

META HUEBNER GAUGER,

Complainant,

-VS-

THE LANDS HEREIN DESCRIBED,
ET AL.

Respondants.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA

BALDWIN COUNTY.

No. 679.

CERTIFICATE BY REGISTER AS TO ISSUANCE, RECORDING AND
PUBLICATION OF NOTICE OF THE PENDENCY OF BILL OF COMPLAINT.

I, T. W. Richerson, Register of the Circuit Court-Equity Side, State of Alabama, Baldwin County, do hereby certify that in the above styled cause Notice of the Pendency of the Bill of Complaint was by me on June 20th., 1927, duly drawn and signed and was by me published once a week for four consecutive weeks in the Roberts-dale American, a newspaper having general circulation and published in the County where the lands covered by this suit lie and being the paper prescribed by the Court by an Order made in this cause on June 20th., 1927, said notice being published in the issues of July 9th., July 16th., July 23d. and July 30th., 1927.

I further certify that a copy of the said Notice, certified by me as such Register as being correct, was by me filed for record on July 5th., 1927, in the Office of the Judge of Probate of Baldwin County, Alabama, the County where said lands lie, said notice being recorded in Lis Pendens record No. 1, pages 61-2.

I further certify that said notices showed by what title complainant claims the lands described in the Bill of Complaint, and her interest therein, and in whose name the title to said lands and the interest therein sought to be established stands on the records of the Probate Court of Baldwin County, Alabama, the County where the lands lie, and who, if anyone, is known to have paid taxes upon said property or to have been in possession of said lands, or of any part thereof, within ten years next prior to the filing of the Bill of Complaint.

IN WITNESS WHEREOF, I hereunto set my hand as Register and affix the seal of the Circuit Court-Equity Side of Baldwin County, Alabama, this 11 day of October, 1928.

(affix court seal)

T. W. Richerson
As Register.

OK

8

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

To Roy L. Kranzow,

725 No. 82 W. Washington Street,

Chicago, Illinois.

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commissioners, and by these presents do authorize you, or any one or more of you, at such time and place as you may appoint, to call before you and examine Meta Huebner Gauger.

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

Meta Huebner Gauger is

Complainant

and the following described lands in Baldwin County,

Alabama:- "Lots Numbered One and Three in Oak River View, First Addition, being the Subdivision of parts of Sections 20, 29, 37 and 38, in Township 8 South, Range 4 East of St. Stephens Meridian, except 25 feet from the East end of Lot Three for Public Road; Thomas Johnson and W. L. Thompson Respondents"

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

Witness 11th day of October, 1928.

J. W. [Signature] Register.

No. 679

THE STATE OF ALABAMA,

Beekun County.

CIRCUIT COURT, IN EQUITY.

Meta Hubbard
Singer

Complainant

Jacobs Lewis

Decree of, et al

Defendant

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONERS:

Ray J. Krangue

WITNESSES:

Meta Hubbard
Singer

DIRECTIONS FOR EXAMINATION OF WITNESSES UPON INTERROGATORIES.

1. If the time and place of executing the Commission are named therein, or in a notice appended thereto, the testimony must be taken at the time and place designated; if no time and place are designated, the Commissioners will call the witness before them at such time and place as they may appoint, and administer to him an oath to speak the truth, and nothing but the truth, in answer to the interrogatories to be propounded to him. The time and place of examining witnesses should be stated in the caption of the deposition.

2. The caption and deposition should be as follows:

THE STATE OF ALABAMA,

County.

Deposition of Richard Howe, a witness sworn (or affirmed, as the case may be) on the day of 19__

at in said State and County, under and by virtue of a commission issued out of the

Court of in a certain cause therein pending between James Jones, the plaintiff (or complainant), and Samuel Young, defendant (or respondent). The said Richard Howe, being first duly sworn to speak the truth, the whole truth, and nothing but the truth, doth depose and say as follows:

To the first interrogatory he saith: (Here write the answer of the witness as nearly as may be in the language of the witness, using the first person where he uses it).

To the second direct interrogatory he saith: (Write the answer to this interrogatory, and all others, as directed above).

If there are cross or rebutting interrogatories, go through with them in the same manner, thus:

To the first cross interrogatory he saith, etc.

To the second cross interrogatory he saith, etc.

To the first rebutting interrogatory he saith, etc.

Neither party should be permitted to put to the witness, during his examination, any verbal question or suggestion; and if anything of the kind is done by either party, the Commissioner should write it down in the deposition just as it occurred.

The testimony may be written down by any one or more of the Commissioners, by the witness himself, or by any disinterested third party in the presence of the Commissioners, and be read over to the witness if he desire it, and must be subscribed by him.

3. The Commissioners must then add their certificate, as follows:

We, (or I, if only one acts), the undersigned, Commissioners in said commission named, hereby certify that we are not of counsel or of kin to any of the parties to this cause, nor in any manner interested in the result thereof; that we are personally acquainted with said witness, J. K., and know him to be the identical person named in said commission (or have had proof made before us of the personal identity of the witness, and that he is the identical person named in said commission); that he was sworn and examined as above stated; and that his evidence was taken down, as near as might be, in his own language, and was subscribed by him in our presence on the day of 19__ at the place above stated.

[L.S.]
[L.S.]
Commissioners.

If the Commissioners are not personally acquainted with the witness, they must have proof made before them that he is the identical person named in the commission, and so certify.

If the witness claims for his attendance, the Commissioners should state in their certificate the number of miles traveled, the number of days the witness attended, ferrage paid, if any, etc.

4. If any exhibits, writings, or papers are produced and used as evidence by the witness, they shall be annexed to the deposition to which they relate, and shall be identified by suitable letters or marks.

If the testimony cannot be taken in one day, the Commissioners, noting the same, may continue from day to day until completed.

5. The Commissioners will fold the depositions, commission, interrogatories, and exhibits, in a packet sealed with three seals. They will write their name or names across each seal, and direct thus:

Mailed the day of 19__

To (give name and style of Clerk, Register, or Judge of Probate, as the case may be),

Depositions of J. K. and L. M.

County, Alabama.

If sent by private conveyance, should be endorsed: "Forwarded by R. A. the day of 19__

The package must be delivered to the officer to whom it is directed. The person bringing the deposition will be required to take an oath that it has not been opened or altered since he received it.

The Commissioner must return the commission.

META HUEBNER GAUGER,

Complainant,

-vs-

THE LANDS HEREIN DESCRIBED,
ET AL.

Respondants.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA

BALDWIN COUNTY.

No. 679.

CERTIFICATE BY REGISTER AS TO ISSUANCE, RECORDING AND
PUBLICATION OF NOTICE OF THE PENDENCY OF BILL OF COMPLAINT.

I, T. W. Richerson, Register of the Circuit Court-Equity Side, State of Alabama, Baldwin County, do hereby certify that in the above styled cause Notice of the Pendency of the Bill of Complaint was by me on June 20th., 1927, duly drawn and signed and was by me published once a week for four consecutive weeks in the Roberts-dale American, a newspaper having general circulation and published in the County where the lands covered by this suit lie and being the paper prescribed by the Court by an Order made in this cause on June 20th., 1927, said notice being published in the issues of July 9th., July 16th., July 23d. and July 30th., 1927.

I further certify that a copy of the said Notice, certified by me as such Register as being correct, was by me filed for record on July 5th., 1927, in the Office of the Judge of Probate of Baldwin County, Alabama, the County where said lands lie, said notice being recorded in Lis Pendens record No. 1, pages 61-2.

I further certify that said notices showed by what title complainant claims the lands described in the Bill of Complaint, and her interest therein, and in whose name the title to said lands and the interest therein sought to be established stands on the records of the Probate Court of Baldwin County, Alabama, the County where the lands lie, and who, if anyone, is known to have paid taxes upon said property or to have been in possession of said lands, or of any part thereof, within ten years next prior to the filing of the Bill of Complaint.

IN WITNESS WHEREOF, I hereunto set my hand as Register and affix the seal of the Circuit Court-Equity Side of Baldwin County, Alabama, this 11 day of October, 1928.

(affix court seal)


As Register.

8th day of November, 1928 at Chicago, in said state and county under and by virtue of a commission issued out of the Circuit Court of Baldwin County, Alabama, in a certain cause there pending between Meta Huebner Gauger, Complainant -vs- THE FOLLOWING DESCRIBED LANDS IN BALDWIN COUNTY? ALABAMA:-Lots numbered 1 and 3 in Oak River View, First Addition, being subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South, Range 4 East of St. Stephens Meridian, except 25 feet from the East end of Lot 3 for Public Road; and Thomas Johnson and W. L. Thompson, Respondents.

The said Meta Huebner Gauger, being first duly sworn to speak the truth the whole truth and nothing but the truth, does depose and says as follows:

To the First interrogatory, she saith:

My name is Meta Huebner Gauger and I am the complainant in that certain cause now pending in the Circuit Court-Equity Side, of Baldwin County, Alabama, styled "Meta Huebner Gauger, Complainant, -vs- The Following described lands in Baldwin County, Alabama: Lots numbered 1 and 3 in Oak River View, First Addition, being a subdivision of Parts of Sections 20, 29, 37 and 38, in Township 8 South, Range 4 East of St. Stephens Meridian, except 25 feet from the East end of Lot 3 for Public Road; Thomas Johnson and W. L. Thompson, Respondents." The bill of Complaint in said cause was filed on March 10th., 1927. I am the same person as the "Meta Huebner," one of the grantees named in that certain Deed from the Sunny South Developing Co., Inc., dated October 2nd., 1922, and recorded in Deed Book 32 N.S., Page 522, in the Office of the Judge of Probate of Baldwin County, Alabama, and I am also the same person as "Meta Huebner" named in the Last Will of Herman Huebner which was admitted to Record and probate in the Probate court of Baldwin County, Alabama, on June 17, 1924.

To the Second interrogatory, she saith:

On March 10th., 1927, the date that I filed the Bill of Complaint in said cause, I was a bona fide resident of Baldwin County Alabama, was over the age of 21 years. On March 10th., 1927, I owned and claimed in my own right and was in the actual peaceable possession of the lands above described, claiming title to said lands and every part thereof absolutely and in fee simple.

To the Third interrogatory, she saith:

My title to said lands was and is derived from the persons and sources as set out in the paragraph of said bill designated as "SECOND".

TO the Fourth interrogatory, she saith:

I and those through whom I claim title as set forth in the second paragraph of said Bill of Complaint have held color of title to, claimed and have been in the actual adverse possession of all of

said lands during the whole period of ten or more consecutive years next immediately preceding March 10th., 1927, and without interruption; no other person has paid any taxes thereon or had any possession of said lands or any part thereof during said period or was, on March 10th., 1927, or is at this time, known to have claimed said lands, or any part thereof, at any time during said period.

To the Fifth Interrogatory, she saith:

The individuals named in this suit as Defendants, Thomas Johnson and W. L. Thompson, if living, were on March 10th., 1927, over the age of 21 years but I was informed and believed at the time of the filing of said Bill of Complaint, that if the said Thomas Johnson and W. L. Thompson were dead, that their heirs, devisees, personal representatives and next of kin were, on said date, over the age of 21 years and were nonresidents of the State of Alabama, or that their whereabouts were unknown and could not be ascertained after diligent inquiries made by me. I did not on said date, nor do I now, know the residences and addresses of the individual defendants named and did not on said date and do not at this time know whether they are dead; if they are dead, I did not on said date, nor do I now know the names, residences and addresses of the heirs, devisees, personal representatives and next of kin of such Defendants and these facts could not be ascertained by the exercise of diligence although I had, at the time of filing of said Bill of Complaint, been diligent in my efforts to ascertain such facts as set forth in paragraph "FOURTH" of said Bill of Complaint.

To the Sixth Interrogatory, she saith:

With respect to any mineral or oil operations I have personal knowledge that no person, firm or corporation at any time, to any extent, or in any manner has carried on any such operations on said lands, or any part thereof, since the date that I purchased same and that at no time since I purchased this property on October 2nd, 1922 has W. L. Thompson or any other persons dug, bored or mined for Petroleum Oils, Carbon Oil, gas, fire clay, rock, coal, lead, gold, silver or any other minerals and oils nor have any of such substances been found in any quantity on said lands; no oil well has been drilled on said property at any time during said period and no rentals of ten cents an acre or otherwise have been paid to me for said premises under the terms of said Thompson Mineral and Oil Lease nor has the same been deposited to my credit at any bank in Mobile, Alabama. Neither the said W. L. Thompson or any other persons have ever furnished or offered to furnish gas for heating and lighting the dwelling house on said premises. I know that neither Thomas Johnson or W. L. Thompson have asserted any title to said lands nor have they assessed or paid the taxes thereon or claimed any interest therein for more than ten years prior to March 10th., 1927.

To the Seventh Interrogatory, she saith:

Insofar as I knew on said date and as I know now, no other persons, firms or corporations, other than myself, claimed the said lands, or any part thereof, or any interest therein.

To the Eighth Interrogatory, she saith:

Prior to the filing of said Bill of Complaint I made and through my former husband, Herman Huebner, my present husband, Henry R. Gauger, and my attorneys and abstractors I caused to be made diligent searches and investigations to ascertain whether the said Thomas Johnson and W. L. Thompson were living or dead and, if living, their residences and addresses and if dead, the names and addresses

attorneys to examine the title and procured the services of abstractors and had abstracts of title made to said property and had record searches made in connection with inquiries and otherwise and on numerous occasions made inquiries of persons who might know of any facts pertaining to such matter; no one could be found who knew or had any information, nor do the records disclose any facts or information as to such matter, other than as are set out in the Bill of Complaint.

To the Ninth Interrogatory, she saith:

ON March 10th., 1927, I was in the actual, peaceable possession of said property having a home thereon in which I was living, it was all under fence and in my actual custody and under my personal control as a part of my residence there.

Upon the purchase of this property by my husband, Herman Huebner, and I on October 2nd., 1922, we immediately went into the actual possession thereof building a home and occupying same on said property and all of said property and every part thereof was under our personal, active and actual control and possession and without interruption and without anybody else claiming or being in possession of said lands or any part thereof in any manner or for any length of time; this possession continued until November 24th., 1923, when my husband died, whereupon I, as the sole owner of said property, under the said Deed from the Sunny South Developing Company, Inc. and under the Will of my husband Herman Huebner, continued in the active actual control and possession of all of said property using, occupying and living on the same as my residence all without interruption and free from any claim or possession of any other persons as to said lands or any part thereof; that possession by myself and the said Herman Huebner as joint owners from October 2nd., 1922, to the date of his death and my possession from the date of his death up until this time has been open, notorious, hostile, adverse, continuous and peaceable and no other person, firm or corporation has ever been in possession of said lands or any part thereof during said period nor have I ever heard of any other person, firm or corporation claiming to own said lands, any interest therein or any part thereof.

Meta Huebner Gauger

I, the undersigned commissioner in said commission named hereby certify that I am not of counsel or of kin to any of the parties to this cause nor in any manner interested in the result thereof; that I am personally acquainted with said witness Meta Huebner Gauger and know her to be the identical person named in said commission and that she was sworn and examined as above stated; and that her evidence was taken down as near as might be in her own language and was subscribed by her in my presence on the 8th day of November, 1928. at the place above stated.

Carl H. Gauger
COMMISSIONER

META HUEBNER GAUGER,
Complainant.

-vs-

THE FOLLOWING DESCRIBED LANDS
IN BALDWIN COUNTY, ALABAMA:-
Lots numbered 1 and 3 in Oak
River View, First Addition,
being Subdivision of parts of
Sections 20, 29, 37 and 38 in
Township 8 South, Range 4 East
of St. Stephens Meridian, except
25 feet from the East end of Lot
3 for Public Road; and Thomas Jo-
hnson and W. L. Thompson,
Respondents.

IN THE CIRCUIT COURT-EQUIPMENT SIDE

STATE OF ALABAMA.

BALDWIN COUNTY

No. 679.

INTERROGATORIES PROPOUNDED TO META HUEBNER GAUGER, THE
COMPLAINANT, AND A MATERIAL WITNESS FOR COMPLAINANT.

FIRST INTERROGATORY.

Please state your name and whether or not you are Com-
plainant in the above styled cause. Are you the same person as
the Meta Huebner named as one of the grantees in that certain Deed
from Sunny South Developing Company, Inc. dated October 2nd., 1922,
and recorded in Deed Book 32 N. S., page 522, in the office of the
Judge of Probate of Baldwin County, Alabama, and as the Meta Huebner
named in the Last Will and Testament of Herman Huebner admitted to
Record and Probate in the Probate Court of Baldwin County, Alabama,
on June 17th., 1924?

SECOND INTERROGATORY.

Please state whether or not you were over the age of
21 years and a bona fide resident of Baldwin County, Alabama, on
March 10th., 1927. On March 10th., 1927, state who owned and cla-
imed and was in the actual, peaceable possession of the lands above
described and the nature and extent of the claim of such persons
as to such lands?

THIRD INTERROGATORY.

If you state that on March 10th., 1927, you were in
possession of said lands, claiming to own same, please state how
and from what source your title to said lands was derived and
whether or not on March 10th., 1927, the date that said Bill of
Complaint was filed, any suit was pending to test your title to,
interest in or right to the possession of said lands?

FOURTH INTERROGATORY.

Please state who held color of title to, claimed and was in actual adverse possession of all of the said lands during the period of ten years next immediately preceeding March 10th., 1927. Has this claim and possession been interrupted? Has any other person than the persons just named claimed or had any possession of any of said lands or was on March 10th., 1927., known to claimed said lands or any part thereof during said period at any time?

FIFTH INTERROGATORY

Please state what information you had or could obtain as to the age, residence, whereabouts and other status or condition of the Defendants, Thomas Johnson and W. L. Thompson on March 10th., 1927.

SIXTH INTERROGATORY

Please state the nature and extent of any mineral or oil operations carried on in connection with said lands, or any part thereof by any person, firm or corporation during the time you have owned said lands. Have any rents been paid you by W. L. Thompson or any other person under any mineral or oil lease; has any person offered or furnished to you any gas, for illuminating or heating the dwelling house on said lands ? State whether or not Thomas Johnson or W. L. Thompson have asserted any title to said lands or assessed and paid taxes thereon or claimed any interest therein during said ten year period prior to March 10th., 1927.

SEVENTH INTERROGATORY

Please state whether or not you have any knowledge of any other persons, firms or corporations, other than yourself and those through whom you claim, having claimed said lands or any part thereof or any interest thereon.

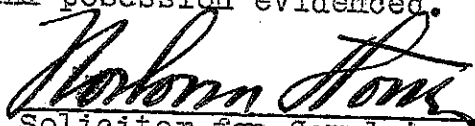
EIGHTH INTERROGATORY.

Please state what, if anything, you did or caused to be done prior to the filing of the Bill of Complaint of this cause with respect to ascertaining facts relating to and the status of Thomas Johnson and W. L. Thompson, their residences and addresses and the

names, ages and addresses of their heirs, devisees, personal representatives and next of kin. If you state that searches and investigations and inquiries were made, please state how, when and of whom same were made

NINTH INTERROGATORY.

If you state that you were in the actual peaceable possession of said property upon the filing of said Bill of Complaint please state how and in what manner you were in possession thereof and how was your claim of ownership and possession evidenced.


Solicitor for Complainant

Roy L. Kranzow, 725, No. 82. W. Washington Street, Chicago, Illinois, is suggested as a suitable person as act as Commissioner.


Solicitor for Complainant.

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity.)

Meta Huebner Gauger Complainant.

#679

vs.

Lands herein Described, et al. Respondent.

I *J W Pickerson*

as Register and Commissioner

have called and caused to come before me

Lewis Cooper

witness named in the Requirement for Oral Examination, on the 23 day of Oct

1928, at the office of

Forbner Stone Register

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Lewis Cooper, a witness for

Complainant doth depose and say as follows:

My name is Lewis Cooper. I am 43 years of age and am a resident of Baldwin County, Alabama, living at Coopers Landing on Bon Secour River, having been such a resident of Baldwin County, Alabama, for the past 43 years continuously. I know Meta Huebner Gauger, the Complainant in this case and I know that she was, on March 10, 1927, the date of the filing of the Bill of Complaint in this cause, over the age of 21 years and was a bona fide resident of Baldwin County, Alabama, residing on and in possession of the lands described in the Bill of Complaint; claiming the same in her own right.

I am personally and intimately acquainted with the lands described in said Bill of Complaint, being Lots No 1 and 3 in Oak River View, First Addition, being a subdivision of parts of Section 20, 29, 37 and 38 in Township 8 South, Range 4 East of St. Stephens Meridian, excepting 25 feet from the East end of Lot 3 for Public road, and being in Baldwin County, Alabama. I know all of the lines and corner thereof for this property is also located on Bon Secour River just about 3/4 of a mile below where I live and where I have lived for the past 43 years continuously. During all of the time that I have lived on Bon Secour River I have constantly been on, around and passed in front of said property for it is located right on the river front and a person going down the river is compelled to pass within a few yards thereof.

On March 10, 1927, the date when said Bill of Complaint was filed in this case, the Complainant, Meta Huebner Gauger, claimed said lands and every part thereof in her own right and was in the actual, peaceable possession of said lands and every part thereof. I know that she claimed the title thereto absolutely and in fee simple and that she and those through whom she claimed said property to my personal knowledge for more than 20 years and that during all of said period no other person has had possession of or was known to have claimed said lands or any part thereof.

This property is a part of the Thomas L. Johnson Grant, Section 37 in Township 8 South, Range 4 East in Baldwin County, Alabama. I was personally acquainted with J. N. Halladay on May 31st., 1915, when he purchased this property from Celina A. Fulford and R. L. Fulford her husband by Deed which is dated May 31st., 1915, and is

ORAL EXAMINATION.

I, T. W. Riccison, as Register and Commissioner hereby certify that the foregoing deposition... on Oral Examination was taken down in writing by me in the words of the witness... and read over to him and her signed the same in the presence of myself And Hon. W. C. Stone Atty for Complainant at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness... or had proof made before me of the identity of said witness...; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

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

Given under my hand and seal, this 23rd day of Oct 1928.

T. W. Riccison (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 192_____

Recorded in _____, Register.

Recorded in

_____ Record

Vol. _____ Page _____

_____, Register

of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 23 N.S. pages 261-2; upon the purchase of this land by J. N. Halladay he went into the actual and active possession thereof. Halladay moved on this property and lived there in person he took charge of the same building a home and other improvements thereon, cleared and cultivated apart of this and used it continuously as a part of his home place on Bon Secour River until October 27, 1917 when he and his wife, Carrie M. Halladay, sold part of this property to Sidney J. Blankenkaker by Deed of that date which is of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 26 N.S.; page 609; upon purchasing this part of the property from the Halladays Blankenkaker went into immediate possession thereof and used it in connection with his home which it adjoined. Blankenkaker had a place right on the river front which he lived on in person and improved and cultivated and this land was used in connection therewith; on March 16th, 1920, Blankenkaker purchased from Halladay and wife by Deed of that date and recorded in the Office of the Judge of Probate of Baldwin County, Alabama in Deed Book 29 N.S., page 341, the remainder of this property, along with other land and added it to his home place using and occupying same as in the case of the other piece.

