court of
Baldwin County, Alabama,
Petition for Letters.

To the Honorable G.W.Robertson, Judge of Probate for Baldwin County:

Your petitioner Hildur P. Baldwin, a resident of this State and over the age of twenty-one years, respectfully represents that William E. Baldwin departed this life intestate on the 31st day of July, 1939, leaving property in this State of about the value of Five Hundred and 00/100 (\$500.00) dollars; that the said William E. Baldwin was an inhabitant of this county at the time of his death.

That your petitioner is the widow of said deceased.

That the heirs and distributees of the estate of said deceased, as your petitioner is advised and believes, are as follows:

Your petitioner, Hildur P. Baldwin.

Mrs. Edna Morgan, a married woman of full age, whose address is 438 South Lombard Avenue, Oak Park, Illinois, a sister of said deceased.

Fred S. Baldwin, of full age, whose address is 438 South Lombard Avenue, a brother of said deceased.

Wherefore your petitioner prays that letters of administration upon the estate be granted to her according to law upon her giving the requisite bond and security.

HILDUR P. BALDWIN

Subscribed in my presence and sworn before me this 7th day of May, 1941.

(Seal)

DOROTHY WEINSHEIM,
Notary Public.

Filed in office of Judge of Probate Court, Baldwin Co., Ala.,
May 20, 1941.

G.W.Robertson, Judge of Probate,
By J.L.Kessler, clk.

THE STATE OF ALABAMA, |
BALDWIN COUNTY. | SS.

I, W.R.Stuart, Judge of the Probate Court and Custodian of the Records and Files of the same, in and for said Baldwin County, State of Alabama, do hereby certify that the above and foregoing is a true, correct and complete copy of the Petition of Hildur P. Baldwin for appointment of Administratrix of the estate of WILLIAM E. BALDWIN, Deceased, as the same appears from the files and records of said Court.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, at Bay Minette, in said county, this the 21st day of July, A.D., 1945.


Judge of Probate.



DEED WITH WARRANTY.

This Deed made the 3rd day of April, 1922, between L. Walker and his wife Mary F. Walker of the first part and W.E. Baldwin of the second part,

Witnesseth, That the partys of the first part, in consideration of Fifty Dollars, to them in hand paid by the party of the second part the receipt of which is hereby acknowledged, has bargained and sold, and by these presents do grant, bargain, sell, convey and deliver unto the said party of the second part his heirs and assigns, forever, all that real property in Baldwin county, Alabama, described as follows, to-wit: Starting at a state on Bay LaLaunch, running Seven hundred and thirty-five (735) feet in a Southerly direction on a line dividing the land of L. Walker and G.R.Suarez to a stake. Thence in an Easterly direction seven hundred and thirty five (735) feet to a stake, thence in a northerly direction seven and thirty five (735) feet to a stake on Bay LaLaunch, thence in westerly direction seven hundred and thirty five (735) feet along Bay Shore to the place of Beginning and all in Sec. thirty-five (35). Same being part of Grant Sec. thirty-six (36) township Eight (8) South, Range Five (5) east. Same containing twelve and one-fourth (12 $\frac{1}{4}$) acres.

Together with all appurtenances thereunto belonging, to have and to hold forever and against any person lawfully claiming the same, said part of the first part shall ever warrant and defend.

In witness whereof, the partys of the first part ha hereunto set they hand and seal the day and year first above written.

L. WALKER (Seal)
Mary F. Walker (Seal)

Signed, sealed and delivered in the presence of W.A.Suarez,
Mrs.M.M.Suarez

(50¢ U.S.I.R.stamp attached.)

State of Alabama,
Baldwin county.

I, G.R.Suarez, Justice of Piece in and for said county and State, hereby certify that L. Walker whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance did executed the same voluntarily on the day the same bears date.

Given under my hand this 3 day of April, 1922.

(Seal)

G.R.Suarez, Justice of Piece

State of Alabama, |
Baldwin County. |

I, G.R.Suarez, Justice of Piece in and for said county and State, do hereby certify that on the 3 day of April, 1922, came before me the within named Mary F. Walker, known to me to be the wife of the within named L. Walker, who being examined, separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of her husband.

In witness whereof, I hereunto set my hand this 3 day of April, 1922.

G.R.Suarez, Justice of Piece

Filed for record May 9th, 1922 at 1 PM
Recorded May 17th, 1922.

Jas M. Voltz, Judge of Probate.

THE STATE OF ALABAMA, |
BALDWIN COUNTY. | ss.

I, W.R.Stuart, Judge of the Probate Court and Custodian of the Records and files of the same, in and for said Baldwin County, State of Alabama, do hereby certify that the above and foregoing is a true, correct and complete copy of an Instrument of Writing as the same appears of record in Deed Record 32 N.S., at pages 156 and 157, now on file in the office of Judge of Probate Court, Baldwin County, Alabama.

Witness my hand and the seal of the Probate Court of Baldwin county, Alabama, this the 24th day of July, A.D., 1945.

W.R. Stuart
Judge of Probate.



DEED WITH WARRANTY.

THIS DEED made the 11th day of March, 1922, between G.R. Suarez & Mildred M. Suarez of the first part and W.E. Baldwin and Phillipine Baldwin of the second part, WITNESSETH, That the party of the first part, in consideration of One dollar and other considerations dollars, to me in hand paid by the party of the second part, the receipt of which is hereby acknowledged, ha_ bargained and sold, and by these presents does grant, bargain, sell, convey and deliver unto the said party of the second part, heirs and assigns forever, all that real property in Baldwin County, Alabama, described as follows, to-wit: The fractional Southwest quarter SW $\frac{1}{4}$ of Section thirty-five, in Township eight (8) South, Range Five (5) also known as Spanish Grant Section thirty-six (36), containing forty acres, more or less.

TOGETHER with all appurtenances thereunto belonging, to have and to hold forever and against any person lawfully claiming the same, said part_ of the first part shall ever warrant and defend.

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

G.R. SUAREZ (Seal)
Mildred M. Suarez (Seal)

Signed, Sealed and Delivered
in the presence of
Claude Pettet. (2.00 of U.S.I.R, Stamps)

STATE OF ALABAMA, |
BALDWIN COUNTY. |

I, Claude Peteet, Notary Public in and for said county and State, hereby certify that G.R. Suarez & wife, Mildred M. Suarez, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11 day of March, 1922.

(Seal)

CLAUDE PETEET,
Notary Public, Baldwin County, Ala.
My commission expires November
12th, 1923.

STATE OF ALABAMA, |
BALDWIN COUNTY. |

I, Claude Peteet, Notary Public in and for said County and State, do hereby certify that on the 11 day of March, 1922, came before me the within named Mildred M. Suarez, known to me to be the wife of the within named G.R. Suarez, who being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of her husband.

In Witness Whereof, I hereunto set my hand and official seal this 11 day of March, 1922.

(Seal)

Claude Peteet, Notary Public,
Baldwin County, Ala.
My commission expires November
12th, 1923.

State of Alabama, |
Baldwin County. |

I, G.W. Humphries, Judge of Probate for said county, hereby certify that the following privilege tax has been paid on the within instrument as required by acts 1923 \$2 cts 00.

G.W. Humphries, Judge of Probate,
By J.L. Kessler, clerk.

Filed for record February 25th, 1927 at 3:00P.M.
Recorded February 26th, 1927.

G.W.Humphries, Judge of Probate.

The State of Alabama, |
Baldwin County. | SS.

I, W.R.Stuart, Judge of the Probate Court and Custodian of the Records and Files of the same, in and for said Baldwin County, State of Alabama, do hereby certify that the above and foregoing is a true, correct and complete copy of an Instrument in Writing as the same appears of record in Deed Record #42, at pages 244 and 245, now on file in the office of Judge of Probate of Baldwin County, Alabama.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, at Bay Minette, in said county, this the 23rd day of July, A.D., 1945.

W.R. Stuart
Judge of Probate.



D. H. FLEISCHER and ANNA K.
FLEISCHER,

VS.

Complainants,

THE UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 1337.