Blankenkaker continued to own and remained in the actual possession of all of this property until April 2nd., 1921 when he and his wife sold it to Herman Frese by Deed of that date and recorded in said office in Deed Book 32 N.S., page 363. Frese took possession and control of all of this land through his Agent, Judge John Stelk of Chicago who was constantly giving it his personal attention and supervision, improving the houses, repairing the buildings, barns and other structures and cultivating part of the same until June 2nd., 1922 when this property was purchased by the Sunny South Developing Company by Deed of that date and recorded in said office in Deed Book 32 N.S., pages 363-4. The Sunny South Developing Co., continued the same kind of possession that Frese had maintained and through Judge John Stelk as its Agent who was a officer of the Company. This Company subdivided this property into what is known as Oak River View, First. Addition making surveys thereof and divided it up into lots which were staked out, improved and gradually sold out to different parties. The possession of the Sunny South Developing Co. as to these particular lots continued until October 2nd., 1922 when it sold the property to Herman Huebner and Meta Huebner by deed of that date and recorded in said office in Deed Book 32 N.S.; page 522. The Huebners moved on the property having a home there, made further developments and improvements, cleared more of the land, erected additional fences and did all of the other things which go to make up and improve on home places; they lived on this property until November _____, 1923, when Mr. Herman Huebner died. This was their home at the time of his death. Following Mr. Huebners death Mrs. Huebner continued in the possession of the property without interruption and later she married Mr. Henry Gauger and I know that Meta Huebner Gauger is the same person as Meta Huebner in the deed from the Sunny South Developing Co; the Gaugers continued in the actual, active possession of said property and every part thereof up to the filing of the Bill of Complaint and up to this time.

The possession of said land by all of these parties about whom I have just testified has been open, notorious, hostile, adverse, continuous and peaceable; it has been without interruption and no one else has ever lived on or had possession of said lands or any part thereof other than these parties during the time testified about.

I have read the description contained in and know what lands are covered by the Patent issued by the United States to Thomas Johnson on March 21, 1912, and which is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 19 N.S., page 82 and they include, along with much other land, the lands described in the Bill of Complaint in this case.

I know that from April 3d., 1902, to the date of the filing of this Bill, March 10, 1927, and up to this date, no person has ever carried on any oil or mineral operations on said lands or any part thereof and further that neither Thomas Johnson or W. L. Thompson have ever at any time during the past 20 years asserted any title or claim to said lands or any part thereof nor have they or either of them claimed any interest therein and I do not know nor have I ever heard of any other person, firm or corporation, other than Mrs. Meta Huebner Gauger and those through whom she claims, claim said lands or any part thereof or any interest therein.

9 I do not know whether the said Thomas Johnson and W. L. Thompson or either of them are living or dead nor, if living, their residences and addresses and if dead the names and addresses of their heirs, devisees, representatives and next of kin.

10 That at no time since April 3d., 1902, has W. L. Thompson or any other parties dug, bored or mined for Petroleum Oil, Carbon Oil, Gas, fire clay, rock, coal, lead, gold, silver or any other minerals and oils nor have any of such substances been found in any quantity on said lands; that no well was drilled on said property within three years from said date nor has any well been drilled by anyone since said date.

11 I have heard of Thomas Johnson and W. L. Thompson the Respondents in this case and I know that Thomas Johnson is dead and although I do not know whether W. L. Thompson is dead or not I know that he is over the age of 21 years if living.

12 I am not related by blood or marriage to Mrs. Meta Huebner Gauger and have no interest in the outcome of this suit whatsoever.

Lewis Cooper

639

META HUEBNER GAUGER,

Complainant,

-vs-

THE FOLLOWING DESCRIBED LANDS IN BALDWIN COUNTY, ALABAMA: LOTS NUMBERED ONE (1) AND THREE (3) IN OAK RIVER VIEW, FIRST ADDITION, BEING A SUB-DIVISION OF PARTS OF SECTIONS TWENTY (20), TWENTY-NINE (29), THIRTY-SEVEN (37) and THIRTY-NINE (39) IN TOWNSHIP EIGHT (8) SOUTH OF RANGE FOUR (4) EAST OF ST. STEPHENS MERIDIAN, EXCEPTING 25 FEET FROM THE EAST END OF LOT THREE FOR PUBLIC ROAD; THOMAS JOHNSON AND W. L. THOMPSON,

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

Respondents.

TO THE HON. THE CIRCUIT COURT BALDWIN COUNTY, STATE OF ALABAMA-EQUITY SIDE, AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your Oratrix Meta Huebner Gauger and brings this her Bill of Complaint against the following described land in the County of Baldwin, State of Alabama, viz:- Lots One and Three in Oak River View, First Addition, being a sub-division of parts of section twenty, Twenty-nine, Thirty-seven and thirty-nine in township eight south of range four east of St. Stephens Meridian, excepting 25 feet from the east end of Lot 3 for public road and against Thomas Johnson and W. L. Thompson and the unknown heirs, devisees, personal representatives and next of kin of the said Thomas Johnson and W. L. Thompson and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the above described land or any part thereof and shows:-

FIRST:

That your Oratrix is over the age of 21 years, is a bona fide resident of Baldwin County, Alabama and claims in her own right and is in the actual, peaceable possession of the following described land in Baldwin County, Alabama, viz:-Lots Numbered

One and Three in Oak River View, First Addition, being a sub-division of parts of sections twenty, twenty-nine, thirty-seven and thirty-nine in township eight south of range four east of St. Stephens Meridian, excepting 25 feet from the east end of Lot 3 for public road and Oratrix claims title to the land and every part thereof absolutely and in fee simple her title thereto being derived from the persons and sources as set out in the next following paragraph hereof, said paragraph being designated "SECOND"; that no suit is pending to test your Oratrix' title to, interest in or right to the possession of said land; that your Oratrix and those through whom she claims title as stated in the next following paragraph hereof have held color of title, claimed and paid taxes on all of the said land during the whole period of ten or more consecutive years next preceding the filing of this bill of complaint and without interruption; that no other person has paid any taxes thereon or had any possession of said land or any part thereof or is known to Oratrix to have claimed said land or any part thereof at any time during said period. The individuals named herein as defendants if living, are over the age of 21 years and your Oratrix is informed and believes and upon such information and belief states that if the said Thomas Johnson and W. T. Thompson are dead their heirs, devisees, personal representatives and next of kin are over the age of 21 years and are non-residents of the State of Alabama or their whereabouts are unknown and cannot be ascertained after diligent inquiry made by your Oratrix. Your Oratrix does not know the residences and addresses of the individuals named and does not know whether they are dead; it dead your Oratrix does not know the names, residences and addresses of their heirs, devisees, personal representatives and next of kin

Youratrix further shows that her record title to the said lands is as shown by the following instruments of writing, all being duly recorded on the proper records in the office of the Judge of Probate of Baldwin County, Alabama, viz: - Will of Donat Lacoste devising all property owned by testator at the time of his death to John Cook, Adolph C. Evans, and Joaquina Eslava in trust for the sole use and benefit of Adelle Cook and John Lacoste dated June 1, 1841 duly probated and recorded in Will Book "A", pages 74-5; deeds from Clara McCormick and Dan, her husband, Kate Remy and John, her husband, Adele Lacoste, John Lacoste and Bertha, his wife, Joseph Lacoste, Donat Lacoste and Clotilde, his wife, being all of the children of John D. Lacoste, deceased and Catherine, widow of John D. Lacoste and Ada Lacoste and Ida Lacoste conveying said property to Cora Lacoste, said deeds being dated Mar. 27, 1905 and Oct. 19, 1905 and recorded in Deed Book 8 N. S. page 558 and Deed Book 9 N. S. pages 492-2, respectively; Report of Commissioner and decree of the court in the matter of Cora Lacoste, complainant, vs Alexander Schultz, et al, defendants, in the Chancery Court at Mobile, Alabama, decree dated Oct. 24, 1906 and report of commissioners filed Sept. 5, 1906, both recorded in Deed Book 11 N. S. pages 198-9 under which lands above described were set apart in a division to Cora Lacoste and Joseph Schultz; deed from W. H. W. Herding, Commissioner, to Robert Ford of date Nov. 19, 1913 of record in Deed Book 21 N. S. pages 227-8 and conveying a portion of said lands; decree of the Chancery Court for the 13th. District, Southwestern Division, of Alabama,

SECOND:

of such defendants nor can these facts be ascertained by the exercise of diligence although youratrix has exercised diligence to ascertain the facts, all as shown in paragraph hereof designated "FOURTH".

at Mobile, Alabama, quieting title in favor of Sidney J. Blank-
 embaker against Thomas Johnson, if living, and the unknown heirs,
 if any, devisees, next of kin, alienees, donees, or personal rep-
 resentatives, if he be dead, of date Apr. 15, 1915 of record in
 Deed Book 23 M. S. pages 212-13 and covering a portion of said
 lands; deed from Robert L. Fulford to Celina Fulford of date Mar-
 2, 1914 of record in Deed Book 21 M. S. page 569 and conveying a
 portion of said lands; deed from Alex Schultz and Esther, his
 wife, Cecelia Burns, widow, Jacob Schultz, widower, Henry Schultz,
 widower and Cora Lacoste, unmarried, of date May 29, 1909 of rec-
 ord in Deed Book 21 M. S. pages 569-70 and conveying a portion of
 said lands; deed from ^{Joseph} Schultz and Wameter, his wife, to
 Celina A. Fulford of date Jan. 3, 1914 of record in Deed Book 22
 M. S. page 218 and conveying a portion of said lands; deed from
 John Lacost and Catherine Lacost, to Julius Gaeckens of date
 Dec. 25, 1880 of record in Deed Book 18 M. S. pages 372-3 and con-
 veying a portion of said lands; deed from Julius Gaeckens and
 Anna, his wife, to Jacob Schultz of date Nov. 22, 1881 of record
 in Deed Book 18 M. S. page 372 and conveying a portion of said
 lands; deed from Jacob Schultz to Henry Schultz of date Dec. 24,
 1883 of record in Deed Book R, pages 232-3 and conveying a portion
 of said lands; deed from Adele Cook to Henry Schultz of date
 1884, acknowledged Mar. 4, 1884 of record in Deed Book M, pages
 404-5 and conveying a portion of said lands; deed from Teresa Lip-
 seomb and Mack Lipscomb, her husband, Ida Brickman and Edward
 Brickman, her husband, Winifred Schultz, Mary Schultz and Hilda
 Schultz, unmarried to Robert T. Fulford of date Feb. 3, 1914 of
 record in Deed Book 22 M. S. page 60 and conveying a portion of
 said lands; deed from Celina A. Fulford and R. T., her husband, to
 J. W. Halladay of date May 31, 1915 of record in Deed Book 23 M.
 S. pages 261-2 and conveying a portion of said lands; decree of

Your Oatrix alleges that the said land was patented by the United States to one Thomas Johnson on Mar. 21, 1912 which patent is recorded in the office of the Judge of Probate of Bal-

THIRD:

than ten years next preceding the filing of this Bill of Complaint. adverse possession of said lands and every part thereof for more of writing, have had absolute, exclusive, continuous and actual those under whom she claims by the aforesaid deeds and instruments Huebner in and to said lands; and Oatrix shows that she and ising to your Oatrix the un-divided half interest of Herman Baldwin County, Alabama in Will Book "C", page 217-8 dev- ner deceased, duly probated and recorded in the Probate Court of M. S. page 522 and conveying said lands and Will of Herman Hueb- husband and wife of date Oct. 2, 1922 of record in Deed Book 32 Developing Company, Inc., to Herman Huebner and Meta Huebner, S. pages 563-4 and conveying said lands; deed from Sunny South Developing Co. of date June 2, 1922 of record in Deed Book 32 M. from Herman D. Freese and Emma Freese, his wife, to Sunny South in Deed Book 32 M. S. page 565 and conveying said lands; deed enbaker, his wife to Herman Freese of date Apr. 2, 1921 of record said lands; deed from Sidney J. Blankenbaker and Lutie H. Blank- record in Deed Book 29 M. S. pages 41 and conveying a portion of his wife, to Sidney J. Blankenbaker of date Mar. 16, 1920 of of said lands; deed from J. M. Halladay and Carrie M. Halladay, recorded in Deed Book 26 M. S. page 609 and conveying a portion aday, his wife, to Sidney J. Blankenbaker of date Oct. 29, 1917 tion of said lands; deed from J. M. Halladay and Carrie M. Hall- sional representatives, of date Oct. 19, 1916 and covering a por- heirs, if any, next of kin, devisees, donees, alienees or per- aday against Thomas Johnson and if he is dead, then his unknown of Alabama, at Mobile, quieting title in favor of J. M. Hall- the Chancery Court for the 13th. District, Southwestern Division,

the records searched in connection with the above inquiries and abstracters and had abstracts of title made to said property and attorneys to examine the title, has procured the services of have information concerning the above inquiries, has employed in the vicinity of this land for years and who would probably and searches your Oratrix has inquired of persons who have lived representatives and next of kin; that in making such investigations the names and addresses of their heirs, devisees, personal rep- dead and, if living, their residences and addresses, and if dead, whether the said Thomas Johnson and W. L. Thompson are living or and through agents, attorneys and abstracters to ascertain to be made diligent searches and investigations both in person Oratrix further alleges that she has made and caused

FOURTH:-

or any part thereof, or any interest therein. firms or corporations, other than Oratrix, claim the said land therein and insofar as your Oratrix knows, no other persons, they assessed or paid the taxes thereon or claimed any interest 10 consecutive years asserted any title to said lands nor have the said Thomas Johnson nor W. L. Thompson have for more than quieting Oratrix' title as against said mineral lease; that neither said W. L. Thompson is made party respondent for the purpose of ord and constitutes a cloud on the title of your Oratrix and the terms and conditions of said lease but that the same is of rec- of the said W. L. Thompson or his assignees, if any, with the fetted and has expired by reason of the non-compliance on the part Book 5 W. S. pages 131-2; that said mineral lease has been for- ice of the judge of Probate of Baldwin County, Alabama, in Deed the respondents above named, which lease is of record in the off- coste executed a mineral lease to W. L. Thompson, who is one of Land. Oratrix further alleges that on Apr. 3, 1902 John D. La- no deed of record from the said Thomas Johnson conveying the said dwin County, Alabama, in Deed Book 19 W. S. page 82 and there is

lished and a certified copy thereof be filed in the Probate Court and that notice of the pendency of this Bill of Complaint be published in the time prescribed by law and the rules of this Honorable Court appear, plead, answer or demur to this Bill of Complaint within by publication or other usual or proper process and be required to defendant to this bill of complaint and be brought into this court encumbrance on said land or any part thereof be made parties defendant or corporations claiming any title to, interest in, lien or of each of the defendants hereinabove named and all persons, unknown heirs, devisees, personal representatives and next of kin land hereinabove described, the defendants herein named and the THE PREMISES CONSIDERED, your Oratrix prays that the

PRAYER FOR PROCESS.

doubts and disputes concerning same. Oratrix' title to and interest in said land and clearing up all next of kin of any and all of them for the purpose of establishing on and against the heirs, devisees, personal representatives and thereof, or any interest therein or any lien or encumbrance there- persons, firms or corporations claiming the said land, or any part inabove named, mentioned or referred to and against any and all land hereinabove described and against any and all persons here- And Oratrix brings this Bill of Complaint against the are non-residents of Alabama.

that if any such persons, firms or corporations are living they informed and believes and upon such information and belief states than as are herein set out. Oratrix further shows that she is records disclose any facts or information as to such matters other no one could be found who knew or had any information nor do the who might know of any facts pertaining to such inquiries and that has otherwise and on numerous occasions made inquiries of persons

Before me, the undersigned authority in and for said

BALDWIN COUNTY.

STATE OF ALABAMA.

Solicitor for Complainant.

Norm Tom

but answer under oath is hereby expressly waived.

ver each and every allegation of the foregoing Bill of Complaint

The respondents and each of them are required to ans-

FOOT NOTE:-

Solicitor for Complainant.

Norm Tom

receive in the premises. And Oatrix will ever pray, etc.

relief as in equity and good conscience she may be entitled to

and Oatrix prays for such other, further, different and general

interest therein or thereto, or any lien or encumbrance thereon,

or own the same or any part thereof, or have any right, title or

land, and that none of the defendants, or any other person, have

this Bill of Complaint had the legal title to the above described

adjudged and decreed that Oatrix at the time of the filing of

that upon the final hearing of this cause, it will be ordered,

instrument the same was derived or created. Oatrix further prays

interest, lien or encumbrance and set forth how, and by what

he or they be required to set forth and specify such claim, title,

thereof, or any interest therein, or lien or encumbrance thereon,

other person, firm or corporation claim said land or any part

Oatrix prays that if any of the defendants or any

PRAYER FOR RELIEF:

the rules of this Honorable Court.

of this Bill of Complaint be given as may be required by law or

of Baldwin County, Alabama; that such other notices of pendency

(page nine)

county in said state, personally appeared Norborne Stone, who is known to me and who, after being by me first duly and legally

sworn doth depose and say under oath:-

That his name is Norborne Stone and that he is the Sol-

licitor of record for Oratrix and Complainant in the foregoing cause

and as such is fully empowered, instructed and authorized to make

this affidavit for and as the agent, attorney and Solicitor for

Meta Huebener Gauger, the complainant; that he is fully acquainted

with all matters and facts set forth in the foregoing Bill of

Complaint and that the same are true.

Sworn to and subscribed before

me this 10 day of March, 1927.

Notary Public, Baldwin County, State
of Alabama.

D. W. Thompson

Norborne Stone

John D. Smith
Judge 21st. Judicial Circuit of Alabama.

This the 20 day of June, 1927.

Made in Baldwin County,

American, a newspaper published at Port-

Richard this cause to be published in the Court that all notices and orders of publication necessary in
it is therefore, ordered, adjourned and decreed by the
the notice of publication necessary in said cause be published.
ion of the Register of this Court to prescribe in what newspaper
This cause coming on to be heard is submitted on mot-

respondents.

THE FOLLOWING DESCRIBED LANDS IN
BALDWIN COUNTY, ALABAMA: LOTS ONE
BEARD ONE (1) AND THREE (3) IN OAK
RIVER VIEW, FIRST ADDITION, BEING
A SUB-DIVISION OF PARTS OF SECTIONS
TWENTY (20), TWENTY-NINE (29),
THIRTY-SEVEN (37) AND THIRTY-NINE
(39) IN TOWNSHIP EIGHT (8) SOUTH-
EAST RANGE FOUR (4) EAST OF SE. SEPT-
EAST MERIDIAN, EXCEPTING 25 FEET
FROM THE EAST END OF LOT THREE FOR
PUBLIC ROAD; THOMAS JOHNSON AND
M. E. THOMPSON,

-vs-

JOHN HUBBARD GAUGER,
Complainant,

IN THE CIRCUIT COURT-
EQUITY SIDE, BALDWIN
COUNTY, ALABAMA.

Langer.

Order Resignating
Paper.

Exec. Ps. 27

J. M. Linneman
Agent



Complainant, as Alexander Schmitt, et al. Defendants, in the
 Commissioner and decree of the court in the matter of Gora Lacoate,
 958 and Decd Book 9 W. S. Pages 458-9; respectively; Report of
 1905 and Oct. 19, 1905 and recorded in Decd Book 8, W. S. Page
 said property to Gora Lacoate, said decd being dated Mar. 27,
 widow of John D. Lacoate and Ada Lacoate and Ida Lacoate conveying
 all of the children of John D. Lacoate, deceased and Catherine,
 wife, Joseph Lacoate, Donat Lacoate and Clotilde, his wife, being
 John, her husband, Adele Lacoate, John Lacoate and Bertha, his
 decd from Clara Kocornick and Dan, her husband, Kate Henry and
 1941, duly probated and recorded in Will Book "A", pages 74-5;
 sole use and benefit of Adele Cook and John Lacoate dated June 1
 John Cook, Adolph C. Lacoate and Adeline Lacoate in trust for the
 following all property owned by testator at the time of his death to
 following decds and instruments, viz: - Will of Donat Lacoate de-
 plaint and that she claims title to said land by and through the
 Probate Court of Baldwin County, Alabama in the name of the com-
 plaint and that she claims title to said land by and through the
 that the legal title to said lands stands on the records in the
 name of the complainant alleges in her bill of complaint

three concerning same.
 of quieting her title thereto and clearing up all doubts and dis-
 the title of said complainant to said land and for the purpose
 bill of complaint was and is filed for the purpose of establish-
 25 feet from the east end of Lot Three for right of way, that said
 east of south of range four east of St. Stephens Meridian, excepting
 twenty, twenty-nine, thirty-seven and thirty-nine, in township
 town, first section, being a sub-division of parts of sections
 County, Alabama, viz: Lots numbered one and three in one river
 bill of complaint against the following described land in Baldwin
 County, Alabama, viz: - Lots numbered one and three in one river
 day of *March*, 1927, were neither danger filed in the
 of encumbrance on the land hereinafter described that on the 10th
 firms or corporations who claim any title to, interest in, lien
 Thomas Johnson and W. L. Thompson and to any and all persons,
 the heirs, devisees, personal representatives and next of kin of
 and whose whereabouts and place of residence is unknown and to
 is unknown and to W. L. Thompson, who is over the age of 21 years
 the age of 21 years and whose whereabouts and place of residence
 Notice is hereby given to Thomas Johnson, who is over

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

THE LAND HEREIN DESCRIBED, THOMAS
 JOHNSON, W. L. THOMPSON AND ALL
 PERSONS, FIRMS OR CORPORATIONS
 CLAIMING TITLE TO, INTEREST IN, LIEN
 OR ENCUMBRANCE ON SAID LAND OR ANY
 PART THEREOF,
 Respondents.
 Complainant,
 MARY HUBBARD GAGNER.

and

Solicitor for Complaint
NORFOLK COUNTY,

is registered circuit court judge
State of Alabama, Baldwin
County.

J. P. Williams

Witness my hand this 20 day of June, 1927.

The complaint further alleges in her bill of complaint that she is in the quiet and peaceable possession of said land, and those under whom she claims have paid taxes on said land and hold the same under color of title for more than 10 years next preceding the filing of this bill of complaint and that during said time no one else has paid any taxes on said land or been in possession thereof.

Hobbes, deceased, duly probated and recorded in the Probate Court of Baldwin County, Alabama in Will Book "C", page 217-18, and in order to your clerk the undivided half interest of Norman

MARY HUBNER GAUGER

Complainant,

-vs-

THE FOLLOWING DESCRIBED LANDS IN BALDWIN COUNTY, ALABAMA: - LOTS NUMBERED ONE (1) and THREE (3) IN OAK RIVER VIEW, FIRST ADDITION, BEING A SUB-DIVISION OF PARTS OF SECTIONS TWENTY (20), TWENTY-NINE (29), THIRTY-SEVEN (37) and THIRTY-NINE (39) IN TOWNSHIP EIGHT (8) SOUTH OF RANGE FOUR (4) EAST OF ST. STEPHENS MERIDIAN EXCEPTING 26 FEET FROM EAST END OF LOT THREE (3) FOR PUBLIC ROAD; THOMAS JOHNSON AND W. L. THOMPSON

Respondents.

STATE OF ALABAMA

BALDWIN COUNTY

I, T. W. Richardson, as Register of the Circuit Court-Equity Side State of Alabama, Baldwin County, do hereby certify that the foregoing and annexed three pages from 1 to 3 of the Pendency of the Bill of Complaint in the above styled cause as drawn and signed by me as the Register of this Court in which the proceeding is pending and being by me published in the Robt-ertsdale American, a newspaper having general circulation and published in Baldwin County, Alabama, the county where the lands described in said cause lie, and being the newspaper designated by order of the court.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of said court on this the 30th day of June, 1927.

T. W. Richardson
As Register.

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

That the complainant alleges in her Bill of Complaint that the legal title to said lands stands on the records in the Probate Court of Baldwin County, Alabama in the name of the complainant and that she claims title to said land by and through the following deeds and instruments, viz: - Will of Donat Lacoste devising all property owned by testator at the time of his death to John Cook, Adolph C. Evans and Joaquina Islava in trust for the sole use and benefit of Adelle Cook and John Lacoste dated June 1 1841, duly probated and recorded in Will Book "A", pages 74-5; deeds from Clara McCormick and Dan, her husband, Kate Remy and John, her husband, Adele Lacoste, John Lacoste and Bertha, his wife, Joseph Lacoste, Donat Lacoste and Clotilde, his wife, being all of the children of John D. Lacoste, deceased and Catherine, widow of John D. Lacoste and Ada Lacoste and Ida Lacoste conveying said property to Cora Lacoste, said deeds being dated Mar. 27, 1905 and Oct. 19, 1905 and recorded in Deed Book 8, N. S. page 558 and Deed Book 9 N. S. pages 492-3; respectively; Report of Commissioner and decree of the court in the matter of Cora Lacoste, Complainant, vs Alexander Schultiz, et al, Defendants, in the

Notice is hereby given to Thomas Johnson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to W. L. Thompson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to all persons, heirs, devisees, personal representatives and next of kin of Thomas Johnson and W. L. Thompson and to any and all persons, firms or corporations who claim any title to, interest in, lien or encumbrance on the land hereinafter described that on the day of March, 1927, Meta Huebner Gauger filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, her Bill of Complaint against the following described land in Baldwin County, Alabama, viz: - Lots numbered one and three in Oak River View, First Addition, being a sub-division of parts of Sections Twenty, Twenty-nine, Thirty-nine and Thirty-nine, in township eight south of range four east of St. Stephens Meridian, excepting 25 feet from the east end of Lot Three for Public Road. That said Bill of Complaint was and is filed for the purpose of establishing the title of said complainant to said land and for the purpose of quieting her title thereto and clearing up all doubts and disputes concerning same.

Respondents.

THE LAND HEREIN DESCRIBED, THOMAS JOHNSON, W. L. THOMPSON AND ALL PERSONS, FIRMS OR CORPORATIONS CLAIMING TITLE TO, INTEREST IN, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART THEREOF,

-VS-

Complainant,

META HUEBNER GAUGER,

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

Chancery Court at Mobile, Alabama, decree dated Oct. 24, 1906 and Report of Commissioners filed Sept. 5, 1906, both recorded in Deed Book 11 M. S. pages 198-9 under which lands above described were set apart in a division to Cora Lacoste and Joseph Schultz; died from W. H. W. Harding, Commissioner to Robert Fulford of date Nov. 19, 1913 of record in Deed Book 21 M. S. pages 227-8 and conveying a portion of said lands; decree of the Chancery Court for the 15th. District, Southwestern Division, of Alabama at Mobile, Alabama, quieting title in favor of Sidney J. Blankenbaker against Thomas Johnson, if living, and the unknown heirs, if any, devisees, next of kin, aliens, donees or personal representatives, if he be dead, of date Apr. 15, 1915 of record in Deed Book 23 M. S., pages 212-15 and covering a portion of said lands; died from Robert T. Fulford to Celina Fulford of date Mar. 2, 1914 of record in Deed Book 21 M. S. page 269 and conveying a portion of said lands; Cecelia Burns, a widow, Jacob Schultz, widower, Henry Schultz, widower and Cora Lacoste, unmarried, of date May 29, 1909 of record in Deed Book 21 M. S. pages 669-70 and conveying a portion of said lands; died from Joseph Schultz and Warner, his wife, to Celina A. Fulford of date Jan. 5, 1914 of record in Deed Book 22 M. S. page 218 and conveying a portion of said lands; died from John Lacost and Catherine Lacost, to Julius Gaeckens of date Dec. 25, 1880 of record in Deed Book 18 M. S. pages 272-3 and conveying a portion of said lands; died from Julius Gaeckens and Anna, his wife, to Jacob Schultz of date Nov. 22, 1881 of record in Deed Book 18 M. S. page 272 and conveying a portion of said lands; died from Jacob Schultz to Henry Schultz of date Dec. 24, 1882 of record in Deed Book R, pages 252-5 and conveying a portion of said lands; died from Adele Cook to Henry Schultz of date 1884 acknowledged Mar. 4, 1884 of record in Deed Book M. pages 404-5 and conveying a portion of said lands; died from Teresa Lipscomb and Mack Lipscomb, her husband, Ida Brickman and Edward Brickman, her husband, Minnie Schultz, Mary Schultz and Hilda Schultz, unmarried, to Robert T. Fulford of date Feb. 5, 1914 of record in Deed Book 22 M. S. page 60 and conveying a portion of said lands; died from Celina A. Fulford and R. T., her husband, to J. M. Halladay of date May 21, 1915 of record in Deed Book 23 M. S. pages 261-2 and conveying a portion of said lands; decree of the Chancery Court for the 15th. District, Southwestern Division, of Alabama, at Mobile, quieting title in favor of J. M. Halladay against Thomas Johnson and if he be dead, then his unknown heirs, if any, next of kin, devisees, donees, aliens or personal representatives, of date Oct. 19, 1916 and covering a portion of said lands; died from J. M. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker of date Oct. 29, 1917 recorded in Deed Book 26 M. S. page 609 and conveying a portion of said lands; died from J. M. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker of date Mar. 16, 1920 of record in Deed Book 29 M. S. page 341 and conveying a portion of said lands; died from Sidney J. Blankenbaker and Lottie H. Blankenbaker, his wife, to Herman Freese of date Apr. 2, 1921 of record in Deed Book 32 M. S. page 365 and conveying said lands; died from Herman D. Freese and Emma Freese, his wife, to Sunny South Developing Co. of date June, 2, 1922 of record in Deed Book 32 M. S. pages 363-4 and conveying said lands; died from Sunny South Developing Company, Inc., to Herman Huebner and Meta Huebner, husband and wife of date Oct. 2, 1922 of record in Deed Book 32 M. S. page 322 and conveying said lands and Will of Herman

NORBORNE STONE,
Solicitor for Complainant.

As Register Circuit Court Equity
Side State of Alabama, Baldwin
County.

G. M. Rimmer

Witness my hand this 22 day of June, 1927.

The Complainant further alleges in her Bill of Complaint that she is in the quiet and peaceable possession of said land, claiming to own the same absolutely and in fee simple. That she and those under whom she claims have paid taxes on said land and held the same under color of title for more than 10 years next preceding the filing of this Bill of Complaint and that during said time no one else has paid any taxes on said land or been in possession thereof.

Hebner, deceased, duly probated and recorded in the Probate Court of Baldwin County, Alabama in Will Book "C", page 217-8, devising to your Oatrix the undivided half interest of Herman Hebner in and to said lands;

IN THE CIRCUIT COURT-EQUITY SIDE,

STATE OF ALABAMA

BALDWIN COUNTY,

No. 679.

META HUEBNER GAUGER,
Complainant,

-VS-

THE FOLLOWING DESCRIBED LANDS
IN BALDWIN COUNTY, ALABAMA:-
Lots numbered 1 and 3 in Oak
River View, First Addition, be-
ing subdivision of parts of
Sections 20, 29, 37 and 38 in
Township 8 South, Range 4 East
of St. Stephens Meridian, ex-
cept 25 feet from the East end
of Lot 3 for Public Road; and
Thomas Johnson and W. L. Thomp-
son,
Respondents.

APPLICATION FOR ORAL EXAMINATION:

Comes Meta Huebner Gauger, the Complainant by Norborne Stone
as her Solicitor of Record and makes this her Application to the
Register of this Court for an Oral Examination of the following named
Witnesses for complainant, all of whom reside within the State of
Alabama, viz:

NAMES OF WITNESSES:

Lewis Cooper, Foley, Alabama.

~~Bay Minette, Alabama.~~

Such examination to be taken before T. W. Richerson, the

Register of this Court.

Solicitor for Complainant.

Norborne Stone

The foregoing Application coming on to be heard is granted

and it is ordered that the Oral Examination of said witnesses be had

at the office of the Register at the Court House at Bay Minette, Ala

ma, on the 23d day of October, 1928, at 10:00 o'clock, A.M. That

notice thereof be given for ten days by an entry on the Order Book

of the Register.

Dated this October 19th, 1928.

Register.

J. M. Richerson

Register.

In witness whereof I hereunto set my hand as Register and affix the seal of the Circuit Court of Baldwin County, Alabama, on this the 18th., day of October, 1928.

I, T. W. Richardson, Register of the Circuit Court-Equity Side in and for Baldwin County, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Notice of Requirement for and of the Taking of the Oral Testimony of Louis Cooper, a witness for complainant, as entered by me on the Order Book of said Court; that said Notice was entered on the 1st, day of October, 1928.

Register.

Dated this 1st., day of October, 1928.

You are further notified that on the 25th day of October, 1928, when oral examination of said witness will be had before T. W. Richardson, Register of said Court, in his office at the Court House in Bay Minette, Alabama, beginning at 10 o'clock, A.M.

Take notice that Norborne Stone, as Solicitor of Record for Complainants in said cause, desires and has requested the oral examination of Louis Cooper, a material witness for complainant and who resides within the State, such request and requirement having been filed in this cause on the 1st. day of October, 1928.

and Thomas Johnson, T. L. Thompson and any and all other persons, firms or corporations owning any title to, interest in, lien or encumbrance on the above described lands or any part thereof.

The following described lands in Baldwin County, Alabama, viz: Lots numbered one (1), and three (3), in Oak River View, a first addition, being a sub-division of parts of sections twenty (20), twenty-nine (29), thirty-seven (37) and thirty-nine (39) in Town-ship eight (8) South of Range Four (4) East of St. Stephens Meridian and eight (8) South of Range Four (4) East of St. Stephens Meridian EXCEPTING 25 feet from the East end of Lot Three for Public Road.

-20-

NOTICE OF REQUIREMENT OF ORAL EXAMINATION.

IN THE CIRCUIT COURT-
EQUITY SIDE,
STATE OF ALABAMA,
BALDWIN COUNTY,
No. _____

THE FOLLOWING DESCRIBED LANDS IN BALDWIN COUNTY, ALABAMA: LOTS NUMBERED ONE (1) AND THREE (3) IN OAK RIVER VIEW, FIRST ADDITION, BEING A SUB-DIVISION OF PARTS OF SECTIONS TWENTY (20), THIRTY-SEVEN (37), AND THIRTY-NINE (39) IN TOWNSHIP EIGHT (8) SOUTH OF RANGE FOUR (4) EAST OF ST. STEPHENS MERIDIAN, EXCEPTING 25 FEET FROM THE EAST END OF LOT THREE FOR PUBLIC ROAD; THOMAS JOHNSON AND W. L. THOMPSON,
Respondents.

MELBA HUBNER GAUGER,
Complainant.

-VS-

METLA HUBNER GAUGER, Complainant,

-vs-

THE LANDS HEREIN DESCRIBED,
et. al.,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE,

STATE OF ALABAMA.

BALDWIN COUNTY:

No. 679.

REQUEST FOR DECREE:

In this cause, all parties Defendant being in default, the

evidence having been taken and the cause being ready for submission

for final Decree, and no defense having been interposed, the Compl-

aintants, by Norborne Stone as their Solicitor of Record, file this

their written request that the cause be submitted for final Decree.

Dated this 12th day of Nov, 1928.

Norborne Stone
Solicitor for Complainant

The above Motion and Request is hereby granted and it is

ordered that the Complainant make out their Note of Testimony and

that, upon the same being filed, all papers in the cause be deliver-

ed to the Judge.

Dated this 12th ~~October~~ Nov, 1928.

Norborne Stone
Register.

by William H. Tart, President, M. P. LeRoy, Secretary, John O'Connell,

13. Certified copy of Patent from the United States of America
12. Testimony of Lewis Cooper taken orally before the Register of this Court on the 23d. day of October, 1928.
11. Certificate by Register as to the form and manner of giving Notice of Requirement for Oral Examination.
10. Application for Oral Examination as filed on October 1st., 1928, with order granting same and prescribing notice therefor.
9. Depositions of Meta Huebner Gauger under Interrogatories as taken before Roy L. Kranzow, Commissioner, on November 8, 1928.
8. Commission to take Depositions on Interrogatories issued October 11th., 1928, to Roy L. Kranzow.
7. Interrogatories as propounded by Complainant to Meta Huebner Gauger, the Complainant and a material witness for complaint and filed October 11st., 1928.
6. Certificate by Register as to issuance, recording and publication of Notice of Pendency of Bill of Complaint.
5. Proof of publication of the Notice of the Pendency of the Bill of Complaint in the Robertsdale American.
4. Copy of the Notice of Pendency of the Bill of Complaint, certified by the Register as being correct and recorded as a Lis Pendens in the Office of the Judge of Probate of Baldwin County, Alabama, Lis Pendens Record No. 1, pages 61-2.
3. Original Notice of the Pendency of Bill of Complaint in this cause as drawn and signed by the Register of this Court on June 20th., 1927.
2. Order of the Judge of this Court prescribing newspaper in which publication of Notice of Pendency of Bill of Complaint in this cause be published.
1. The original Bill of Complaint, as filed on March 10th., 1927.

Complainant being called offers the following Testimony and prays that the same be noted on the Note of Testimony in this cause.

NOTE OF TESTIMONY.

THE FOLLOWING DESCRIBED LANDS IN BALDWIN COUNTY, ALABAMA: -
 LOT 1 AND 2 IN OAK RIVER VIEW, FIRST ADDITION, BEING SUBDIVISION OF PARTS OF SECTIONS 20, 29, 37 and 38 IN TOWNSHIP 8 SOUTH, RANGE 4 EAST OF ST. STEPHENS MERIDIAN, EXCEPT 25 FEET FROM EAST END OF LOT 3 FOR PUBLIC ROAD: and THOMAS JOHNSON and W. L. THOMPSON.

Respondents.

STATE OF ALABAMA.
 BALDWIN COUNTY.
 No. 679.

-VS-

IN THE CIRCUIT COURT-EQUITY SIDE
 Complainant,
 META HUEBNER GAUGER,

- 14. Certified copy of Deed from Celina A. Tullford and R. L. Tullford, her husband, to J. M. Halladay, of date May 31st, 1915 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 25 M.S., pages 261-2.
- 15. Certified copy of Deed from J. M. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker, of date October 29th, 1917 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 26 M.S., page 609.
- 16. Certified copy of Deed from J. M. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker of date March 16th, 1920 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 29 M.S., page 241.
- 17. Certified copy of Deed from Sidney J. Blankenbaker and Lottie H. Blankenbaker, to Herman Frese, of date April 2nd, 1921 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 28 M.S., pages 363.
- 18. Certified copy of Deed from Herman Frese and Emma Frese his wife, to The Sunny South Developing Company, Inc., of date June 2nd, 1922, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 M.S., pages 363-4.
- 19. Certified copy of Plat of Oak River View, First Addition dated September 5th, 1922 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book No. 1, page 68.
- 20. Certified copy of Deed from Sunny South Developing Co., Inc., to Herman Huebner and Meta Huebner, of date October 2nd, 1922 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 M.S., page 522.
- 21. Certified copy of The Last Will and Testament of Herman Huebner, dated November 18th, 1923, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Book "00" of Wills pages 217-18.
- 22. Certified copy of Petition for the Probate of the Last Will and Testament of Herman Huebner, deceased, of date April 21st, 1924, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Probate Record "11", page 556.
- 23. Certified copy of Order Setting Day for hearing on Petition for Probate of Will of Herman Huebner, deceased, dated April 21st, 1924, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Probate Minutes "11", pages 101-2.
- 24. Certified copy of Appointment and Acceptance of Guardian ad litem for minors and ~~one~~ insane person, heirs of Herman Huebner, of date June 17th, 1924, of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Probate Records "11", page 233.
- 25. Certified copy of Order and Decree admitting to Probate and record the Last Will and Testament of Herman Huebner, deceased, of date June 17th, 1924, of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Probate Minutes "11", page 117.
- 26. Original Deed from Sunny South Developing Company, Inc. to Herman Huebner and Meta Huebner, of date October 2nd, 1922, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 M.S., page 522.
- 27. Certified copy of Lease from John D. Lacoste to W. L. Thompson of date April 2d, 1902, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5 M.S., pages 121-2.

28. Certified copy from Tax Records of Baldwin County, Alabama, showing payment of Taxes by Complainant, and those through whom she claims, for the ten year period.

29. Request for Decree in Vacation and Order thereon.

Dated this November 12th., 1928.

Robert Jones
Solicitor for Complainant.

I hereby certify that the foregoing Note of Testimony is correct.

Certified to this November 12th., 1928.

W. B. ...
Register.

Upon consideration of said cause it is made to appear and

this cause is at issue.

ree in Vagation, and thereupon the court asserts and Decrees that cause as shown by the Note of Testimony herein and Request for Dec-

October 1st, 1928, The evidence offered by the Complainant in said

made on October 1st, 1928, Notice of Oral Examination as given on

Order of Register Granting Request and Motion for Oral Examination as

Oral Examination of certain witnesses as filed on October 1st, 1928,

Agency of Bill of Complainant, Request and Motion by Complainant for

Register as to issuance, publication and recording of Notice of Pen-

with Certificate of the Judge of Probate thereon, Certificate of

of Baldwin County, Alabama, in His Penders Record No. 1, pages 61-2

and recorded as a His Penders in the Office of the Judge of Probate

Notice of Pendency of Bill of Complainant as certified by the Register

Pendency of Bill of Complainant in the Robertsdale American, copy of

this Court on June 20th., 1927, Proof of Publication of Notice of

Pendency of Bill of Complainant as drawn and signed by the Register of

the Pendency of Bill of Complainant be published, Original Notice of

date June 20th., 1927, prescribing the paper in which the Notice of

10th., day of March, 1927, the Order of the Judge of this Court of

Decree on the Original Bill of Complainant filed in this cause on the

This cause coming on to be heard, is submitted for a final

F I N A L D E C R E E.

Respondents.

THE FOLLOWING DESCRIBED LANDS
IN BALDWIN COUNTY, ALABAMA:-
LOT NUMBERED 1 and 3 IN OAK
RIVER VIEW, FIRST ADDITION,
BEING A SUBDIVISION OF PARTS
OF SECTIONS 20, 29, 37 and 38
IN TOWNSHIP 8 SOUTH, RANGE 4
EAST OF ST. STEPHENS MERIDIAN,
EXCEPT 25 FEET FROM THE EAST
END OF LOT 3 FOR PUBLIC ROAD;
THOMAS JOHNSON and W. L. THOM-
PSON, and all persons,
firms or corporations claiming
any title to, interest in or
lien or encumbrance on said
lands or any part thereof.

-VS-

Complainant,

METTA HUEBNER GAUGER,

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

BALDWIN COUNTY.

No. 679.

the relief prayed for in said Bill.

duly proven to be in her and that the complainant is entitled to
erty described in the Bill of Complaint has been by the complainant

it is hereby ascertained by the Court that the title to the prop-
It is further made to appear to the satisfaction of and

Bill of Complaint which were not known to complainant.

regard to the matters and things referred to in and covered by said
That complainant has exercised diligence to ascertain the facts with

or his assigns, if any, with the terms and conditions of said Lease;
expired by reason of non-compliance on the part of W. L. Thompson

Alabama, in Deed Book 5 N.S., pages 131-2 has been forfeited and has
of record in the Office of the Judge of Probate of Baldwin County,

executed by John D. Lacoste on April 2d., 1902, to W. L. Thompson,
part thereof at any time during said period; that the mineral lease

has paid any taxes thereon or had any possession of said lands or any
the Bill of Complaint and without interruption; that no other person,

period of ten or more consecutive years next preceding the filing of
claimed and have been in ^{the actual adverse possession of} all or the said lands during the whole

title as stated in said Bill of Complaint have held color of title to,
of said lands and that complainant and those through whom she claims

test complainant's title to, interest in or right to the possession
Bill of Complaint and at this time no suit was nor is pending to

Complaint designated "SECOND"; that at the time of the filing of said
the persons and sources as set out in the paragraph of said Bill of

thereto absolutely and in fee simple, her title being derived from
25 feet from the East end of Lot 3 for Public Road; claiming title

in Township 8 South, Range 4 East of St. Stephens Meridian, except
Addition, being a subdivision of parts of Sections 20, 29, 37 and 38

County, Alabama, viz: "Lots Numbered 1 and 3 in Oak River View, First
own in her own right, the following described lands, in Baldwin

is, at this time in the actual, peaceable possession, claiming to
resident of Baldwin County, Alabama, was on March 10th., 1927 and

of the Bill of Complaint, over the age of 21 years and a bona fide
the Complainant, who was at the time of the filing

the Court hereby ascertains that

IT IS NOW, THEREFORE, HEREBY CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT: -

That the Mineral Lease executed on April 3d., 1902 by John D. Lacoste to W. L. Thompson, one of the Respondents, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5 N.S., pages 131-2, be and the same is hereby canceled, annulled and declared of no force and effect;

That the complainant have judgment as prayed for in her Bill of Complaint.

That the Complainant, Meta Huebner Gauger, is the true

and lawful owner in fee simple of the following described property

in Baldwin County, Alabama, being the property described in the Bill

of Complaint, viz: -

Lots Numbered 1 and 3 in Oak River View, First Addition, being a subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South of Range 4 East of St. Stephens Meridian, except 25 feet from the East end of Lot 3 for Public Road.

That the absolute fee simple title to said lands and to

every part thereof, is in the complainant Meta Huebner Gauger, free

and clear of the claim or claims of any and all persons, firms or

corporations claiming any title to, interest in or lien or encumbr-

ance on said lands or any part thereof.

That the complainant have and is hereby given judgment

against said lands and against any and all persons, firms or corpo-

rations claiming any title to, interest in or lien or encumbrance on

said lands or any part thereof and that the claim or liens of any

persons, firms or corporations claiming any title to, interest in or

lien or encumbrance on said lands or any part thereof are hereby

Adjudged and Decreed to be in valid, groundless and of no effect,

complainant's title thereto being hereby quieted against all such

persons, firms or corporations.

That a certified copy of this Decree be by the Register,

within thirty days from the rendition hereof, filed in the Office of

the Judge of Probate of Baldwin County, Alabama, and the expenses

thereof be taxed as a part of the cost of this cause.

That the Judge of Probate of Baldwin County, Alabama, shall

record such certified copy of this Decree in the same Book and manner
in which Deeds are recorded and shall Index the same in the names of
Thomas Johnson and W. L. Thompson in the Direct Index and shall Index
the same in the name of Meta Huebner Gauger in the Indirect Index of
the record thereof.

That the title hereby Decreed to be in the complainant
shall inure to the benefit of all persons who derive title to said
Lands, or any interest therein, from or through the complainant, Meta
Huebner Gauger.

That the complainant be taxed with all costs of this cause
for which let execution issue.

Done in term time this 12th day of January 1929

John A. King
Judge of the 21st. Judicial
District of the State of Ala-
bama.

Norborn Stone,

Ray Minette, Alabama.

IN ACCOUNT WITH **ROY L. KRANZOW**

TELEPHONE STATE 6316

ROOM 725, No. 82 W. WASHINGTON STREET

To Services in taking despositions of Meta Huebner Gauger as commissioner of Circuit Court of Baldwin County, Alabama.

\$25.00

To Stenographers fees in taking said depositions.

3.50

TOTAL:

\$28.50

Foley, Ala., Oct. 4 1928
Mrs. Norborn Stone, Attorney
Ray Minette, Ala.

IN ACCOUNT WITH

BARCHARD PUBLISHING CO.