MOTION

Now come the Complainants in this cause by their Solicitor and respectfully represent that they have introduced in evidence in this cause the Original Deed from Hildur P. Baldwin to D. H. Fleischer and Anna K. Fleischer, dated June 16, 1942 and recorded in Deed Book 77 at page 454, Baldwin County, Alabama Records, which is identified as Complainants' Exhibit 2, and an Original Deed or Release from Fred S. Baldwin and Edna O. Morgan, dated December 29, 1939, which has not been recorded.

Complainants desire to withdraw these said original instruments from the file in this case and substitute therefor copies of the said instruments; Wherefore, Complainants move the Court to make and enter a proper order allowing the removal of the said instruments and the substitution of copies therefor.

Respectfully submitted,

J. B. Blackburn
Solicitor for Complainants.

ORDER

The foregoing Motion having been presented on this date and considered by the Court, it is ordered that the Complainants shall be and they are hereby permitted to withdraw from the file in this case the two original instruments described in the foregoing Motion.

Dated this 3rd day of August, 1945.

J. W. Hare
Judge.

MOTION AND ORDER

D. H. FLEISCHER and ANNA K. FLEISCHER,

Complainants,
VS.

THE UNKNOWN HEIRS OF PHILLIPINE BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 1337.

FILED
CLERK OF COURT

APR 10 1937

[Handwritten signature]

1937

D. H. FLEISCHER and ANNA K.
FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 1337.

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on behalf of the Complainants upon the Original Verified Bill of Complaint, Order of Publication, Proof of Publication, Register's Certificate as to service, Motion for Decrees Pro Confesso, Decrees Pro Confesso against the Respondents, Motion for Appointment of Guardian Ad Litem, Order Appointing Guardian Ad Litem, Notice of Appointment, Acceptance and Answer of Guardian Ad Litem, Requirement of oral examination of witnesses and notice thereof and the testimony as noted by the Register, from all of which it appears to the Court that the Complainants were, at the time of the filing of this suit, in the actual, peaceable possession of the lands described in the Bill of Complaint, which are the lands hereinafter described under claim of ownership, and that no suit is pending to enforce or test the title to the said property and further that the Complainants are entitled to the relief prayed for by them in their said Bill of Complaint: Whereupon, it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The Complainants, D. H. Fleischer and Anna K. Fleischer are as against the Respondents, the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin; Mrs. Fred S. Baldwin and Edna O. Morgan, the true and lawful owners in their own right of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point of place of beginning, containing 12 $\frac{1}{4}$ acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

EXCEPTION NO. 1: Starting at a point 611 feet West of a stake marking the dividing line between the Suarez and Kee Grants; thence South 600 feet; thence due West 360 feet to a stake; thence North to Bay LaLaunch; thence along Bay LaLaunch Eastwardly to starting point, being a part of Section 36, Township 8 South Range 5 East and the property conveyed by W. E. Baldwin, a Widower, to W. H. Hawkins and A. H. Crovatt by deed dated August 1, 1931 and recorded in Deed Book 51 N. S. at page 203, Baldwin County, Alabama Records.

EXCEPTION NO. 2: Begin at the Southeast Corner of the Fractional Southwest Quarter of Regular Government Section 35, Township 8 South Range 5 East, and run thence West 1457 feet to starting point; thence West 100 feet to a stake; thence North 25 degrees West 310 feet to Bay LaLaunch; thence North-eastwardly along Bay 130 feet to a stake; thence South 401 feet to the point of beginning; being a tract of land now or formerly owned by Emanuel S. Baldwin.

2. Title to the said land is in the said D. H. Fleischer and Anna K. Fleischer and their title thereto is forever quieted against the respondents, the unknown heirs of Phillipine Baldwin, also known as Phillipienna Baldwin and Philipinea Baldwin; Fred S. Baldwin; Mrs. Fred S. Baldwin and Edna O. Morgan and the said Respondents, and each of them, are without any right, title or interest in the said lands or any part thereof and have and hold no encumbrance on the said property or any part thereof or any interest therein.

3. The Register of this Court shall, within thirty days from the rendition of this decree, file a certified transcript hereof for record in the office of the Probate Judge of Baldwin County, Alabama and tax the expenses thereof as a part of the costs of this suit.