The Foley Onlooker
PUBLISHERS OF
Robertsdale American
HIGH QUALITY JOB PRINTING

Balance as shown in last statement

For - Meta Huebner Gauger
July 9 Legal 4-1-28
56.97

Please return statement with remittance

LEGAL NOTICE

Meta Huebner Gauger, Complainant,

The land herein described, Thomas Johnson, W. L. Thompson and all persons, firms or corporations claiming title to, interest in, lien or encumbrance on said land or any part thereof, Respondents.

In the Circuit Court - Equity Side, State of Alabama, Baldwin County.

Notice is hereby given to Thomas Johnson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to W. L. Thompson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to the heirs, devisees, personal representatives and next of kin of Thomas Johnson and W. L. Thompson and to any and all persons, firms or corporations who claim any title to, interest in, lien or encumbrance on the land hereinafter described that on the 10th day of March, 1927, Meta Huebner Gauger filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, her Bill of Complaint against the following described land in Baldwin County, Alabama, viz: Lots numbered One and three in Oak River View, First Addition, being a sub-division of parts of Sections Twenty, Twenty-nine, Thirty-seven and Thirty-nine, in township eight south of range four east of St. Stephens Meridian, excepting 25 feet from the east end of Lot Three for Public Road. That said Bill of Complaint was and is filed for the purpose of establishing the title of said complainant to said land and for the purpose of quieting her title thereto and clearing up all doubts and disputes concerning same.

That the complainant alleges in her Bill of Complaint that the legal title to said lands stands on the records in the Probate Court of Baldwin County, Alabama, in the name of the complainant and that she claims title to said land by and through the following deeds and instruments, viz: Will of Donat LaCoste devising all property owned by testator at the time of his death to John Cook, Adolph C. Evans and Joaquina Eslava in trust for the sole use and benefit of Adele Cook and John LaCoste dated June 1, 1841, duly probated and recorded in Will Book "A", pages 74-5; deeds from Clara McCormick and Dan, her husband, Kate Remy and John, her husband, Adele LaCoste, John LaCoste and Bertha, his wife, Joseph LaCoste, Donat LaCoste and Clotilde, his wife, being all of the children of John D. LaCoste, deceased, and Catherine, widow of John D. LaCoste and Ada LaCoste and Ida LaCoste conveying said property to Cora LaCoste, said deeds being dated Mar. 27, 1905, and Oct. 19, 1905, and recorded in Deed Book 8, N. S. page 558 and Deed Book 9 N. S. pages 492-3; respectively; Report of Commissioner and decree of the court in the matter of Cora LaCoste, Complainant, vs. Alexander Schultz, et al, Defendants, in the Chancery Court at Mobile, Alabama, decree dated Oct. 24, 1906, and Report of Commissioners filed Sept. 5, 1906, both recorded in Deed Book 11 N. S. pages 198-9 under which lands above described were set apart in a division to Cora LaCoste and Joseph Schultz; deed from W. H. W. Harding, Commissioner of Robert Fulford of date Nov. 19, 1913, of record in Deed Book 21 N. S. pages 327-8 and

San Luis Potosi in Bolivia... FAMOUS MINING STRIKE... SD DALE AMERICAN, ROBERTSD... Alabama

BY THOMAS E. STEWARD

FAMOUS MINING STRIKE

SD DALE AMERICAN, ROBERTSD

Alabama

ned authority in and for said appeared W. T. Barckard, he and who, after being by me rding to law doth depose and

W. T. Barckard, that he is bertsdale American, a newspaper nd of general circulation in ty where published, and as such ffidavit; that the annexed in said paper once a week for ce appearing in the issues of

- 44 of date July 9, 1927.
45 of date July 16, 1927.
46 of date July 23, 1927.
47 of date July 30, 1927.

W. T. Barckard, Mar.

U

*Shepard Cook -
Wentworth*

*Filed Dec 20.
1928*

*James H. Johnson
Register*

[Faint, mostly illegible text from a document or newspaper clipping, possibly containing a notice or advertisement.]

3 OK

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority in and for said County in said State, personally appeared W. T. Barchard, ^{Mar.} who is known to me and who, after being by me first duly and legally sworn according to law doth depose and say under oath as follows:

That his name is W. T. Barchard, that he is Manager & Publisher of the Robertsdale American, a newspaper printed in the English language and of general circulation in Baldwin County, Alabama, the County where published, and as such is duly authorized to make this Affidavit; that the annexed "Legal Notice" was duly published in said paper once a week for four consecutive weeks, said notice appearing in the issues of said paper as follows:-

- Volume 6th Year, No. 44 of date July 9, 1927.
- Volume ", No. 45 of date July 16, 1927.
- Volume ", No. 46 of date July 23, 1927.
- Volume ", No. 47 of date July 30, 1927.

W. T. Barchard, Mar.

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 20th day of October, 1928.

[Signature]
Notary Public, Baldwin County,
Alabama.

GEORGE C. MEYER AND R. R. LAY
Complainants.

No 639

Vs.

The following tract of land in Baldwin County, Alabama, viz; The West half of Lot number Two and all of Lot number Seven in Section Twenty-eight, Township Nine South of Range Two East. And Lafayette Council, Hattie C. Council, R. E. Conniff, Christiana Conniff, C. B. Cowan, Vera N. Cowan, Hugh A. Ritchie, the heirs and devisees of W. A. Hammond, deceased, and any and all other persons, firms or corporations, claiming any title to, interest in, lien or encumbrance upon said land or any part thereof.

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

This cause coming on to be heard on the 23rd day of April, 1927, was submitted for final decree on the bill of complaint in this cause filed, decree Pro-Confesso against the defendants, proof of publication of the notice as required by Sections 9914 to 9917 of the Code of 1923, the testimony and exhibits offered as proof by the complainants; and all the parties to said cause having been notified by publication of notice in accordance with the law; and the Court having considered the cause, it appears to the Court that the complainants are entitled to relief.

It further appears to the Court that the title to the following described property viz; The West half of Lot number Two (2) and all of Lot number Seven (7) in Section Twenty-eight (28) Township Nine (9) South of Range Two (2) East is in the complainant George C. Meyer is subject to a lien which the Court finds is valid which was reserved in the Deed from R. R. Lay and wife to George C. Meyer, and under which he claims: that neither the respondents as named in the complaint nor any other person, firm or corporation have any right title or interest in, or encumbrance upon said property or any part thereof.

It is therefore ORDERED, ADJUDGED AND DECREED that the bill of complaint has equity; that the complainants are entitled to relief and that the complainant George C. Meyer is the owner of an en-

tire fee simple estate in the above described property, subject only to the lāen of the complainant R. R. Lay.

It is further ORDERED, ADJUDGED AND DECREED by the Court that Lafayette Council, Hattie C. Council, R. E. Conniff, Christiansa Conniff, C. B. Cowan, Clara N. Brown, Hugh A. Ritchie, the heirs and devisees of W. A. Hammond, deceased, have no right title or interest in, or encumbrance upon said property or any part thereof.

It is further ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, And the Court further directs that the cause shall be indexed in the direct index of Record in said Probate Court in the name of George C. Meyer and R. R. Lay versus Lafayette Council, Hattie C. Council, Christiansa Conniff, R. E. Conniff, C. B. Cowan, Clara N. Cowan, Hugh A. Ritchie, the heirs and devisees of W. A. Hammond, deceased, and in the reverse or indirect index of said records in the names of Lafayette Council, Hattie C. Council, R.E.Conniff, Christiansa Conniff, C.B.Cowan, Clara B. Cowan, Hugh A. Ritchie and the heirs and devisees of W.A.Hammond, deceased.

It is further ORDERED? ADJUDGED AND DECREED that the Complainants pay the costs of this cause, for which let execution issue.

ORDERED, ADJUDGED AND DECREED this the ^{23rd} day of April 1927.


JUDGE OF THE 21st
JUDICIAL CIRCUIT OF ALABAMA.

Minutes

Final Decree

Filed April 23, 1927,

J. W. Heintz
Registrar

WARRANTY DEED.

Sunny South Developing Company of Oak, Alabama.

Know all men by these presents that the grantor, Sunny South Developing Company, Inc., a corporation organized and existing under the laws of the State of Alabama, of the postoffice of Oak, county of Baldwin, and State of Alabama, for and in consideration of the sum of One thousand four hundred twenty-two dollars, the receipt whereof is hereby acknowledged, does, grant, bargain, and sell unto Herman Huebner and Mata Huebner, husband and wife, hereinafter called the grantee, the following described land situated in Baldwin County of Baldwin, and State of Alabama, to-wit: Lots one (1) and three (3) in Oak River view First Addition being a subdivision of parts of Sections 20, 29, 37 and 39, all in Township eight (8) South, Range Four (4) East of St. Stephens Meridian, excepting 25 feet from the east end of lot three for a public road. Together with all rights and appurtenances to said described premises in anywise belonging. To have and to hold, the same forever.

And the grantor covenants that is seized of an indefeasible estate in fee simple in and to the above described premises; that it has the lawful right to sell and convey the same; that the said land is free from all encumbrances; and that it will, and its successors and assigns shall forever warrant and defend the same to the said grantees and the heirs and assigns of the said grantee against the lawful claims of all persons whomsoever.

In Witness Whereof the grantor has caused this conveyance to be signed by its president and attested by its Secretary and its corporate seal this 2nd of October, A.D., 1922.

Attest: Sunny South Developing Company, Inc.
Albert W. Keller, Secretary By John Stelk, President.
(\$1.50 U.S.I.R. Stamp attached.)

State of Alabama,)
Baldwin County.) I, Ernest Duesterbergh, a notary public in and for said State and County, do hereby certify that John Stelk, the President of the Sunny South Developing Company, Inc., and Albert W. Keller, the Secretary of said Company, whose names are signed to the

Ernest Duesterbergh

foregoing conveyance, as president and secretary of said company acknowledged before me on this day that being informed of the contents of said conveyance, they as such officers and with full authority executed the same voluntarily on the day the same bears date for and as the act of said company.

Given under my hand and notarial seal this 27th day of November, A.D., 1922.

(seal) Ernest Duesterberg, Notary Public.

Filed for record November 28th, 1922 at 1 P M
Recorded December 7th, 1922.

James M. Voltz, Judge of Probate.

W. W. W. W.
32715 522

Register.

Vol. 3 Page 197

Recorded in Record

RECORDED

Register.

Wm. ...

Issued *Apr 4* 1927

DECREE PRO CONFESSO ON PUBLICATION.

Or in ...

vs.

Wm. ...

CIRCUIT COURT, IN EQUITY

Baldwin County.

THE STATE OF ALABAMA,

Page

No. 637

3

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
No. 639 *Recalcum* Term, 1927

Geo C Meyer Jr. et al Complainant

vs. *W H Lutz et al* Defendant

In this cause it appears to the Register that the order of publication here-

before made in this cause, was published for four consecutive weeks, commencing on the

21st 1927, in the *Baldwin Times* day of

a newspaper published in *Birmingham* Alabama, that a copy of said order was posted at the Court

House door in *Baldwin* County, on the *21st* day of

Dec 1927, and

And it now further appearing to the Register, that the said

Bill of Lutz 207

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-
fore, on motion of Complainant, ordered and decreed by the Register that the

Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

Respondent

This 4 day of *Dec*, 1927

T M Williams

Register.

4/18/26

NOTICE

George C. Meyer and R. R. Lay, vs. The Land herein described and Lafayette Council, Hattie C. Council, R. E. Conniff, Christina Conniff, C. B. Cowan, Clara N. Cowan, Hugh A. Ritchie, the heirs and devisees, if any, of W. A. Hammond, dec'd, and or corporations claiming any title to, interest in or encumbrance upon said land or any part thereof. No. 639, in the Circuit Court of Baldwin County, Alabama.

Notice is hereby given that George C. Meyer and R. R. Lay, on the 6th day of December, 1926, filed a bill of complaint in equity in the Circuit Court of Baldwin County, Alabama, claiming to be in actual, peaceable possession, owning and

claiming to own all that certain parcel of land situate in the County of Baldwin, State of Alabama, described as follows:

The West half of Lot No. 2 and all of Lot No. 7 in Section 28, Township 9 South, Range 2 East.

Complainants allege in their bill of complaint that the title to said land stands on the record of the Probate Court of Baldwin County, Alabama, in complainants' names and that complainants claim title to said land by a patent dated 16th August, 1906 from the United States of America to Lafayette Council, Baldwin County, Deed Book 42 N.S. of Baldwin County Records; warranty deed of Lafayette Council and Hattie C. Council to R. E. Conniff dated June 14, 1906, recorded in Deed Book 10 N.S. page 448, Warranty Deed from

following

- 115
- 116
- 117
- 118

and P. A. Lay Va Lord here
described -

Minette, Baldwin County, Alabama; that the notice hereto attached of

the ~~PUBLICATION~~ of THE BALDWIN TIMES, a Weekly Newspaper published at Bay

John Hillman
STATE OF ALABAMA,
BALDWIN COUNTY,

ALFIDAVIT OF PUBLICATION

BAY MINETTE, ALA.

RICTOR

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

THE BALDWIN TIMES

PUBLISHED EVERY THURSDAY

CR

Lafayette Council to Hattie Council dated June 16, 1906, recorded Deed Book 10 N.S. Page 448, Quit Claim Deed from Lafayette Council and Hattie C. Council to R. E. Conniff dated August 9, 1909, recorded deed book 15 N. S. Page 487, Warranty Deed from R. E. Conniff and Christina Conniff to C. B. Cowan, dated March 16, 1916, recorded Deed Book 23, N. S. Page 215; warranty Deed from C. B. Cowan and wife to R. R. Lay, dated April 11, 1919, recorded Deed Book 33 N. S. page 188 and a transfer of a mortgage by W. A. Hammond to R. R. Lay dated October 21, 1922, and recorded in Mortgage Book 26 page 585, and a Deed from R. R. Lay to George C. Meyer reserving a vendor's lien dated November 13, 1926, and recorded in Deed Book 42 page 24, of the Probate records of Baldwin County Alabama.

Complainants further allege that they and those under whom they claim title have paid taxes on said property for the last ten years next preceding the filing of their bill of complaint, and during said time they and those under whom they claim have been in actual, peaceable possession of said land, claiming to own the same, and during said time no one else has paid taxes thereon or been in possession thereof, and their bill of complaint is filed for the purpose of establishing their title to said land, clearing up all doubts and disputes concerning same.

In this cause it appearing, from the sworn allegations of the bill of complaint that the respondents Lafayette Council, Hattie C. Council, R. E. Conniff, Christina Conniff, Hugh B. Cowan, Clara N. Conniff, Hugh A. Ritchie and the heirs and devisees if any, of W. A. Hammond, deceased are non residents of the State of Ala. and residents of the State of Ohio, but their name and post office address is unknown. It is ordered that they plead answer or demurrer to the allegations of the bill of complaint filed against them in this cause and that they set out and specify what interest in or encumbrance upon said land or any part thereof is claimed by them and under what instrument or conveyance said interest or encumbrance is claimed, and that said answer be made before the 3th day of January, 1927, and upon the expiration of thirty days from said date said bill of complaint will be taken as confessed against them, it is further ordered that notice of this order be published once a week for four successive weeks in the Baldwin Times, a newspaper published in the County of Baldwin, State of Alabama.

Witness my hand this the 7th day of December, 1926.
T. W. RICHMOND,
Register in Chancery, Circuit Court, Baldwin County, Ala.
V. R. Jansen, Solicitor for Complainants

THE BALDWIN TIMES

PUBLISHED EVERY THURSDAY
 PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
 ADVERTISING RATES GIVEN ON APPLICATION
 PUBLISHED BY
 BAY MINETTE, ALA.

ALFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
 BALDWIN COUNTY.

John Hillman
 being duly sworn, deposes and says that he is
 the ~~PUBLISHER~~ ^{OWNER} of THE BALDWIN TIMES, a Weekly Newspaper published at Bay

Minette, Baldwin County, Alabama; that the notice hereto attached of
Notice of George E. Minger
and P. R. Long, Va. Land Loan
described -

Was published in said Newspaper for 4 consecutive weeks in the following

Issues:

Date of first publication	December 9, 1926	Vol. 37	No. 45
Date of second publication	December 16, 1926	Vol. 37	No. 46
Date of third publication	December 23, 1926	Vol. 37	No. 47
Date of fourth publication	December 30, 1926	Vol. 37	No. 48

Subscribed and sworn to before the undersigned this 2

John Hillman
 day of December 1927

W. R. Jansen
W. R. Jansen

Witness my hand this the 7th day
 of December, 1926.
 T. W. RICHMOND,
 Register in Chancery, Circuit Court,
 Baldwin County, Ala.
 V. R. Jansen, Solicitor for Complain-
 ants 45-4t

No.

THE STATE OF ALABAMA,

Baldwin

County

CIRCUIT COURT

George C. Meyer

Complainant

vs.

West half of Lot 17 et al.

Defendant

COMMISSION TO TAKE DEPOSITION

ON ~~the following~~ Oral examination.

COMMISSIONER:

Mrs Natalie Torbert

Income tax \$15.00

WITNESSES:

George C. Meyer.

The State of Alabama, }

CIRCUIT COURT.

Baldwin County

To Mrs. Natalie Forbert,

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 George C. Meyer,

Complainant in a cause pending in our Circuit

Court of Baldwin County, of said State, wherein

George C. Meyer,

Complainant

and The West half of Two & 7 et al,

Defendant,

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

Witness 1st day of April 1927

Register

Commissioners Fee \$

Witness Fee's \$

The State of Alabama, }

BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 1927.

George C. Meyer and R. B. Lay

Complainants

The following tract of land in Baldwin County, Alabama, viz: The West
Half of Lot No. Two and all of Lot No. Seven in Section 17 of
Township 9 South of Range Two (2) East, and Lafayette Cemetery, et al,

Defendants

Motion is hereby made for a Decree Pro Confesso against Lafayette the Council, Hattie C.
Council, R. E. Coniff, Christine Coniff, C. B. Cowan, Clara N.
Cowan, Hugh A. Ritchie, the Heirs and devisees of W. A. Hammond.
Defendants

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

This the 31st day of March, 1927.

746 Code.



Solicitor

No. Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Complainants.

Vs.

Defendants.

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION.

Filed *Mar 31* 1927

D. M. Williams
Register.

RECORDED

Recorded in Record,

Vol. *3* Page *196-7*

Register.

I, Natalie Torbert, the commissioner named in the commission hereto annexed, which commission was issued to me out of the Equity side of the Circuit Court of Baldwin County, Alabama, on the 1st day of April, 1927, hereby certify that, in accordance with the authority in me vested by said commission, I caused George C. Meyer, a witness on behalf of the complainants in the aforementioned cause, to come before me at the office of V. R. Jansen, Esquire, at 907 First National Bank Building, on April 4, 1927, at three o'clock, P. M.; that said witness was by me sworn to tell the truth, the whole truth and nothing but the truth; that he testified as is herein set out; that I took said testimony down in shorthand and reduced the same to typewriting, and that said witness subscribed his name to his deposition in my presence.

I further certify that I am neither of counsel nor kin to either party to this cause, and that I am in nowise interested in the outcome of same.

Dated this 5th day of April, 1927.

Natalie C. Torbert,
Commissioner.

My fee for taking this deposition is \$15.00.

The United States of America

DEPARTMENT OF THE INTERIOR } To all to whom these presents shall come, Greeting;

Williams, and by the hands of William C. ...

Be it known, that I, the undersigned, Secretary of the Department of the Interior, do hereby certify that the following is a true and correct copy of the original of the said ...

As to the above mentioned ...

According to the official plat of the survey of the said lands returned to the General Land Office by the Surveyor General ...

Now know ye, that the United States of America, in consideration of the premises, and in conformity with the provisions of the Act ...

Witness my hand and seal of the said Department of the Interior, at Washington, D. C., this 21st day of August, 1925.

John D. Powell
Secretary

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

Washington, D. C. AUG 21 1925

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.
John D. Powell
Acting Recorder.

W. H. C. R.
100 75 175
1927

Office of the Judge of
TWIN COUNTY the Probate Court
J. H. HARRIS, Judge of said Court in and for
I, do hereby certify that the within instrument
is in this office for record on the 16
of Feb 1927 at 8
and I further certify that the
copy recorded in Record Book No. 4275
228-7, and duly examined.
I was my hand this 17
day of Feb 1927.
Judge of Probate Court
W. H. C. R.

STATE OF ALABAMA, J. G. W.
DAVIDSON COUNTY, Judge of Probate, for
said county, hereby certifies that the fol-
lowing mortgage tax has been paid on
the within instrument as required by
Act 1926.
I, *W. H. C. R.*
Clerk.

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

I, G. W. Humphries, Judge of Probate in and for said State and County, 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 15 N. S. at pages 487 and 488, now on file in the office of Judge of Probate, Baldwin county, Alabama.

Witness my hand and the seal of said Court, this 12th day of February A.D., 1927.

G. W. Humphries

Judge of Probate

By J. H. Spooler, Clerk

QUIT-CLAIM DEED.

KNOW ALL MEN BY THESE PRESENTS, That Hattie C. Council & Lafayette Council wife & husband of Sheridan County, and State of Nebraska, in consideration of the sum of one Dollars in hand paid by R. E. Conniff, of Woodbury County, and State of Iowa, do hereby release, remise and sell & convey unto the said R. E. Conniff all our right, title and interest in and to the following described premises, situated in the county of Baldwin and State of Alabama, to-wit: An undivided ($\frac{1}{2}$) of the West one-half ($\frac{1}{2}$) of lot number Two (2) and all of lot number Seven (7) Section Twenty-eight (28) Township Nine (9) South of Range Two (2) East, all in Baldwin County, State of Alabama. And the said Lafayette Council hereby relinquishes all contingent rights, including dower, homestead or distributive share in and to the above described premises.

Signed the 9th day of August A.D., 1909.

IN PRESENCE OF
D. H. Guswold.

HATTIE C. COUNCIL,
LAFAYETTE COUNCIL.

STATE OF NEBRASKA,)
) SS.
SHERIDAN COUNTY.)

On this 9th day of August A.D., 1909, before me, a notary public in and for said County and State, personally appeared Hattie C. Council and Lafayette Council, wife & husband, to me personally known to be the identical persons named in and whose names are affixed to the foregoing instrument as grantor and who executed the same, and acknowledged that they executed the same as their voluntarily act and deed.

In Witness whereof, I have hereunto set my official signature and affixed my official seal at Gordon, Nebr., the day and year last above written.
(Seal)

D. H. Guswold, Notary Public
in and for Sheridan County, Nebr.
My commission expires Jan'y 2, 1914.

Filed for record Jan 18th, 1910,
Recorded January 19th, 1910.

J H H Smith, Judge of Probate.

67 "E"

voluntarily on the day the same bears date.

Given under my hand this 14 day of June, 1906.

(Seal)

E. M. Corbett, Notary Public.

STATE OF IOWA,)
 :)
WOODBURY COUNTY.)

I, E. M. Corbett, a notary public in and for said State and county, do hereby certify that on the 14 day of June, 1906, came before me the within named Hattie C Council, known to me to be the wife of the within named Lafayette Council, who being examined separate and apart from her husband in reference to 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 the husband.

In Witness Whereof, I hereunto set my hand, this 14 day of June, 1906.

(Seal)

E. M. Corbett, Notary Public.

Filed for record, June 25th, 1906,

Recorded July 17th, 1906.

J H H Smith, Judge of Probate.

THE STATE OF ALABAMA,)
 :)
COUNTY OF BALDWIN.)

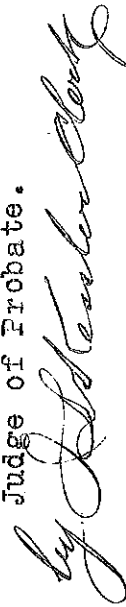
PROBATE COURT.

I, G. W. Humphries, Judge of Probate in and for said State and County, 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 10 M. S. at pages 448 and 449, now on file in the office of the Judge of Probate, Baldwin County, Alabama.

Witness my hand and the seal of said Court, this 12th day of February, A.D., 1927.



Judge of Probate.



STATE OF ALABAMA,)
;)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Six Hundred dollars to me in hand paid by R E Conniff, the receipt whereof is hereby acknowledged, Lafayette Council and Hattie C Council, husband & wife, do grant, bargain, sell and convey unto the said R. E. Conniff the following described lands situated in Baldwin County, Alabama, to-wit:

An undivided one-half interest in the following described property, viz: Lots number two (2), seven (7) and eight (8), section twenty-eight (28), township number nine (9) south of range number two (2) east, containing one hundred and sixty-one 75/100 (161.75) all in Baldwin county, Alabama.

To have and to hold to the said R. E. Conniff, his heirs and assigns forever. And we do covenant with the said R. E. Conniff, that we are seized in fee of the above described premises; that we have the right to sell and convey the same; that the said premises are free from all incumbrances; and that we will, and our heirs, executors and administrators shall forever warrant and defend the same to the said R. E. Conniff, his heirs and assigns, against the lawful claims of all persons whomsoever.

Witness our hands and seal, this 14 day of June, 1906.

Witness: Lafayette Council (LS)
Hattie C. Council (LS)

STATE OF IOWA,)
;)
WOODBURY COUNTY.)

I, E. M. Corbett, a notary public in and for said State and County, hereby certify that Lafayette Council & Hattie C. Council, husband and wife, 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 said conveyance they executed the same

Ex "D"

Witness my official signature and seal of office, at Sioux
City, Iowa, the day and year last above written.

(Seal)

E. M. Corbett, Notary Public

in and for said County and State.

Filed for record May 7th, 1919, at 9:50 A M
recorded May 8th, 1919.

Jas M. Voltz, Judge of Probate.

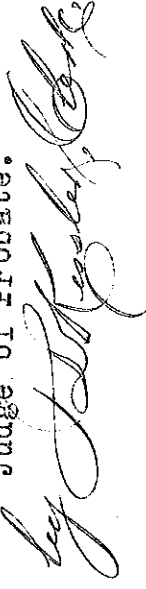
THE STATE OF ALABAMA,)
 ; PROBATE COURT.
BALDWIN COUNTY.)

I, G. W. Humphries, Judge of Probate in and for said State and
County, hereby certify that the above and foregoing is a true, cor-
rect and complete copy of an instrument of writing as the same ap-
pears of record in Deed Record 28 N. S. at page 215, now on file in
the office of Judge of Probate, Baldwin county, Alabama.

Witness my hand and the seal of said Court, this 12th day of
February A.D., 1927.



Judge of Probate.



KNOW ALL MEN BY THESE PRESENTS: that R. E. Conniff and Christina Conniff, husband and wife, of Woodbury County and State of Iowa in consideration of One Dollar and other valuable consideration, in hand paid by C. B. Cowan of Polk County and State of Iowa, do hereby sell and convey unto the said C. B. Cowan the following described premises situated in county of Baldwin and State of Alabama, to-wit: West half of Lot Two, and all of Lot Seven, in Section 28, Township 9 South of Range 2 East.

And the said grantors hereby covenant with the said grantee that they hold said premises by good and perfect title; that they have good right and lawful authority to sell and convey the same; that they are free and clear of all liens and incumbrances whatsoever except as shown by the records of Baldwin County, Alabama.

And they covenant to warrant and defend the title to the said premises against the lawful claims of all persons whomsoever except as above stated, and taxes.

And the said Christine Conniff hereby relinquishes all contingent rights, including all her right of dower, homestead or distributive share in and to the above described premises.

Signed the 14th day of March, A.D., 1916.

In presence of
F. B. Walsh,
A. M. Johnson, (\$2.00 J S I R stamp attached.)
R. E. CONNIFF,
CHRISTINA CONNIFF.

STATE OF IOWA,)
COUNTY OF WOODBURY.)

On this 14th day of March, A.D., 1916, before me, a Notary Public in and for said County and State, personally appeared R. E. Conniff and Christine Conniff, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and who were informed of the contents of this conveyance, and whose names are affixed thereto as grantors and acknowledged that they executed the same as their voluntary act and deed.

EX "C"

Know all men by these presents:

That C. B. Cowan and Clara N. Cowan (Husband and Wife)

of Polk County and State of Iowa, in consideration of the sum of

Forty-Five Hundred and no/100, DOLLARS

in hand paid by

Robert R. Lay

of Orange County and State of Florida do hereby SELL AND CONVEY

County of Baldwin and State of Alabama to-wit: the following described premises situated in the

West-Half (W¹/₂) of Lot Two (2), and all of Lot Seven (7), in Section Twenty-eight (28), Township Nine (9) South of Range Two (2) East. Containing Eighty (80) acres more or less according to government survey thereof. Subject to an encumbrance of Two Thousand Dollars, (\$2000) which Grantee assumes and agrees to pay.



And the said Grantees hereby covenant with the said Grantee that they hold said premises by good and perfect title; that they have good right and lawful authority to sell and convey the same; that they are free and clear of all liens and incumbrances whatsoever except above mentioned.

And they covenant to WARRANT AND DEFEND the title to the said premises against the lawful claims of all persons whomsoever except above mentioned.

And the said Clara N. Cowan (His Wife) hereby relinquishes all contingent rights, including all Her right of dower, homestead or distributive share in and to the above described premises.

Signed this 1st day of April A. D. 1919

IN PRESENCE OF

Handwritten signatures of C. B. Cowan and Clara N. Cowan.

STATE OF Iowa Woodbury County, ss:

On this 1st day of April A. D. 1919 before me, a Notary Public in and for said Country and State, personally appeared C. B. Cowan and Clara N. Cowan (Husband and Wife)

to me known to be the identical person named in and who executed the foregoing instrument, and whose name is annexed thereto as grantor and acknowledged that they executed the same as their voluntary act and deed.

WITNESS my official signature and seal of office at Sioux City, Iowa, the day and year last above written.

My commission expires July 4th. 1921.

Handwritten initials "C B"

Handwritten signature of the Notary Public.

W. D. Day
County Clerk

Recording Fee, \$

Call St

Page _____ County Records

Book _____ of _____

at _____ o'clock _____ M., and _____ R.

of _____ A. M.

Filed for record this _____

day of _____ A. D.

Entered for taxation this _____

County of _____

STATE OF _____

Sec. _____ Twp. _____ Range _____

For _____

TO _____

FROM _____

WARRANTY D

THE STATE OF ALABAMA, Office of the Judge of
 BALDWIN COUNTY, the Probate Court,
 I, G. L. LAMBERT, Judge of said Court in and for
 said County, do hereby certify that the within in-
 strument was filed in this office for record on the _____
 day of _____ 1923 at _____
 o'clock _____ and I further certify that the
 same is duly recorded in Record Book No. _____
 Page _____ and duly examined.
 Witness my hand this _____ day of _____
 1923.
G. L. Lambert
 Judge of Probate Court.

CCK

herby certify that the Mortgage or Trust
 Tax etc within instrument was paid by the
 leader or creditor. (See General note of the
 Legislature of 1919, page 420)

[Signature]
 Clerk

STATE OF ALABAMA }
 BALDWIN COUNTY }
 I W. D. }
 VALENTON, Judge of Probate, for
 said county, hereby certify that the fol-
 lowing privilege tax has been paid on
 the within instrument as required by
 acts 1802 and 1908, viz: \$.....

[Signature]
 Judge of Probate
 Clerk

STATE OF ALABAMA }
 BALDWIN COUNTY }
 I W. D. }
 VALENTON, Judge of Probate, for
 said county, hereby certify that the fol-
 lowing privilege tax has been paid on
 the within instrument as required by

[Signature]
 Judge of Probate
 Clerk

WARRANTY DEED
 (WITH VENDORS LIEN)

TO

Office of the Judge of
 the Probate Court }
 I, W. D. VALENTON, Judge of said Court in and for
 said County, do hereby certify that the within instrument
 was filed in this office for record on the day of at 8.00
 o'clock and I further certify that the
 same is duly recorded in Record Book No. 4272.
 Page 24-25 and duly examined.
 Witness my hand this day of
 1927.
[Signature]
 Judge of Probate Court

W. R. Johnson
[Signature]
 Attorney
 1st Nat Bank Bldg
 Mobile, Ala
 May 27 1927
 Rec. 1927
 1/3 page 8 com

The unpaid balance of said purchase money, to-wit, the sum of Four Hundred (\$400.00) Dollars

dollars, and to secure the payment of which a lien upon the property above described is hereby reserved, is represented by the following promissory note

Note of even date herewith, due and payable or or before twelve months after date, to the order of the grantor herein.

By accepting this conveyance the grantee does hereby agree, for his heirs and assigns, so long as any part of said purchase

money, or the interest thereon, remains unpaid, as follows:

1. To pay said note and the interest thereon promptly upon maturity.
2. If there are any buildings now on said property, or if any buildings are hereafter erected thereon, to keep the same in good repair and insured against fire by policies made payable to and deposited with, and in such amount, not exceeding the indebtedness secured hereby and not exceeding the value of said buildings, as may be required by,
3. To pay promptly all taxes, assessments, liens or other charges which may hereafter become effective against said property, together with all penalties, costs, and other expenses incurred, or which may accrue, in connection therewith.

4. That if the grantors shall, upon the happening of any default hereunder, resort to litigation for the recovery of the sums hereby secured, or employ an attorney to collect said sums, the grantee will pay all reasonable costs, expenses and attorney's fees thus incurred; and said costs, expenses and attorney's fees, and any other sum or sums due the grantor by virtue of any of the special liens herein declared, may be included in any judgment or decree rendered in connection with said litigation.

5. That if the grantee should fail to perform any of the duties herein specified the grantors may perform the same, and for any sums expended by the grantors in this behalf the grantors shall have an additional lien, secured by these presents, on said property.

6. That upon the happening of a default in the payment of said principal note, or of any installment of interest thereon, or upon any default in the performance of any of the obligations herein imposed on the grantee, and the continuance of said default uncorrected for a period of fifteen days, the grantor shall have the right to sell said property at public outcry in the ~~city of Mobile~~ ^{Belvidere County} for cash, to the highest bidder, after giving ten days notice of the time and place of sale by an advertisement published in three different issues of a newspaper published in the ~~city of Mobile~~ ^{Belvidere County}; to make proper conveyance to the purchaser; and the proceeds of said sale to apply, first, to the payment of the costs of said sale, including a reasonable attorney's fee; second, to the payment of the amount of said principal note, whether due or not, with the unpaid interest thereon to the date of sale, and any amount that may be due the grantors by virtue of any of the special liens herein declared; and third, the balance, if any, to pay over to the said George C. Meyer
7. That at any sale under the powers herein the grantors may bid for and purchase said property like a stranger hereto.
8. That the word grantors, wherever herein used, is intended to include also the heirs and assigns of the grantors.

This the 11th day of NOV-1926.

Witness-

W. L. M. Rae
Elizabeth Martin

Robert R. Day L.S.
Hattie J. Day L.S.

FLORIDA
 THE STATE OF ~~Alabama~~ } I, *W. L. M. Rae*
 Putnam ~~County~~ } a Notary Public in and for said County in said State, hereby

certify that Robert R. Day and wife, Hattie J. Day,

KNOW ALL MEN BY THESE PRESENTS, that we, Robert R. Jay and wife,
Battie J. Jay,

Three Hundred Ninety (\$390.00) Dollars

, the grantors, in consideration of

are hereby acknowledged to have been paid to us by George C. Meyer

, the grantee,

do hereby grant, bargain, sell and convey unto the grantee all that real property in the County
BALDWIN
of ~~Mobile~~ State of Alabama, described as follows:

West half of Lot Two (2) and all of Lot Seven (7), Section
28 Township 9 South Range 2 East.

The above property not being the homestead of the grantors.

Together with all and singular the rights, members, privileges and appurtenances therunto
belonging, or in anywise appertaining; to have and to hold the same unto the said grantee his
heirs and assigns forever.

Conniff and Christina Conniff, which is recorded in the Probate Records in Deed Book 28 N. S., page 215. I do not have the original of this deed, but I have a certified copy, which is Exhibit "G" to my testimony and made a part of same.

R. E. Conniff purchased this property by two separate deeds, one dated June 14, 1906, and one dated August 9, 1919, duly recorded in the Probate records of Baldwin County and attached to this testimony as Exhibits "D" and "E", respectively. I have not the original deeds, but these exhibits are certified copies of the deeds.

The people from whom this was purchased acquired this land by a patent from the United States Government dated August 16, 1906, and shown by a photostatic copy of the patent, duly certified, which is attached hereto as Exhibit "F" to my testimony.

No one else has paid taxes on this property during the past ten years except those claiming in the chain shown by deeds attached as exhibits, as above shown.

I know of no person who claims to own an interest in this land, but I am informed that the persons named as defendants in this cause are reputed to claim some interest in this property. I do not know what their claim would be, as I have had the records examined for claims by these parties, and find none asserted by them in the form of assessment for taxes or conveyances to other persons, and I find no conflicting title shown by the records or any instrument of record in Baldwin County not shown by the chain evidenced by the deeds offered as exhibits to this testimony, except that during the ownership of C. B. Cowan a mortgage was made by him to Hugh A. Ritchie. The record shows that this mortgage was transferred to W. A. Hammond, and by W. A. Hammond transferred to R. R. Lay. R. R. Lay conveyed to me by warranty deed, as shown by Exhibit "A", and being the owner of the property, the mortgage is not an outstanding lien which could be asserted against any one claiming under him.

George C. Meyer

My name is George C. Meyer. I am one of the complainants in the cause of George C. Meyer and Robert R. Lay against the West Half of Lot Number Two and all of Lot Number Seven in Section, 28, Township 9 South, Range 2 East, and the parties as named in the bill of complaint. I claim this land under a deed, which is attached as Exhibit "A" to this testimony, which was executed on the 11th day of November, 1926, and recorded in Record Book 42 N. S., pages 24 and 25.

Mr. R. R. Lay, from whom I bought this land, retained a lien to secure a part of the purchase money, which now amounts to Four Hundred Dollars (\$400.00), and which is still unpaid.

I am familiar with the land described in this bill of complaint, and have been familiar with it for about four years. There is no one living on this land, and it has not been under fence until my purchase in November. It is now fenced with barbed wire, which is sufficient to keep the cattle out and to protect it from trespassers.

The taxes on this land have been paid by Mr. Lay during his ownership. He has lost the tax receipts, or mislaid them, and I do not have possession of them, but the records show payment of the taxes by him during his ownership.

Mr. Lay bought this land from C. B. Cowan and Clara N. Cowan, his wife, by warranty deed dated April 1, 1919, which deed is recorded in the Probate Court of Baldwin County in Record Book 53 N. S., page 188. I have this deed which I am attaching to my testimony as Exhibit "B". This deed was delivered to me when I bought the property. Prior to the time of the purchase by Mr. Lay the taxes on this land were paid by C. B. Cowan, as shown by the records of the office of the Tax Collector of Baldwin County. C. B. Cowan purchased the property on March 14, 1916, from R. E.

GEORGE C. MEYER AND R. R. LAY,

COMPLAINANTS,

VS.

THE FOLLOWING TRACT OF LAND IN
BALDWIN COUNTY, ALABAMA, VIZ:
WEST HALF OF LOT TWO AND ALL OF
LOT SEVEN IN SECTION TWENTY-
EIGHT, TOWNSHIP NINE SOUTH,
RANGE TWO EAST, AND LAFALETTE
COUNCIL, HATTIE C. COUNSIL,
R. E. CONNIF, CHRISTIAN CONNIF,
C. B. COWAN, CLARA N. COWAN, HUGH
A. RITCHIE, THE HEIRS AND DEVISEES OF
W. A. HAMMOND, DECEASED, AND ANY AND
ALL OTHER PERSONS, FIRMS OR CORPORA-
TIONS, CLAIMING ANY TITLE TO, INTEREST
IN, LIEN OR ENCUMBRANCE UPON SAID
LAND OR ANY PART THEREOF,

RESPONDENTS.

NO. _____

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

DEPOSITION

OF

George C. Meyer, a witness on behalf of the complainants
in the above entitled cause.

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, Natalie C. Torbert, a Notary Public
in and for said county and state, personally appeared George C.
Meyer, who, being by me duly sworn, deposes and says under oath
that he is one one of the complainants in the above bill, that he
has read said bill of complaint and knows the facts thereof, and
that all of the facts therein alleged and cited are true and correct
as therein written.

George C Meyer

Sworn to and subscribed
before me on this the

1st day of December, 1926.

Natalie C. Torbert
Notary Public, Mobile Co., Ala.

thereon, and orator prays for such further and different relief as in equity may be granted and as to Your Honor may seem meet.

W. P. Quinn
Solicitor for Complainants.

FOOT NOTE:

The respondents are required to answer each and every paragraph of the foregoing bill of complaint from the first to the last paragraph, inclusive, but not under oath, answer under oath being expressly waived.

W. P. Quinn
Solicitor for complainants.

records of Baldwin County and has inquired of residents of the section in which the lands lie and no one has been found who knew the information sought and no one could give the address of such defendants.

6. Orator swears that he brings this his bill of complaint against said lands and against all persons, firms or corporations claiming said lands, or any part thereof, or any interest therein, or any lien or encumbrance thereon, and especially against the persons above named, for the purpose of establishing orator's title to and interest in said land and to clear up all doubts and disputes concerning same.

Wherefore, the premises considered, your orator prays that the land hereinabove described, and all persons, firms or corporations claiming said land, or any part thereof, or any title thereto, interest therein or lien or encumbrance thereon, and especially the parties hereinabove named, ^{or referred to} be made parties defendant to this bill of complaint and that due notice of this proceedings be given as required by law, and that order of publication issue to said non resident defendants.

Orator prays that if any person, firm or corporation claims said land or any part thereof, or interest therein, or encumbrance thereon, he or they be required to set forth and specify said claim, title, interest, lien or encumbrance, and set forth how and by what instrument the same was derived or created as required by law.

Orator further prays that on a final hearing of this cause, it will be ordered, adjudged and decreed that orator, George O. Meyer, at the time of the filing of the bill of complaint, had title to the above described land, subject only to the vendor's lien owned by R. R. Lay, and that no other person owns the same or any part thereof, or has any right, title or interest therein or any lien or encumbrance

assignment dated October 21st, 1922 and recorded in Mortgage Book 76 page 585 which mortgage was owned by said R. R. Lay the day and date of his conveyance to your orator as aforesaid.

5. Orator avers that he and his immediate predecessors in title have regularly assessed and paid taxes on said property for the period of ten years continuously and successively immediately preceding the date of the filing of this bill, and that none other than your orators and their predecessors in title have at any time within the next ten years preceeding this date paid any taxes on said lands or claimed any interest therein and that none others than orators and their predecessors have had any possession of said lands or any part thereof, for the ten years next preceding the filing of this bill.

Orator avers that he knows of no interest claimed in said lands and of no person, firm or corporation, other than orator, who claim any said interest; and orator avers that he does not know whether Lafayette Council, Hattie C. Council, R. E. Conniff, Christine Conniff, C. B. Cowan, Clara N. Cowan, Hugh A. Ritchie and the heirs and devisees of W. A. Hammond, deceased or any one of them claim ^{any} interest in or encumbrance on said lands but allege that no claim has been asserted by any one of them within the ten years next preceeding the filing of this bill except during the period of their ownership which was duly transferred as aforesaid, but orator is informed that the persons herein named claim or are reputed to claim some right, title or interest therein or encumbrance upon, though he is informed and believes and on such information and belief says that Lafayette Council, Hattie C. Council, R. E. Conniff, Christine Conniff, C. B. Cowan, Clara N. Cowan, Hugh A. Ritchie are non residents of the State of Alabama and when last heard from resided in the State of Iowa; that orator is informed and believes and on such information and belief alleges that W. A. Hammond who was a non resident of the State of Alabama and a resident of the State of Iowa is now dead, and orator does not know the name of his heirs and devisees, if any; that orator has made diligent effort to ascertain the residence of said parties or any of them and in performance of such efforts has caused abstracts of title to be made, has searched the public

says that no suit is pending in any court to test the title to, interest in or right to the possession of said land.

Orator further shows that the record title to said property stands on the Probate and Tax records of Baldwin County in his name subject to only the vendor's lien aforesaid, and that he claims to own said property under the following conveyances, viz; a warranty deed from R. R. Lay and Hattie Lay his wife dated November 11th, 1926 and duly recorded in the Probate Records of Baldwin County, Alabama and the following chain of title as will appear of record through and by virtue of the deeds, conveyance and patents as follows; United States to Lafayette Council, patent dated *August 16, 1906* and recorded in the Probate Records of Baldwin County, Alabama in Deed Book ~~42~~ *42* N.S. ~~page~~ ; Lafayette Council and Hattie C. Council his wife to R. E. Conniff, warranty deed to undivided one half interest dated June 14th, 1906 and recorded in Deed Book 10 N.S. Page 448; Lafayette Council to Hattie Council his wife, warranty deed to remaining half interest dated June 16th, 1906 and recorded in Deed Book 10 N.S. page 448; Lafayette Council and Hattie C. Council to R. E. Conniff, quitclaim deed dated August 9th, 1909 and recorded in Deed Book 15 N.S. Page 487; R. E. Conniff and Christina Conniff, his wife to C. B. Cowan warranty deed dated March 16th, 1916 and recorded in Deed Book 28 N.S. Page 215; C. B. Cowan and Clara N. Cowan his wife to R. R. Lay, warranty Deed dated April 1st, 1919 and recorded in Deed Book 33 N.S. Page 188 and the deed from Lay to Orator as aforesaid.

4, That the title to the above described lands stands upon the record of Baldwin County as aforesaid with the additional conveyance as follows; a mortgage made by C. B. Cowan to Hugh A. Ritchie dated April 1st, 1919 and recorded in Mortgage Book 22 page 250 securing the payment of Two thousand dollars due April 1st, 1923 which mortgage and the indebtedness was transferred by Hugh A. Ritchie to W. A. Hammond by transfer dated January 9th, 1919 recorded in Mortgage Book 26 page 585 and said W. A. Hammond transferred same to R. R. Lay by an

GEORGE C. MEYER and R. R. LAY
COMPLAINANTS.

VS.

NO. _____
IN THE CIRCUIT COURT
OF BALDWIN COUNTY
ALABAMA
IN EQUITY

The following tract of land in Baldwin County, Alabama, viz: THE WEST HALF OF LOT NO. TWO AND ALL OF LOT NUMBER SEVEN IN SECTION TWENTY EIGHT, TOWNSHIP 9 SOUTH OF RANGE 2 EAST, AN-D LAFALETTE COUNTY, TATTE C. COUNCIL, R. E. CONNELL, CHRISTINA CONNELL, C. B. COWAN, CLARA N. COWAN, HUGH A. RITCHIE, the HEIRS AND DEVISEES OF W. A. HAMMOND, dec'd, and any and all other persons, firms or corporations, claiming any title to, interest in, lien or incumbrance upon said land or any part thereof.

TO THE HONORABLE JOHN D. LIGH, JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Orators, George C. Meyer and R. R. Lay bring this their bill of complaint against that certain piece, parcel or tract of land, lying and being in the County of Baldwin, State of Alabama, viz: The West half of lot two and the whole of lot Seven in Section twenty-eight, Township Nine (9) South of Range 2 East.