4. The costs of this proceeding are hereby taxed against the Complainants, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 3rd day of August, 1945.



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

D. H. FLEISCHER and ANNA
K. FLEISCHER,

VS.

Complainants,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

THE UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

IN EQUITY. NO. 1337.

Respondents.

NOTE OF TESTIMONY

This cause is submitted for final decree on behalf of the
Complainants upon the following:

1. Original verified Bill of Complaint.
2. Order of Publication.
3. Proof of Publication.
4. Register's Certificate as to service.
5. Motion for Decrees Pro Confesso.
6. Decrees Pro Confesso against Respondents.
7. Motion for Appointment of Guardian Ad Litem.
8. Order appointing Guardian Ad Litem.
9. Notice of appointment, acceptance and answer of
Guardian Ad Litem.
10. Notice of requirement of oral examination of witnesses
and notice thereof.
11. Order Appointing Commissioner.
12. Oral depositions of D. O. Calloway, D. L. Long and
R. S. Duck, taken before Minnie Lee Brown, as Com-
missioner. Complainants' Exhibits 1 to 6, both in-
clusive.

Dated this 1st day of August, 1945.

R. S. Duck
Register.

J. B. Blackburn
Solicitor for Complainants.

NOTE OF TESTIMONY

D. H. FLEISCHER and ANNA K.
FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 1337.

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1337.


MOTION FOR APPOINTMENT OF GUARDIAN AD LITEM
TO R. S. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

Now come the Complainants in this cause by their solicitor and respectfully represent unto the Court and your Honor that this suit has been filed against the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin and other parties and that if their are heirs of the said Phillipine Baldwin, also known as Philipiiena Baldwin and Philipinea Baldwin, it is possible that some of them are minors or that some of them are in the military service.

Complainants further represent that if any of the said Respondents are minors or in the military service their interest in this cause can be properly protected and they can be properly represented by a guardian ad litem to be appointed for them by this Court.

WHEREFORE, Complainants move the Court to appoint a guardian ad litem to represent any and all of the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin, who are minors or who are in the military service.

Respectfully submitted,


Solicitor for Complainants.

RECORDED

MOTION FOR APPOINTMENT OF
GUARDIAN AD LITEM.

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainant,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1337.

Filed July 25, 1945

*R. DeLoach
Registrar*

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1337.

ORDER APPOINTING GUARDIAN AD LITEM

In this cause it being made to appear to the Register that this suit has been filed against various Respondents, some of which are the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin, and that the Complainants have filed a motion in this cause requesting appointment of a Guardian Ad Litem to represent any of the said unknown heirs which may be minors or in the military service.

It further appearing to the Register that the attorney hereinafter named is not of kin or counsel to any of the parties to this suit or in any way interested in the results thereof, and is in all respects qualified to act as Guardian Ad Litem for any of the said unknown heirs who are minors or in the military service:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Register that W.H.Hawkins be, and he is hereby appointed as Guardian Ad Litem to represent any of the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin who are minors or in the military service.

Dated this 26th day of July, 1945.



Register.

RECORDED

ORDER APPOINTING GUARDIAN AD
LITTA.

D. H. FLEISCHER AND ANNA K.
FLEISCHER,

Complainants,

VS.

UNKNOWN HEIRS OF PHILLIPINE
BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1337.

ORDER OF PUBLICATION

D. E. FLEISCHER AND
ANNA E. FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF
PHILIPPINE BALDWIN, et al.,

Respondents.

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

It being made to appear in this cause from the affidavit of the Complainants that the heirs of Philippine Baldwin, Deceased, also known as Phillippiana Baldwin and Philipina Baldwin, who at one time owned an interest in a part of the property involved in this proceeding, are unknown to the Complainants and cannot be ascertained on diligent inquiry. That they have made diligent inquiry to ascertain the same and that their residence as affiants believe is not in the State of Alabama; that Fred S. Baldwin and Mrs. Fred S. Baldwin are each non-residents of the State of Alabama, each over twenty-one years of age whose place of residence and post office address is 302 Daves Avenue, Wheaton, Illinois; that Edna C. Morgan is a non-resident of the State of Alabama, is over twenty-one years of age, whose residence and post office address is Chicago, Illinois but is otherwise unknown to Complainant affiants and cannot be ascertained after diligent inquiry to ascertain the same.