And against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on said lands or any part thereof; and orators respectfully show:

1, That orators are over the age of twenty one years and George C. Meyer is a resident of the State of Alabama, now residing in the City of Mobile, in said State, and R. R. Lay is a non resident living in the State of Florida:

2, That the land against which this proceedings is brought is situated in the County of Baldwin, State of Alabama as above described and lies within the jurisdiction of this Honorable Court.

3, That your orator, George C. Meyer, is in actual peaceable possession of said land and claims to own the same in fee simple and that no one owns any part of said property of has any title to same except R. R. Lay who reserved a lien in the deed to orator under which orator claims which is an encumbrance on said property and R. R. Lay joined as complainant only to the extent of this equitable interest, and orator's fee simple title is subject to said vendor's lien so retained to secure the payment of a part of the purchase price as shown by said deed. Orator further

STATE OF ALABAMA
BALDWIN COUNTY

I, G. W. Humphries, Judge of Probate of Baldwin County, Alabama and Custodian of all the Books and Records on file in the office of the Judge of Probate of said county, do hereby certify that the foregoing and annexed pages numberd from One(1) to Ten (10), both inclusive, contain a full, true, correct and complete copy and transcript of the Tax Assessment Books and the Tax Collector's Abstract Books of Baldwin County, Alabama for the years 1925 to 1927 both inclusive, and which are on file in my office and in my custody, insofar as the same relates to or covers the lands described in the foregoing pages.

In testimony whereof I have hereunto set my hand and affixed my official seal at Bay Minette, in said county on this the 20th day of October, 1928.


Judge of Probate.

Tax Collector's Abstract Book, Baldwin County, Alabama, Bon Secour

Beat No. 15, for the year 1927, Page 96,

Receipt No. 2810

Names of Parties:-

Huebner, Herman,-

Assessment Book No. 5, Page 168,

Assessment No. 404,

Total Assessed value of Real Estate, 1680,

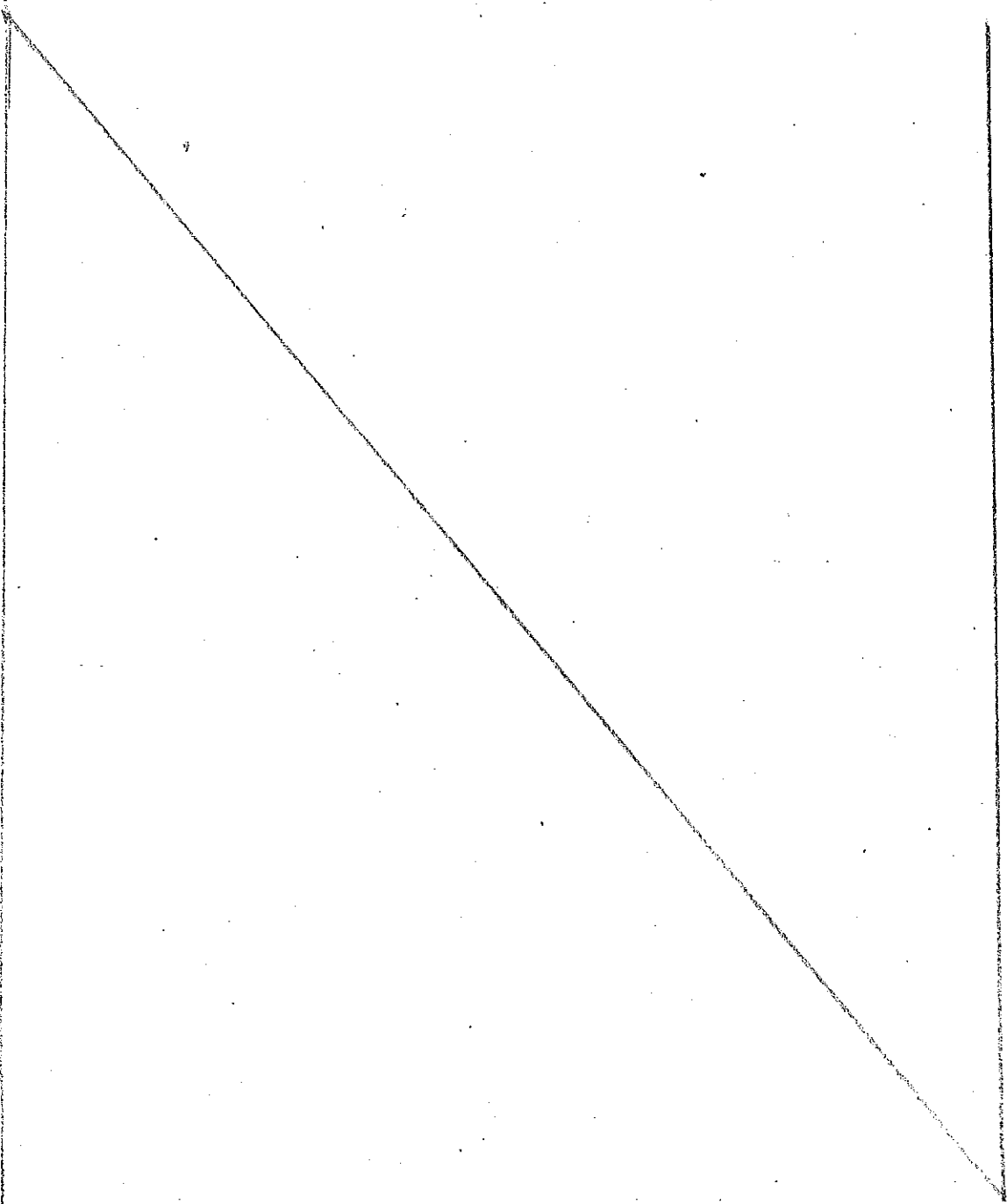
Total State & County Taxes on Real and Personal Property, 50.24,

District No. 60,

District School Tax, 5.04,

Assessor's Fee, 50.

Remarks-----



Tax Book, 1927, No. 3, Baldwin County,

Assessment of Taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1927, Page
168, Bon Secour Beat No. 15,

Names of Parties Assessed:

Huebner, Herman, - Line No. 1, Assessment No. 405,

Lands - Description:

Lots 1 & 3 In 1st Add. to Oak River View, Section 37, Town-
ship 8 S, Range 4,

Number of Acres Improved,-----

Number of Acres Unimproved, 27,

Total Number of Acres, 27,

Total Assessed value of Lands, 525,

Total Assessed value of Improvements, Lands, 1000,

10% Penalty,

Total Assessed value of Real Estate and Improvements, 1525,

Total Assessed value of Personal Property,-----

Total Assessed value of Real Estate and Personal Property, 1600,

Total State and County Taxes 30.24,

Number of District, 60,

Special District School Tax, 5.04,

Assessor's Fee, 50.

Assessment Marked Pd.

Tax Collector's Abstract Book Baldwin County, Alabama, Bon Secour

Beat No. 15, for the year 1926, page 95,

Receipt No. 4009,

Names of Parties:-

Huebner, Herman,

Assessment Book No. 3, 160,

Assessment No 402,

Total Assessed Value of Real Estate, 1680

Total State & County Taxes on Real and Personal Property, 30.24,

District No, 20,

District School Tax, 5.04,

Assessor's Fee, 50,

Remarks.-----

Tax Book, 1926, No. 3, Baldwin County,

Assessment of Taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1926, page
160, Bon Secour Beat No. 15,

Names of Parties Assessed:

Huebner, Herman, - Line No. 30, Assessment No. 404,

Lands, - Description:

Lots 1 & 3 in 1st Addn. to Oak River View, Section 37, Town-
ship 8 S, Range 4,

No. of Acres Improved-----

No. of Acres Unimproved, 27,

Total No. of Acres, 27,

Total Assessed value of Lands, 525,

Total Assessed value of Improvements, Lands, 1000,

10% Penalty, 155,

Total Assessed value of Real Estate and Improvements, 1525,

Total Assessed value of Real Estate and Personal Property 1680,

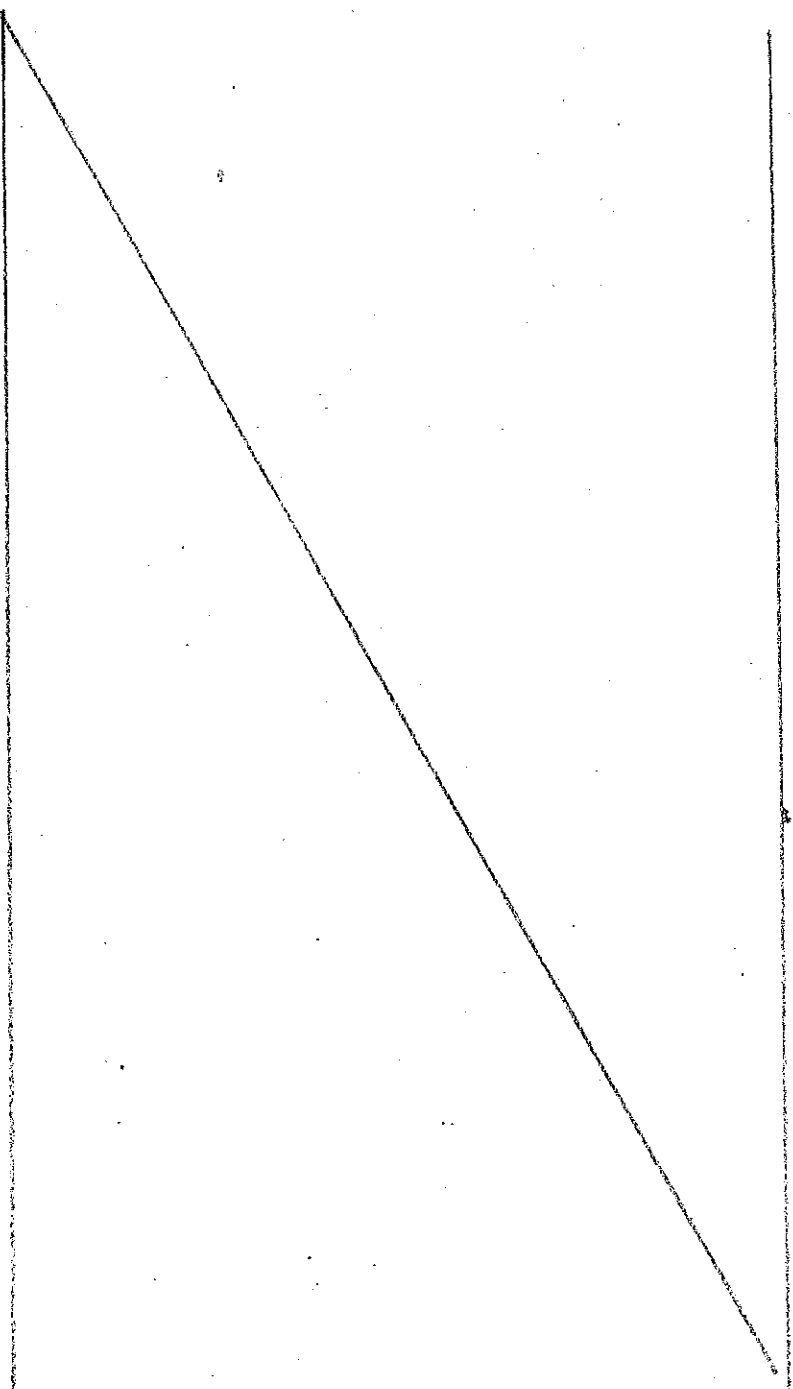
Total State and County Taxes, 30.24,

Number of District, 20,

Special District School Tax, 4.04,

Assessor's fee 50,

Assessment Marked Pd



Tax Collector's Abstract Book, Baldwin County, Alabama, Bon Secour

Beat No. 15, for the year, 1925, Page 92,

Receipt No. 2885,

Names of Parties:-

Huebner, Herman,

Assessment Book No. 3, Page 159,

Assessment No. 381,

10% Non-Assessment on Real Estate, 155,

Total Assessed Value of Real Estate, 1525,

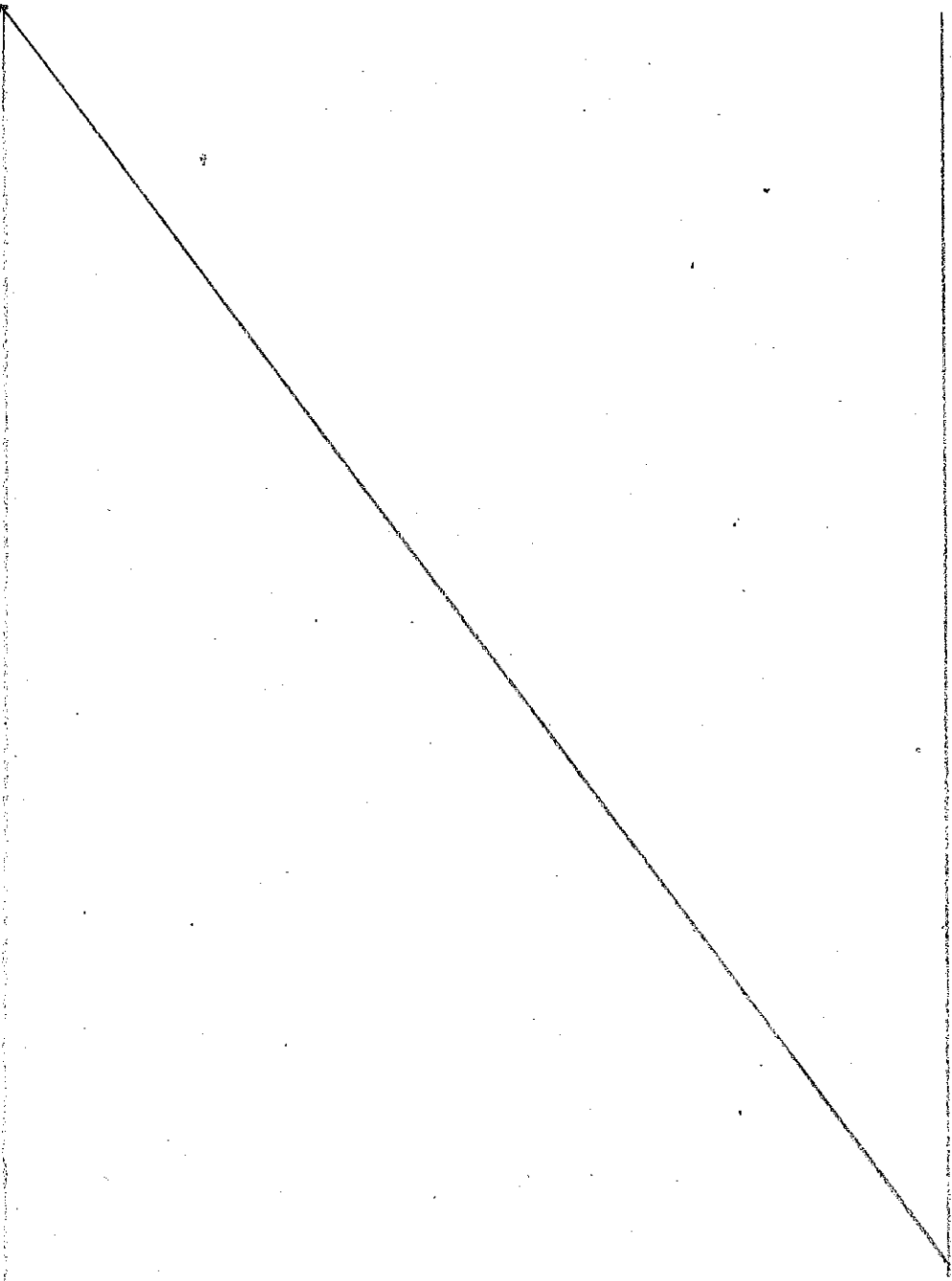
Total State & County Taxes on Real and Personal Property, 30.24,

District No. 20,

District School Tax, 5.04,

Assessor's Fee, 50,

Remarks, -----



Tax Book, 1925, No. 3, Baldwin County,

Assessment of Taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1925, Page
159, Bon Secour Beat No. 15,

Names of Parties Assessed:
Huebner, Herman, - Line No. 31, Assessment No. 381,

Lands, - Description:
Lots 1 & 3 in Oak River View, First Addn., Section 37,
Township 8 S, Range 4,

No. of Acres UnImproved-----

No. of Acres UnImproved, 26,

Total No. of Acres, 26,

Total Assessed Value of Lands, 525,

Total Assessed value of Improvements, Lands, 1000,

10% Penalty, 155,

Total Assessed value of Real Estate and Improvements, 1525,

Total Assessed value of Real Estate and Personal Property, 1680,

Total State and County Taxes, 30.24,

Number of District, 20

Special District, School Tax 5.04,

Assessor's Fee, 50,

Assessment Marked, Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Bon Secour,

Beat No. 15, for the year 1924, page 90.

Receipt No. 7426,

Names of Parties:-

Huebner, Herman,

Assessment Book No. 3, Page 161,

Assessment No. 408,

Total Assessed Value of Real Estate, 1680,

Total State & County Taxes on Real and Personal Property, 50.24,

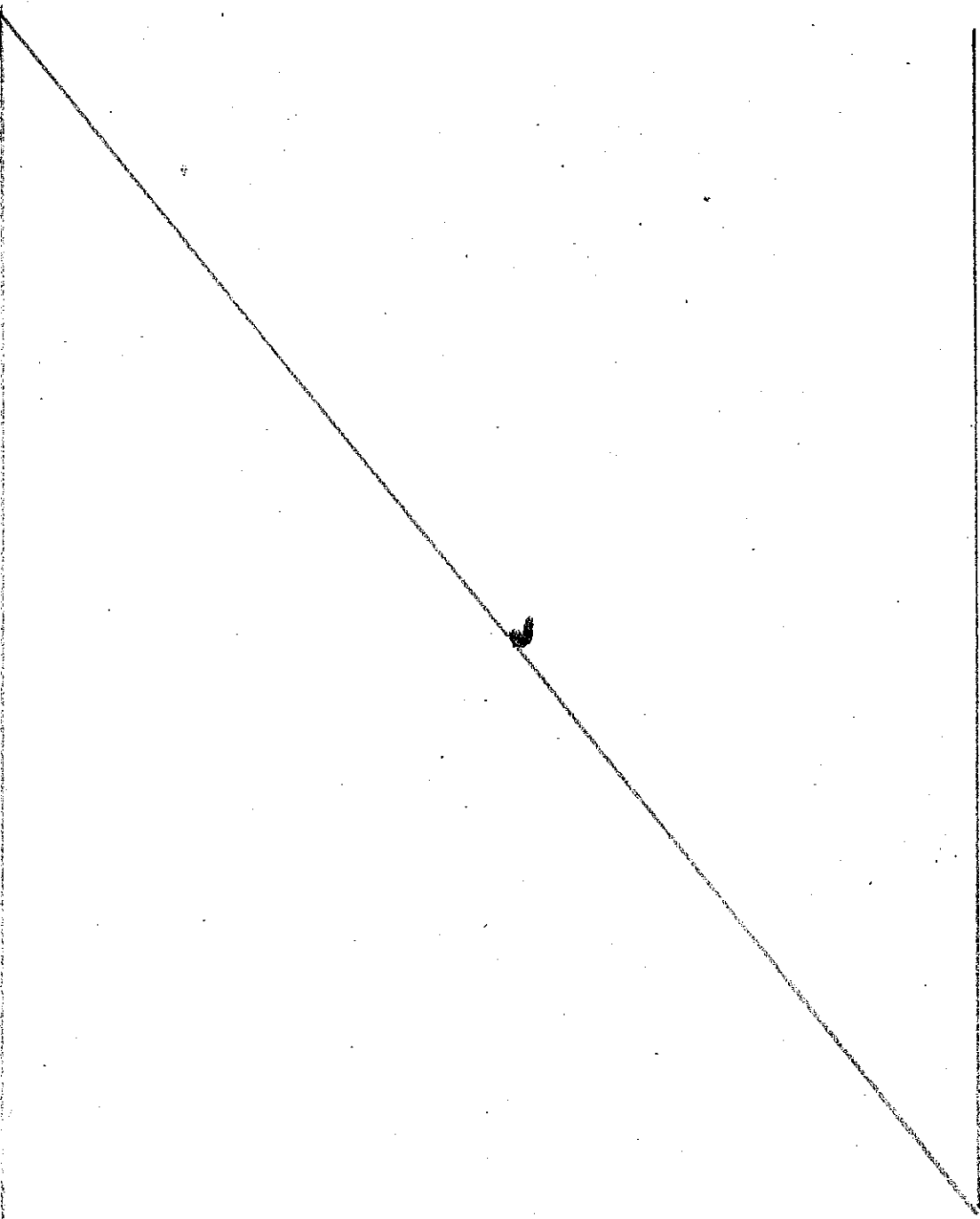
District No. 20,

District School Tax, 5.04,

Assessor's Fee, 50,

Citation Fee, 25.

Remarks-----



Tax Book, 1924, No. 3, Baldwin County,

Assessment of Taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama for the year, 1924, page
161, Bon Secour Beat No. 15,

Names of Parties Assessed:

Huebner, Herman, Line No. 19, Assessment No. 409,

Lands, - Description:
Lots 1 & 3 in Oak River View 1st, Add., Township 8 S, Range
4,

No. of Acres Improved-----

No. of Acres Unimproved, 26,

Total No. of Acres, 26,

Total Assessed value of Lands, 525,

Total Assessed value of Improvements, Lands, 1000,

No% Penalty, 155,

Total Assessed value of Real Estate and Improvements, 1525,

Total Assessed value of Real Estate and Personal Property, 1680,

Total State and County Taxes, 30.24,

Number of District, 20,

Special District School Tax, 5.04,

Assessor's Fee, 50,

Citation Fee, 25,

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Bon Secour

Beat No. 15, for the year 1923, Page 91,

Receipt No. 2320,

Names of Parties:-

Huebner, Herman,
Assessment Book No. 3, Page 156,
Assessment No. 405,

10% Non-Assessment on Real Estate, 50,

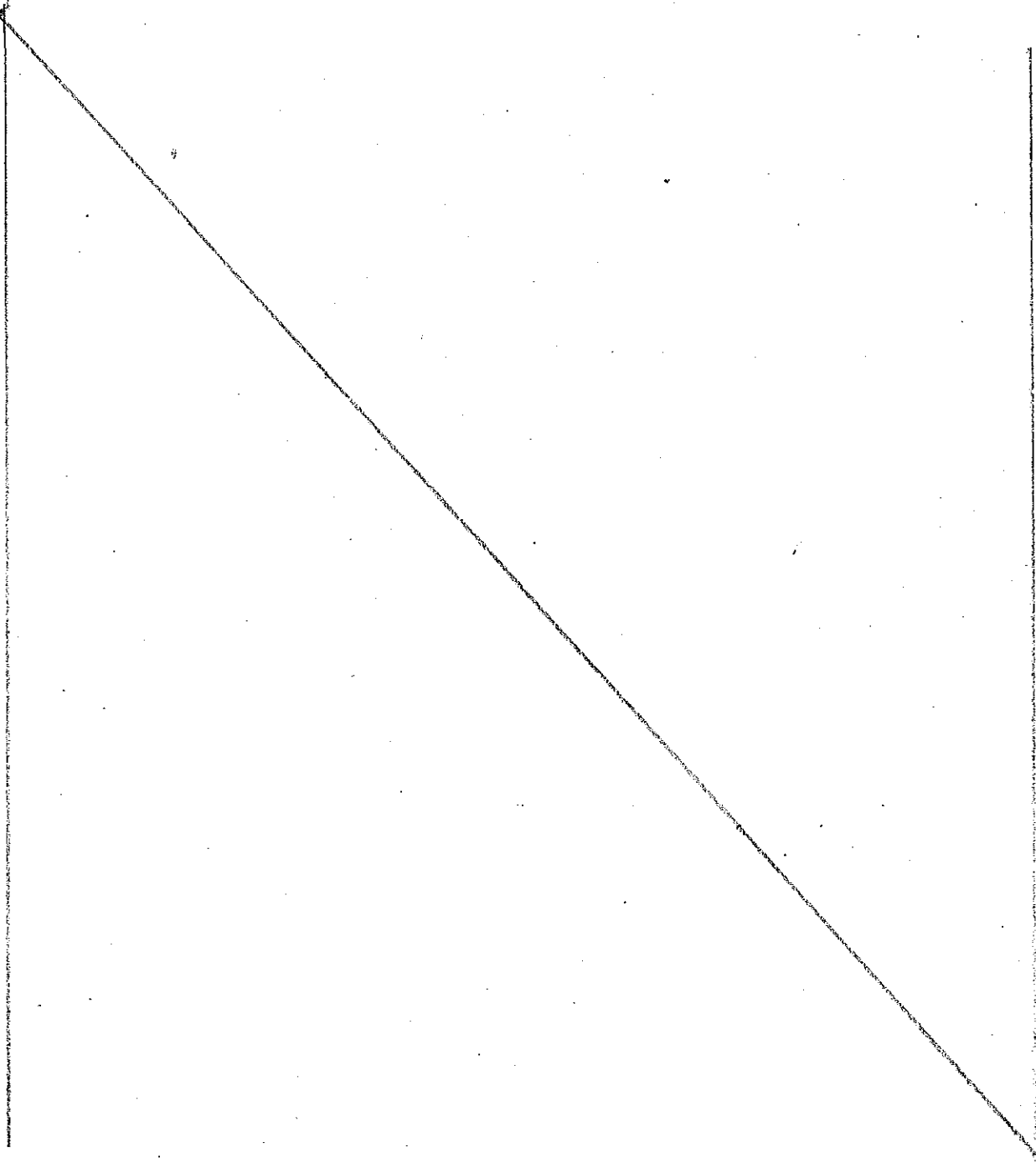
Total Assessed value of Real Estate, 525,

Total State and County Taxes on Real and Personal Property, 10.35

District School Tax, #²⁰1.72,

Assessor's Fee, 50,

Remarks:-----



Tax Book, 1923, No. 3, Baldwin County,

Assessment of Taxes on Real Estate and Personal Property in the County of Baldwin, State of Alabama for the Year 1923, page 156, Bon-
Secur Beat No. 15.

Names of Parties Assessed:

Huebner, Herman, Line 34, Assessment No. 405.

Lands, - Description:

4. Lot 1 & 5 in Oak River View, First Add., Township 8 S, Range

No. of Acres Improved,-----

No. of Acres Unimproved, 26,

Total No. of Acres, 26,

Total Assessed value of lands, 525,

10% Penalty, 50,

Total Assessed value of Real Estate and Improvements, 525,

Total value of Real Estate and Personal Property, 575,

Total State and County Taxes, 10.35,

Number of District, 20,

Special District School Tax, 1.72,

Assessors Fee, 50.

Assessment Marked, Pd.

THIS IS MY LAST WILL AND TESTAMENT:

1st. I direct that all my just debts and funeral expenses be paid as quickly after my death as possible.

2d. Whatever remains of the estate I shall leave at my death, after the payment of such funeral expenses and debts, I give, devise and bequeath to my beloved wife, Meta Huebner, as her absolute property to do with as she pleases.

3d. I appoint my wife executrix of this my last will and testament and request that she shall not be required to furnish any security on her bond as such executrix unless creditors of my estate shall demand it.

4th. I invest my wife with full and absolute power to deal with my estate as she may deem right and proper both during the process of administering my estate as well as thereafter.

5th. In consideration of the fact that my wife has this day made a last will and testament wherein she gives, devises and bequeaths to me all her estate in case she dies before me and wherein she also agrees not to make another of different will before my death, I now here promise and agree that I will not make any other or different will during her lifetime.

6th. I herewith revoke, cancel and annul any and all wills or codicils thereto by me at any time heretofore made.

7th. Signed my me as and for my last will and testament this 18th day of November, 1925, at Oak, Alabama.

HERMAN HUEBNER.

We, the undersigned, do hereby certify that we are over twenty one years of age; that the foregoing will was signed in our presence by the testator, Herman Huebner at the place and on the day the same bears date and that he declared in our presence that he knew its contents and the same was his last will and testament and we at his request and in his presence and in the presence of each other signed our names hereto as witnesses.

We further certify that we believe the testator to be of sound mind and disposing memory and that no fraud, undue influence or duress was used in our presence or to our knowledge to secure his signa-

Bauer

ture thereto.

JOHN STELK

SIBLEY HOLMES.

Filed in office of Judge of Probate Court Baldwin Co., Ala., April 21st, 1924.

G.L.Lambert, Probate Judge
By J.L.Kessler, Clerk.

State of Alabama,
Baldwin County.

I, G.L.Lambert, Judge of Probate for Baldwin County, Alabama, do hereby certify that the within instrument of writing has this day in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be the genuine last will and testament of Herman Huebner, Deceased, and that said will, together with the proof, has been recorded in my office in Book "C" of Wills, at pages 217 and 218.

Witness my hand and seal of the Probate Court, this 17th day of June, A.D., 1924.

(seal)

G.L.Lambert, Judge of Probate
Court, by J.L.Kessler, Clk.

J.L.Kessler

----- O -----

STATE OF ALABAMA,)
COUNTY OF BALDWIN.) In the Probate Court of Baldwin County.
In re estate of Herman Huebner, Deceased.

To the Honorable G.L.Lambert, Judge of said Court:

Your petitioner respectfully represents that she is a resident of this County and over twenty-one years of age; that Herman Huebner, who was an inhabitant of this County at the time of his death, died on the 24th day of November, 1923, leaving a last will and testament, duly signed and published by him and attested by John Stelk and Sibley Holmes, (who reside in this county) in which your petitioner is named as executrix, which said will is herewith produced to your Honor and propounded for probate and record in this Court.

Your petitioner further states that she is the widow of said decedent and that the next of kin of said decedent and their post office addresses as far as known and ascertainable on diligent search and inquiry

J.L.Kessler

are Gustav Huebner, a brother, 2300 S. California Avenue, Chicago, Illinois, Selma Wolf, a sister, 4340 W. Cullerton Street, Chicago, Illinois, Mary Hoppe, an insane sister, Hospital for the Insane, Elgin, Illinois, Amanda Tedeski, a niece of 2042 W. Cullerton Street, Chicago, Illinois, Arthur Berger, address unknown, Harry Berger, Gustav Berger, nephews, and Ursula Berger, niece, children of Gertrude Berger, a deceased sister, all at 2042 W. Cullerton Street, Chicago, Illinois, Minnie Bellert, widow of Charles Huebner, a deceased brother, 2847 S. Tripp Avenue, Chicago, Illinois, and Mary Van Kampen, child of Mary Van Kampen, a niece who died since the death of the deceased, 2847 S. Tripp Avenue, Chicago, Illinois, William Van Kampen, widower of Mary Van Kampen deceased, 2847 S. Tripp Avenue, Chicago, Illinois, Fred Mundingger, child of Annie Mundingger, a deceased niece, address unknown, Otto Huebner nephew, 4210 W. Cullerton Street, Chicago, Illinois, and Gertrude Logan, niece, address unknown, children of Charles Huebner, a deceased brother. That the value of the personal property left by the decedent will not exceed \$500; the annual rental value of real property will not exceed \$100.

Wherefore, your petitioner prays that a day may be set for a hearing of this petition; that subpoenas be issued to the subscribing witnesses requiring them to testify on such appointed day; that proper notice of this petition be given to the next of kin of decedent and that such other orders and decrees may be made in the premises necessary to effect the probate and record of said will according to law; that petitioner be qualified as executrix of the said will and testament.

Meta Huebner, Petitioner.

State of Alabama,)
County of Baldwin.) Meta Huebner, being duly sworn on oath deposes and says that she has read the above and foregoing petition and that she knows the contents thereof and that the same is true.

Meta Huebner.

Subscribed and sworn to before me on this 21 day of April, 1924.

(Seal)

W.C.Beebe, Notary Public,
Baldwin Co., Ala.

Filed in office of Judge of Probate Court, Baldwin Co., Ala., April 21st, 1924.

G.L.Lambert, P.J.
By J.L.Kessler, Clk.

W.C. Beebe

HERMAN HUEBNER, DECEASED

In the matter of the probate of his will.

Probate Court,
Baldwin County, Alabama,
April 21st, 1924.

This day came Meta Huebner, and filed her petition, in writing and under oath, therewith producing, and filing in this Court an instrument of writing purporting to be the last will and testament of said Herman Huebner, deceased, and praying for such orders, decrees and proceedings, as may be proper and requisite, for the due probate and record of said will in this Court; which said instrument appears to be attested by John Stelk and Sibley Holmes, of this county, and who are alleged to have signed the same as subscribing witnesses thereunto, and it appearing to the Court, from said petition, that said petitioner is the widow of said decedent; that said decedent left him surviving, viz: Gustav Huebner, a brother 2300 S. California Avenue, Chicago, Ill., Selma Wolf, a sister, 4340 W. Cullerton St., Chicago, Ill., Mary Hoppe, an insane sister, Hospital for the Insane, Elgin, Ill., Amanda Tedeski, a niece, of 2042 W. Cullerton St., Chicago, Ill., Arthur Berger, address unknown, Harry Berger, Gustav Berger, nephews, and Ursula Berger, niece, children of Gertrude Berger, a deceased sister, all at 2042 W. Cullerton St., Chicago, Ill., Minnie Bellert, widow of Charles Huebner, a deceased brother, 2847 S. Tripp Ave., Chicago, Ill., and Mary Van Kampen, child of Mary Van Kampen, a niece who died since the death of the deceased, 2847 S. Tripp Ave., Chicago, Ill., William Van Kampen, widower of Mary Van Kampen, deceased, 2847 S. Tripp Ave., Chicago, Ill., Fred Mundingger, child of Annie Mundingger, a deceased niece, address unknown, Otto Huebner, nephew, 4210 W. Cullerton St., Chicago, Ill., and Gertrude Logan, niece, address unknown, children of Charles Huebner, a deceased brother.

It is therefore, ordered by the Court, that the 15th day of May, A.D., 1924, be set as a day for hearing testimony in proof of said instrument as such will. That said John Stelk and Sibley Holmes be subpoenaed to be and appear on said 15th day of May, A.D., 1924, in and before this Court, to testify and give evidence of and concerning all, and any facts touching the question of the validity of said instrument as such will. That all of the said above named persons, be notified of this proceeding, and of the day above set for hearing the matter, be notified, and brought in as parties to this proceeding, by publication con-

tinued for three successive weeks in the Baldwin Times, a newspaper,

published in this county, and it is further ordered that all of the adult above named, whose postoffice address are known, have the same kind of a notice served upon them through the public mails, at least ten days before the date of said hearing. That the appointment of a suitable person to act as guardian ad litem for said minors be postponed until said citations shall have been duly served on said minors, agreeable to the foregoing terms of these present orders, for such a length of time as shall be deemed and adjudged by the Court, to be reasonable and sufficient for such of said minors as are over the age of fourteen years, and for the friends and custodians of others who are interested, and who should be represented by guardian, to come in and nominate to the Court a proper person to act as such guardian.

G. L. LAMBERT, Judge of Probate.

Proved

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

Probate Court, May Term, 1920.

To N. C. Stone:--

Take notice, that by an order of this Court, this day made and entered, you were appointed to act as guardian ad litem for Mary Van Kampen, Fred Munding and Gertrude Logan, minors and Mary Hoppe, an insane person, heirs of Herman Huebner, deceased, to represent and protect their interests upon the application of Meta Huebner for the probate of an instrument of writing purporting to be the last Will of Herman Huebner, Decd., to come up for hearing June 17th, 1924.

Given under my hand, this 17 day of June, 1924.

G. L. LAMBERT, Judge of Probate
By J. L. Kessler, Clerk.

I hereby accept the appointment of guardian ad litem for Mary Van Kampen, Fred Munding and Gertrude Logan, minors and Mary Hoppe, an insane person, heirs of Herman Huebner, deceased, to represent and protect their interests upon the hearing of the above entitled cause and demand strict proof of the allegations of said petition.

Proved
Witness my hand, this 17 day of June, 1924.

N. C. Stone, Guardian ad litem.
filed this 17th day of June, 1924,
G. L. Lambert, Judge of Probate, by J. L. Kessler, Clk.

HERMAN HUEBNER, DECEASED)

In the matter of the probate : Probate Court, Baldwin County,
of his last Will and Testament.) Alabama,
June 17th, 1924.

This day having been regularly appointed for hearing the application of Meta Huebner, which was heretofore filed in this Court, for the probate of an instrument of writing purporting to be the last will and testament of said deceased, now comes the said applicant, by her attorney, and also comes N.C. Stone, Esq., who was heretofore, duly appointed, by the order of this Court, and who now consents to act as the guardian ad litem for Mary Van Kampen, Fred Munnendinger and Gertrude Logan, minors and Mary Hoppe, an insane person, all heirs of said deceased; and it appearing to the satisfaction of the Court, that the notice of the said application and of the time appointed for hearing the same, has been given in pursuance of law, and in strict accordance with the former order of this Court, made and entered in the premises, on the 21st day of April, A.D., 1924, by publication continued for three successive weeks in the Baldwin Times, a newspaper published in said county, and by citations personally served, as directed in said former order, now, on motion of said Meta Huebner, the Court proceeds to hear said application. And it appearing to the satisfaction of the Court from the testimony of John Stelk and Sibley Holmes, that they respectively signed the said instrument of writing, purporting to be the last will and testament of the said decedent, and which writing is now shown to them, on the day of the date thereof, in the presence of said testator, and at his request, as subscribing witnesses to the same, the said testator then declaring, that said instrument constituted his last will, and it being also shown, by proof which is satisfactory to the Court, that said testator was of the full age of twenty-one years and upwards, at the time of making said will; and that he was of sound mind, and fully capable of making his said will: It seems to the Court that said application should be granted:

It is therefore ordered, adjudged and decreed, by the Court, that said will of said Herman Huebner, deceased, be received, and the same is hereby declared to be duly proven as the last will and testament of said decedent, and as such, admitted to probate, and ordered to be re-

Hoppe

corded, together with the proof thereof, and all other papers on file relating to this proceeding. It is further ordered, that said applicant pay the costs of this proceeding.

G. L. LAMBERT,

Judge of Probate Court.

J. N. Halladay

----- O -----

QUIT CLAIM DEED.

State of Alabama,)
 :)
Baldwin County.)

Know all men by these presents, That we, J.N. Halladay and Carrie M. Halladay, husband and wife, for and in consideration of one dollar and other valuable consideration the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto Sidney J. Blankenbaker the following described land situated in Baldwin County, Alabama,

to-wit:

From a post on the eastern boundary of the Thomas Johnson Grant known as Section Thirty seven (37) which post is also the half mile post on the line between Sections Twenty (20) and Twenty nine (29) of the Dinsmoor Survey of Township Eight (8) South, Range Four (4) East, thence South seven and 3/100 (7.03) chains for a point of beginning; thence west twenty nine and 46/100 (29.46) chains; thence south five and one-half (5.50) chains; thence South eighty five and a half (85 ½) degrees west forty four and 87/100 (44.87) chains to the Bon Secour river; thence southerly along the Bon Secour River and following its meanderings until the southing amounts to four hundred ninety eight (498) feet more or less or to stakes of P.A. Parkers survey; two cement monuments will be placed in position now occupied by two white stakes of said Parkers survey; thence north eighty five and a half (85 ½) degrees east thirty nine and 63/100 (39.63) chains to a point north of the

ford on Brights Creek; thence South forty two (42) links to the ford; thence easterly along Brights Creek and following its meanderings to the East line of the Thomas Johnson Grant; thence north to point of beginning. Containing eighty-five (85) acres, more or less.

The above description includes the fifty (50) feet now in contention.

To have and to hold to the said Sidney J. Blankenbaker and his heirs and assigns forever with the privilege of a right of way or outlet over said lands for the best advantage of the above described lands.

Given under our hands and seals this 16th day of March, 1920.

Executed in the presence of

Lewis E. Patterson,

J.N.Halladay (seal)

L.J. Bentley.

Carrie M. Halladay (seal)

The State of Alabama,)

Baldwin County.)

I, George Holk, a notary public, hereby certify that Lewis E. Patterson, a subscribing witness to the foregoing conveyance known to me appeared before me this day, and being sworn, stated that J.N.Halladay and Carrie M. Halladay the grantors in the conveyance, voluntarily executed the same in his presence, and in the presence of the other subscribing witness, on the day the same bears date; that he attested the same in the presence of the grantors and of the other witness and that such other witness subscribed his name as a witness in his presence.

Given under my hand this 16th day of March, 1920.

(seal)

George Holk, Notary Public for
Baldwin Co., Ala.
My commission expires Aug 31/21

Filed for record Mar. 17th, 1920 at 9 A M

Recorded Mar. 17th, 1920.

Jas. M. Voltz, Judge of Probate.

George Holk
3 3 1920

STATE OF ALABAMA,)
 ;
BALDWIN COUNTY.)

Know all men by these presents, That we, J.N.Halladay and Carrie M. Halladay, husband and wife, for and in consideration of one dollar and other valuable considerations the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto Sidney J. Blankenbaker the following described land situated in Baldwin County, Alabama,

to-wit:

From a post on the eastern boundary of the Thomas Johnson Grant known as Section Thirty seven (37) which post is also the half-mile post on the line between Sections Twenty (20) and twenty nine (29) of the Dinsmoor Survey of Township Eight (8) South, Range Four (4) East, thence south seven and 3/100 (7.03) chains for a point of beginning; thence West twenty nine and 46/100 (29.46) chains; thence South five and one-half (5.50) chains; thence South eighty five and a half (85½) degrees west forty four and 87/100 (44.87) chains to the Bon Secour River; thence southerly along the Bon Secour River and following its meanderings until the southing amounts to three (300) hundred feet; thence north eighty-five and a half (85½) degrees East thirty nine and 63/100 (39.63) chains to a point north of the ford on Brights Creek; thence south forty two (42) links to the ford; thence easterly along Bright's Creek and following its meanderings to the east line of the Thomas Johnson Grant; thence north to point of beginning. Containing eighty-five (85) acres, more or less.

To have and to hold to the said Sidney J. Blankenbaker and his heirs and assigns forever, with the privilege of a right of way or outlet over said lands for the best advantage of the above described lands.

Given under our hands and seals this 29th day of October, 1917.

Executed in the presence of

Witness:
H.F.Patterson,
Lewis E. Patterson.

J.N.Halladay (seal)

Carrie M. Halladay (seal)

State of Alabama,)
 ;)
Baldwin County.)

I, B.F.Patterson a notary public in and for said State and County hereby certify that J.N.Halladay and Carrie M. Halladay 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 said conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand this 29th day of October, 1917.

(seal)

B.F.Patterson, Notary Public for
Baldwin County, Ala.

STATE OF ALABAMA,)
 ;)
BALDWIN COUNTY.)

I. B.F.Patterson, a notary public in and for said State and County, do hereby certify that on the 29th day of October, 1917, came before me the within named Carrie M. Halladay known to me to be the wife of the within named J.N.Halladay, who being examined separate and apart from her husband in reference to 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 29th day of October, 1917.

(Seal)

B.F.Patterson, Notary Public
for Baldwin County, Ala.

Filed for record Jan 17th, 1918 2 P M

Recorded Jan 17th, 1918.

Waltz

Jas. M. Voltz, Judge of Probate.

76 MS 609

STATE OF ALABAMA,
 :
 : PROBATE COURT.
 :
COUNTY OF BALDWIN. :

I, G.W.Humphries, Judge of Probate and Custodian of the Records and Files of the same, in and for Baldwin County, State of Alabama, do hereby certify that the above and foregoing pages 1 & 2 contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book 32 N.S. at page 522, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify that the above and foregoing page 3 and part of 4, contains a true, correct and complete copy of the Will and Testament of Herman Huebner and Certificate of Record of same, as the same appears of record in Will Book "C" at pages 217 and 218, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing part of page 4 and page 5, contains a true, correct and complete copy of the Application to probate the Will of Herman Huebner, Deceased, as the same appears of record in Probate Record "I" at page 558, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify that the above and foregoing pages 6 and a part of 7, contains a true, correct and complete copy of Order of the Court setting day to probate Will of Herman Huebner, as the same appears of record in Probate Minutes "I" at pages 101 and 102, now on file in the office of Judge of Probate of Baldwin County, Alabama;

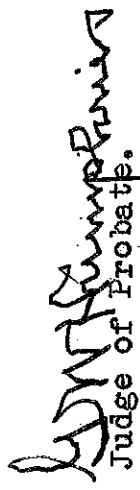
And I further certify, that the above and foregoing part of page 7, contains a true, correct and complete copy of Appointment and Acceptance of Guardian ad Litem, as the same appears of record in Probate Record "J" at Page 253, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing page 8 and part of 9, contains a true, correct and complete copy of Order of Court, admitting to Probate and Record Will of Herman Huebner, Deceased, as the same appears of record in Probate Minutes "I" at page 117, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing part of Page 9 and Page 10, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book 29 N.S. at page 341, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify that the above and foregoing pages 11 and 12, contains a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 26 N.S. at page 609, 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 Seal, at Bay Minette, Alabama, in said County and State, this 5th day of October, A.D., 1928.


Judge of Probate.

MONTGOMERY 06733.

4-1040

THE UNITED STATES OF AMERICA.

To all to whom these presents shall come, Greeting:

WHEREAS, there has been deposited in the General Land Office of the United States a certificate of the Register and receiver of the Land Office at Montgomery, Alabama, whereby it appears that the private land claim of Thomas Johnson, being claim No. 174 in Commissioner William Croford's list of actual settlers---American State Papers, Gales and Seaton's edition, Volume 3, page 38---, was confirmed by the Third Section of the Act of March 3, 1819--3 Stat., 528---, and that the said claim has been regularly surveyed and designated as section thirty-seven in Township Eight South of range Four east of the St. Stephens Meridian, Alabama, containing six hundred thirty-nine and ninety-seven hundredths acres, as shown by the Township plat approved May 19, 1845:

NOW KNOW YE, That the United States of America, in consideration of the premises, has given and granted, and by these presents does give and grant, unto the said Thomas Johnson, and to his heirs, the lands above described; to have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Thomas Johnson, and to his heirs and assigns forever, in accordance with the provisions of the said Act of March 3, 1819.

In Testimony Whereof, I, William H. Taft, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Twenty-first day of March in the year of our Lord One thousand nine hundred and twelve and of the Independence of the United States the one hundred and thirty-sixth.

(Great Seal)

By the President: Wm H. Taft,
By M.P. LeRoy, Secretary,
John O'Connell, Acting Recorder of
the General Land Office.

Recorded: Patent Number 254448.

Filed for record April 1st, 1912,
Recorded April 10th, 1912.

JLH.E.Smith, Judge of Probate, per TPW.