IT IS NOW THEREFORE, ORDERED, ADJUDGED AND DECREED that the unknown heirs of Philippine Baldwin, also known as Phillippiana Baldwin and Philipina Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna C. Morgan appear in this Court and demur, plead to or answer the Bill of Complaint in this cause before the 30th day of June, 1945, lest on their having failed so to do at the expiration of thirty days from the said date a Decree Pro Confesso will be taken against each of them.

It is FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court have this order published with as little delay as may be in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama once a week for four consecutive weeks and further that within twenty days from the making of this order he post a copy hereof at the front door of the Court House in Baldwin County, Alabama, and send copies hereof to Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan to their aforesaid places of residence.

ORDERED, ADJUDGED AND DECREED this 15th day of May, 1945.

E. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama in Equity.

J. B. BLACKBURN,
Solicitor for Complainants.

SUMMONS

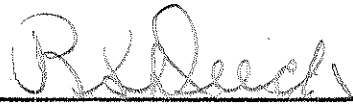
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Fred S. Baldwin, Mrs. Fred S. Baldwin and Mrs. Edna O. Morgan to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, and then and there demur, plead to or answer the Bill of Complaint filed against them by D. H. Fleischer and Anna K. Fleischer.

Witness my hand this 15th day of May, 1945.



As Register of the Circuit Court of
Baldwin County, Alabama in Equity.

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

Your Orators, D. H. Fleischer and Anna K. Fleischer, present this Bill of Complaint against the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan, and thereupon your Orators complain and show unto the Court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and residents of Pensacola, Florida. The heirs of Phillipine Baldwin, also known as Phillipinea Baldwin and Philipinea Baldwin/^{Deceased,} are unknown; your Orators have made diligent inquiry to ascertain the same and their residence as your Orators believe is not in the State of Alabama. Fred S. Baldwin and Mrs. Fred S. Baldwin are non-residents of the State of Alabama; are each over twenty-one years of age, whose residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; Edna O. Morgan is over twenty-one years of age, is a non-resident of the State of Alabama whose residence and post office address is Chicago, Illinois but is otherwise unknown to your Orators and cannot be ascertained after diligent inquiry to ascertain the same.

2. Your Orators claim to own and are in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point on the South side of Bay LaLaunch where the line dividing the William Kee Spanish Grant and the Samuel Suarez Spanish Grant in Townships 8 and 9 South Range 5 East intersects the South line of the said Bay and run thence South 735 feet to a point; thence East 735 feet to a point; thence North 735 feet more or less to a stake on the South side of Bay LaLaunch; thence Westwardly along the Bay and following the meanders thereof 735 feet more or less to the point or place of beginning, containing 12 $\frac{1}{2}$ acres, more or less.

The Fractional Southwest Quarter of regular Government Section 35, Township 8 South Range 5 East, which property is otherwise described as that part of the William Kee Spanish Grant (Grant Section 36) Township 8 South Range 5 East, which is bounded on the East by the East line of the said Grant, on the South by the Township line dividing Townships 8 and 9 South and on the North and West by Bay LaLaunch, excepting therefrom the two following described tracts of land:

EXCEPTION NO. 1: Starting at a point 611 feet West of a stake marking the dividing line between the Suarez and Kee Grants; thence South 600 feet; thence due West 360 feet to a stake; thence North to Bay LaLaunch; thence along Bay LaLaunch Eastwardly to starting point, being a part of Section 36, Township 8 South Range 5 East and the property conveyed by W. E. Baldwin, a Widower, to W. H. Hawkins and A. H. Crovatt by deed dated August 1, 1931 and recorded in Deed Book 51 N.S. at page 203, Baldwin County, Alabama Records.

EXCEPTION NO. 2: Begin at the Southeast Corner of the Fractional Southwest Quarter of Regular Government Section 35, Township 8 South Range 5 East, and run thence West 1457 feet to starting point; thence West 100 feet to a stake; thence North 25 degrees West 310 feet to Bay LaLaunch; thence Northeastwardly along Bay 130 feet to a stake; thence South 401 feet to the point of beginning; being a tract of land now or formerly owned by Emanuel S. Baldwin.

3. The Respondents claim or are reputed to claim some right, title or interest in or encumbrance upon the said lands; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance upon the said lands and your Orators present this Bill of Complaint against the said Respondents to settle the title to the said lands and to clear up all doubts and disputes concerning the same. Your Orators here and now call upon the said Respondents to set forth and specify their right, title or interest in, lien or encumbrance on the said lands or any part thereof and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS

Your Orators pray that the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them.

PRAYER FOR RELIEF

Your Orators further pray that upon a final hearing of this cause the Court will make and enter a proper decree against the

said Respondents and each of them, quieting your Orators' title to the said lands, adjudging and decreeing that your Orators are the owners thereof in their own right; that title thereto is in them, forever quieting their title against the said Respondents, adjudging and decreeing that the said Respondents and each of them are without right, title or interest in the said lands and have and hold no encumbrance thereon. Your Orators further pray for such other, further and general relief as they may be equitably entitled to the premises considered.

J. B. Blackburn
Solicitor for Complainants.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared D. H. Fleischer and Anna K. Fleischer, who, after being by me first duly and legally sworn, do each depose and say: That the heirs of Phillippine Baldwin, also known as Phillippine Baldwin and Phillippine Baldwin are unknown to affiants and cannot be ascertained on diligent inquiry; that they have made diligent inquiry to ascertain the same and that their residence, as affiants believe, is not in the State of Alabama.

Affiants further depose and say that they have each read over the foregoing Bill of Complaint and that each one of the allegations contained therein are true.

D. H. Fleischer
Anna K. Fleischer

Sworn to and subscribed before me on this the 14 day of May, 1945.

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

ORDER OF PUBLICATION

D. H. FLEISCHER AND
ANNA K. FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF
PHILLIPINE BALDWIN, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

It being made to appear in this cause from the affidavit of the Complainants that the heirs of Phillipine Baldwin, Deceased, also known as Phillipiena Baldwin and Philipinea Baldwin, who at one time owned an interest in a part of the property involved in this proceeding, are unknown to the Complainants and cannot be ascertained on diligent inquiry. That they have made diligent inquiry to ascertain the same and that their residence as affiants believe is not in the State of Alabama; that Fred S. Baldwin and Mrs. Fred S. Baldwin are each non-residents of the State of Alabama, each over twenty-one years of age whose place of residence and post office address is 902 Dawes Avenue, Wheaton, Illinois; that Edna O. Morgan is a non-resident of the State of Alabama, is over twenty-one years of age, whose residence and post office address is Chicago, Illinois but is otherwise unknown to Complainant affiants and cannot be ascertained after diligent inquiry to ascertain the same.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the unknown heirs of Phillipine Baldwin, also known as Phillipiena Baldwin and Philipinea Baldwin; Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan appear in this Court and demur, plead to or answer the Bill of Complaint in this cause before the 25th day of June, 1945, lest on their having failed so to do at the expiration of thirty days from the said date a Decree Pro Confesso will be taken against each of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court have this order published with as little delay as may be in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama once a week for four consecutive weeks and further that within twenty days from the making of this order he post a copy hereof at the front door of the Court House in Baldwin County, Alabama, and send copies hereof to Fred S. Baldwin, Mrs. Fred S. Baldwin and Edna O. Morgan to their aforesaid places of residence.

ORDERED, ADJUDGED AND DECREED this 15th day of May,
1945.

R. S. Duck

R. S. DUCK, Register of the Circuit
Court of Baldwin County, Alabama in
Equity.

J. B. BLACKBURN,
Solicitor for Complainants.

RECORDED

ORDER OF PUBLICATION

D. H. FLEISCHER and
ANNA K. FLEISCHER,

Complainants,

VS.

THE UNKNOWN HEIRS OF
PHILLIPINE BALDWIN, et als,

Respondents.

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

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