Danger
1975 p 82x

THE GRANTORS, SIDNEY J. BLANKENBAKER, and LUTIE H. BLANKENBAKER, husband and wife of the city of Louisville in the County of Jefferson and State of Kentucky for the consideration of (\$17,000.00) Seventeen Thousand Dollars, the receipt whereof is hereby acknowledged, grant, bargain, and sell to Herman Frese of the City of Chicago, in the County of Cook and State of Illinois the following described real estate, situate in the County of Baldwin and State of Alabama, to-wit:-

(3)

Beginning at the north East corner of the Thomas Johnson Grant known as Section thirty-seven (37) Township Eight (8) South, Range Four (4) East, thence South Fifty chains more or less to center of Bright's Creek, thence Westerly along Bright's Creek, and following its meanderings to the Ford the westing amounting to 37 chains; thence North 42 links; thence South $85\frac{1}{2}$ degrees, west 39.63 chains to the Bon Secure River; thence northerly along Bon Secour River and following its meanderings to the South boundary of the Augustin La Cost Grant, known as Section Thirty-nine; thence East 9.44 chains to the west side of the street known as Cherokee Avenue; thence North 8.51 chains to Boggy Branch; thence westerly along said branch and following its meandering to the North boundary of the Thomas Grant; thence East to the point of beginning, containing two hundred and forty-five (245) acres, more or less, however, with the following described reservations.

A strip of land twenty-five feet (25') wide, extending north and south along the eastern boundary for a public road, also the County Road fifty feet (50') wide known as the Lagoon Road" described as follows: Beginning at a point of the center of the Lagoon Road and also on the eastern boundary of the Thomas Johnson grant, 9.62 chains South of the half mile post, thence west 1565 feet (fifteen hundred sixty five) to a point of intersection; thence South to the boundary of the land conveyed; the two courses being South to the boundary of the land conveyed; the two courses being South to the boundary of the land conveyed; the two courses being joint by a curb of a hundred feet radius; also excepted the land from the post on the eastern boundary of the Thomas Johnson grant known as Section thirty-seven (37) which post is also the half mile post on the line between Sections Twenty (20) and Twenty-nine (29) of

Blumen

STATE OF KENTUCKY, : |
 : |
COUNTY OF JEFFERSON. : |

I, Barbara Sayer, a notary public in and for and residing in the County and State aforesaid, do hereby certify that Lutie H. Blankenbaker known to me to be the wife of the within named Sidney J. Blankenbaker, who, being examined separate and apart from her husband in reference to her signature to the foregoing instrument, 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.

Given under my hand and notarial seal this 2nd day of April, 1921.

(seal)

Barbara Sayer, Notary Public.

Commission expires April 2nd, 1924.

Filed for record August 30th, 1922, at 1:40 P.M.

Recorded August 31st, 1922.

Jas. M. Voltz, Judge of Probate.

(13)

KNOW ALL MEN BY THESE PRESENTS, that Grantors Herman D. Frese and Emma Frese, his wife, of the city of Chicago, County of Cook and State of Illinois for and in consideration of the sum of one thousand (\$1000.00) dollars, the receipt whereof is hereby acknowledged, do grant, bargain and sell unto The Sunny South Developing Co., Inc., hereinafter called the grantee, the following described land situated in the County of Baldwin and State of Alabama, to-wit:

Beginning at the North East Corner of the Thomas Johnson Grant known as Section Thirty-seven (37) Township Eight (8) South, Range Four (4) East, thence South fifty chains more or less to center of Bright's Creek, thence westerly along Bright's Creek and following its meanderings to the Ford the westing amounting to 37 chains; thence North 42 links; thence South $85\frac{1}{2}$ degrees, west 39.63 chains to the Bon Secour River; thence northerly along Bon Secour River and following its meanderings to the South boundary of the Augustin La Cost Grant, known as Section thirty-nine; thence East 9.44 chains to the west side of the street known as Cherokee Avenue; thence North 8.51 chains to Boggy Branch; thence Easterly along said branch and following its meandering to the north boundary of the Thomas Johnson Grant; thence East to the point of beginning, containing two hundred and forty-five (245) acres, more or less, however, with the following described reservations:

A strip of land twenty-five (25) wide, extending North and South along the eastern boundary for a public road, also the County road fifty feet (50) wide known as the "Lagoon Road" described as follows: Beginning at a point of the center of the "Lagoon Road" ~~described as follows:~~ and also on the Eastern boundary of the Thomas Johnson Grant, 9.62 chains south of the half mile post, thence west 1565 feet (fifteen hundred sixty-five) to a point of intersection; thence south to the boundary of the land conveyed; the two courses being joined by a curb of a hundred feet radius; also excepted the land from the post on the eastern boundary of the Thomas Johnson Grant known as Section Thirty-seven (37) which post is also the half mile post on the line between Sections Twenty (20) and twenty-nine (29) of the Dinsmore Survey of Baldwin County, Alabama; thence South 9.92 chains; thence West 29.46 chains to the point of

Baldwin

beginning; thence South 2.75 chains; thence West 41.29 chains to Bon Secour River; thence Northerly along said river till the northing amounts to 2.75 chains; thence East to the point of beginning.

Together with all rights and appurtenances, to said described premises in anywise belonging. To have and to hold the same forever.

Said above described land is not now and never was occupied for or claimed as a homestead by the grantors.

And the grantors covenant that they are seized of an indefeasible estate in fee simple in and to the above described premises; that they have the lawful right to sell and convey the same; that the said land is free from all encumbrances; ^{and} that they will, and their heirs and assigns shall forever warrant and defend the same to the said grantee and the successors and assigns of the said grantee against the lawful claims of all persons claiming by, through or under them.

In Witness Whereof the grantors have signed this conveyance this 2nd day of June, A.D., 1922.

(\$1.00 U.S.I.R. Stamp
attached)

Herman D. Frese

(seal)

Emma Frese

(seal)

STATE OF ILLINOIS,)
 : ss.
COOK COUNTY.)

I, C.F.Lohrentz, a notary public in and for said State and County, do hereby certify that Herman D. Frese and Emma Frese, his wife, whose names signed to the foregoing conveyance acknowledged before me, on this day, that being informed of the contents of said conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and notarial this 2d day of June, A.D., 1922.

(seal)

C.F.Lohrentz, Notary Public.

My commission expires March 15th, 1925.

Filed for record August 30th, 1922 at 1:40 P.M.
Recorded August 31st, 1922.

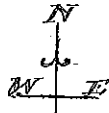
Jas. M. Voltz, Judge of Probate.

Boyer
32 MS 363-4

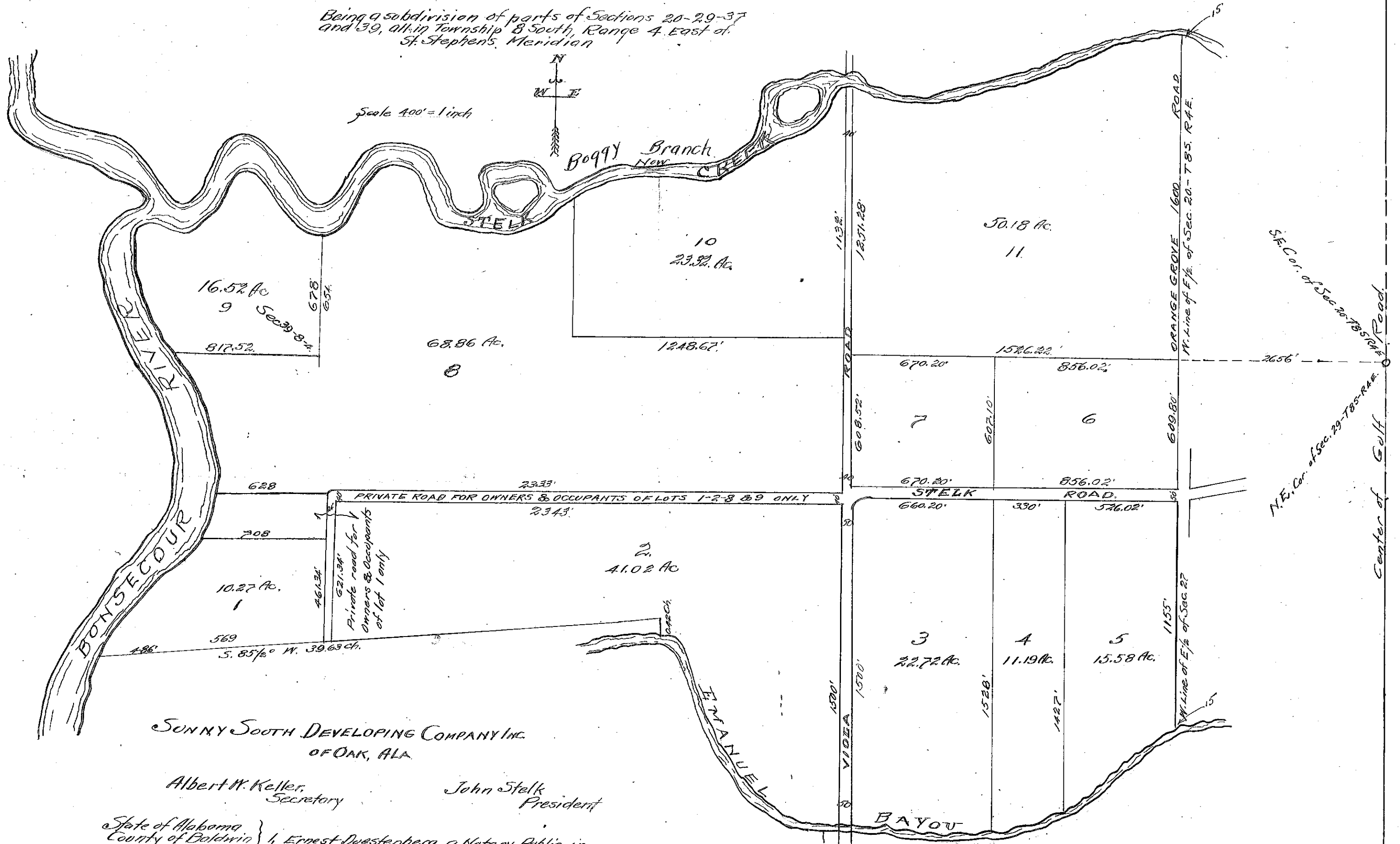
OAK RIVER VIEW 1ST ADDITION

Being a subdivision of parts of Sections 20-29-37
and 39, all in Township 8 South, Range 4 East of
St. Stephens Meridian

Scale 400' = 1 inch



Boggy Branch
New Creek



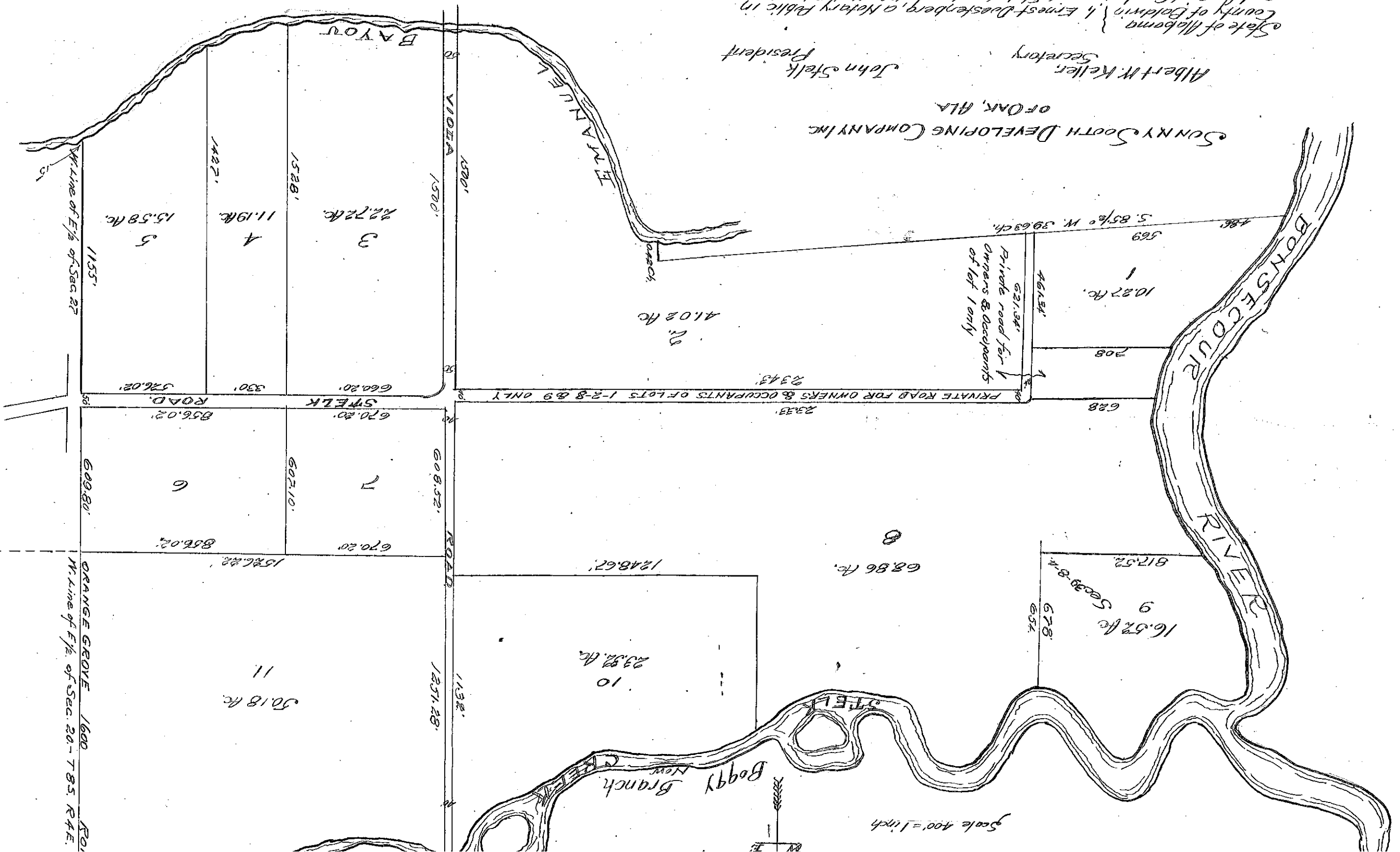
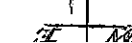
SUNNY SOUTH DEVELOPING COMPANY INC.
OF OAK, ALA.

Albert W. Keller,
Secretary

John Stelk
President

State of Alabama }
County of Baldwin } Ernest Duestenberg, a Notary Public in
and for said County in said State hereby certifies that the above is a true and correct copy of the original of said plat as the same appears on the files of said Notary Public.

Scale 400' = 1 inch



SUNNY SOUTH DEVELOPING COMPANY INC
OF OAK, ALA

Albert M. Keller
Secretary
John Stelk
President

State of Alabama }
County of Baldwin } I, Ernest Duestenberg, a Notary Public in
and for said County in said State, hereby certify that John Stelk
as President and Albert M. Keller, as Secretary of the Sunny
South Developing Company, whose names are signed to the
foregoing map or plat and who are known to me, acknowledged
before me that being informed of the contents of the said map,
or plat they as such officers respectively executed the same,
voluntarily on this day, and caused the corporate seal to be
affixed.
Given under my hand and seal, this the 6th day
Sept. A.D. 1922.
Ernest Duestenberg,
Notary Public

State of Alabama }
County of Baldwin } I, Theodore Widell, a Surveyor, hereby certify that
I have surveyed the land embraced in the above plat by
request of the Sunny South Developing Company and have
subdivided the same under direction of said Company's
Officers.
This the 5th day of Sept. A.D. 1922.
Theo. Widell, Surveyor

Center of Golf
NE. Cor. of Sec. 29-785-RAE
SE. Cor. of Sec. 29-785-RAE
W. Line of E 1/2 of Sec. 27
ORANGE GROVE ROAD
W. Line of E 1/2 of Sec. 20-785-RAE

STATE OF ALABAMA,)
) :
COUNTY OF BALDWIN.) |) PROBATE COURT.

I, G.W. Humphries, Judge of Probate, and Custodian of the Records and Files of the same, in and for Baldwin County, State of Alabama, do hereby certify that the above and foregoing page 1, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book No. 19 at page 82, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing pages 2, 3 and 4, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book 32 N.S. at page 363, now on file in the office of Judge of Probate of Baldwin County, Alabama;

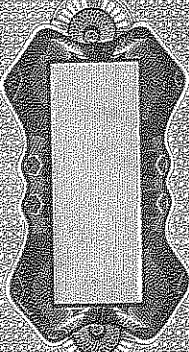
And I further certify, that the above and foregoing pages 5 & 6, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book 32 N.S., at pages 363 & 364, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing page 7 contains a true, correct and complete copy of Map of Oak River View, First Addition, as the same appears of record in Map Book No. 1, at page 68, now on file in the office of Judge of Probate of Baldwin County, Alabama.

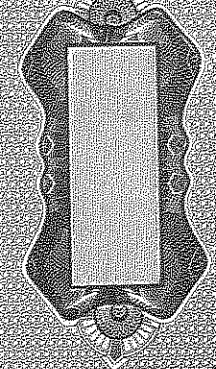
In Testimony Whereof, I have hereunto set my hand and affixed my official seal, at Bay Minette, Alabama, in said County and State, this the 5th day of October, A. D., 1928.


Judge of Probate.

Change



W
Deed



SUNN
DEVELOPING
COMPANY
of
OAK ALABAMA

KNOW ALL MEN BY THESE PRESENTS, that the Grantor, SUNNY SOUTH DEVELOPING COMPANY, Inc, a corporation organized and existing under the laws of the state of Alabama, of the post-office of Oak, county of Baldwin, and state of Alabama for and in consideration of the sum of

- One thousand four hundred twenty two - Dollars, the receipt whereof is

hereby acknowledged, does grant, bargain and sell unto Herman Huebner and wife

Huebner, husband & wife hereinafter called the grantee, the following described land situated in the county of Baldwin and State of Alabama, to-wit:-

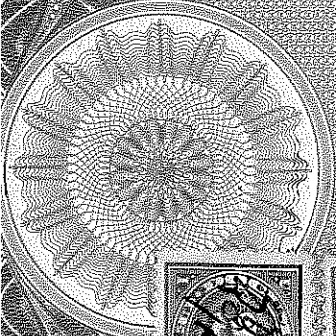
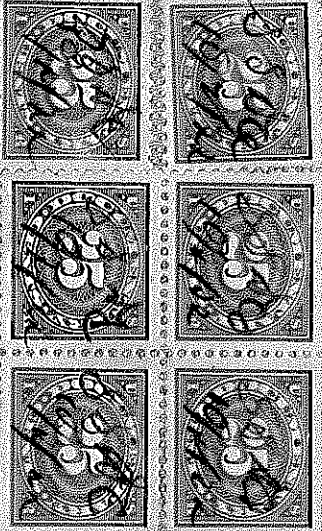
lots one (1) and three (5) in Oak Riverview, First addition being a subdivision of parts of sections 20, 29, 27 and 29, all in township eight (8) South, Range four (4) West of St. Stephens Meridian.

excepting 25 feet from the East end and 25 feet from the West end for a public road. Together with all rights and appurtenances, to said described premises in any wise belonging, TO HAVE AND TO HOLD the same forever.

And the grantor Covenants that is seized of an indefeasible estate in fee simple in and to the above described premises; that it has the lawful right to sell and convey the same; that the said land is free from all encumbrances; and that it will, and its successors and assigns shall forever warrant and defend the same to the said grantee and the heirs and assigns of the said grantee against the lawful claims of all persons whatsoever.

IN WITNESS whereof the grantor has caused this conveyance to be signed by its president and attested by its secretary and its corporate seal this 2nd day of October A. D. 1927.
SUNNY SOUTH DEVELOPING COMPANY, INC.

By [Signature]
President
ATTEST: [Signature]
Secretary



STATE OF ALABAMA,
BALDWIN COUNTY.

I Ernest D. Esterberg a Notary Public in and for said State and County do hereby certify that JOHN STELK, the President of the Sunny South Developing Company, Inc. and ALBERT W. KELLER, the Secretary of said company, whose names are signed to the foregoing conveyance as president and secretary of said company acknowledged before me, on this day, that being informed of the contents of said conveyance they as such officers and with full authority executed the same voluntarily on the day the same bears date for and as the act of said company.

GIVEN under my hand and notarial this 27th of November A. D. 1928

Ernest D. Esterberg
Notary Public

*Filed Oct 23/1928
Prothonotary
Register*

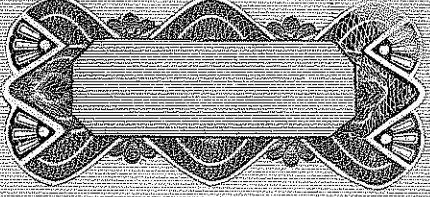
Warranty Deed

SUNNY SOUTH DEVELOPING COMPANY

of
OAK, ALABAMA

To

Ernest D. Esterberg
Prothonotary



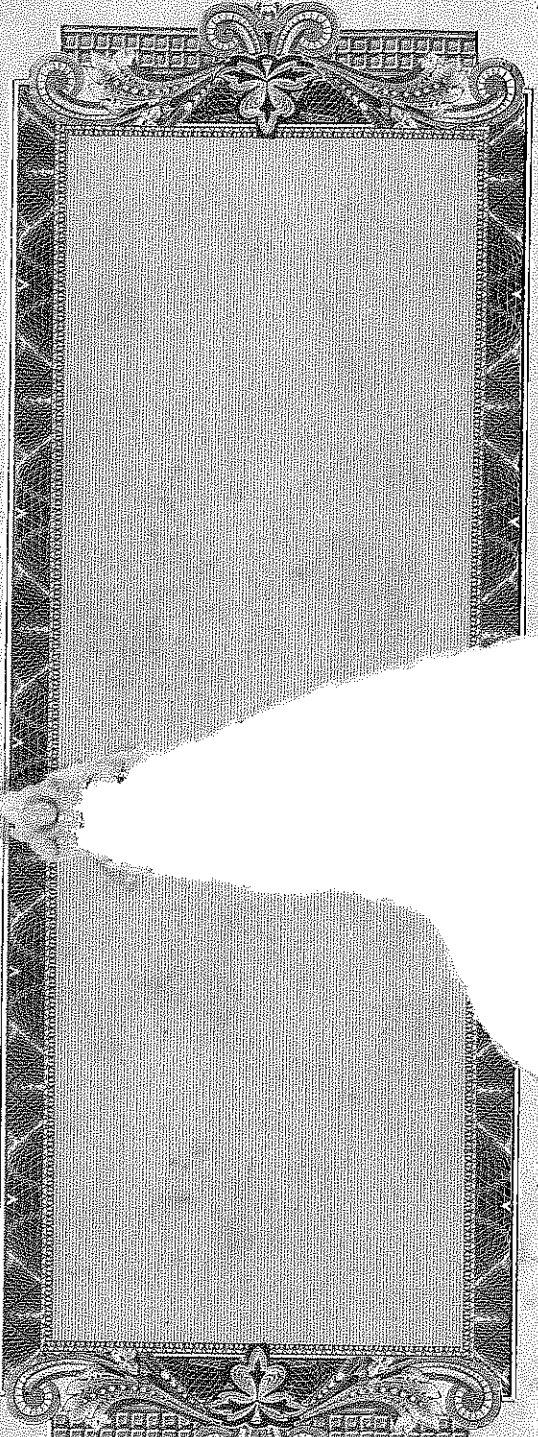
STATE OF ALABAMA,
BALDWIN CO. ss.
Office of the Judge of the Probate Court.

I, David M. Veltz,
Judge of said Court in and for said County,
do hereby certify that the within instrument
was filed in this office for record on the
21 day of Nov 1928

at 1 o'clock P. M. and I further
certify that the same is duly recorded in record
book No. 3275 of Deeds on
page 522 and duly examined.

Witness my hand this 27th
day of December 1928

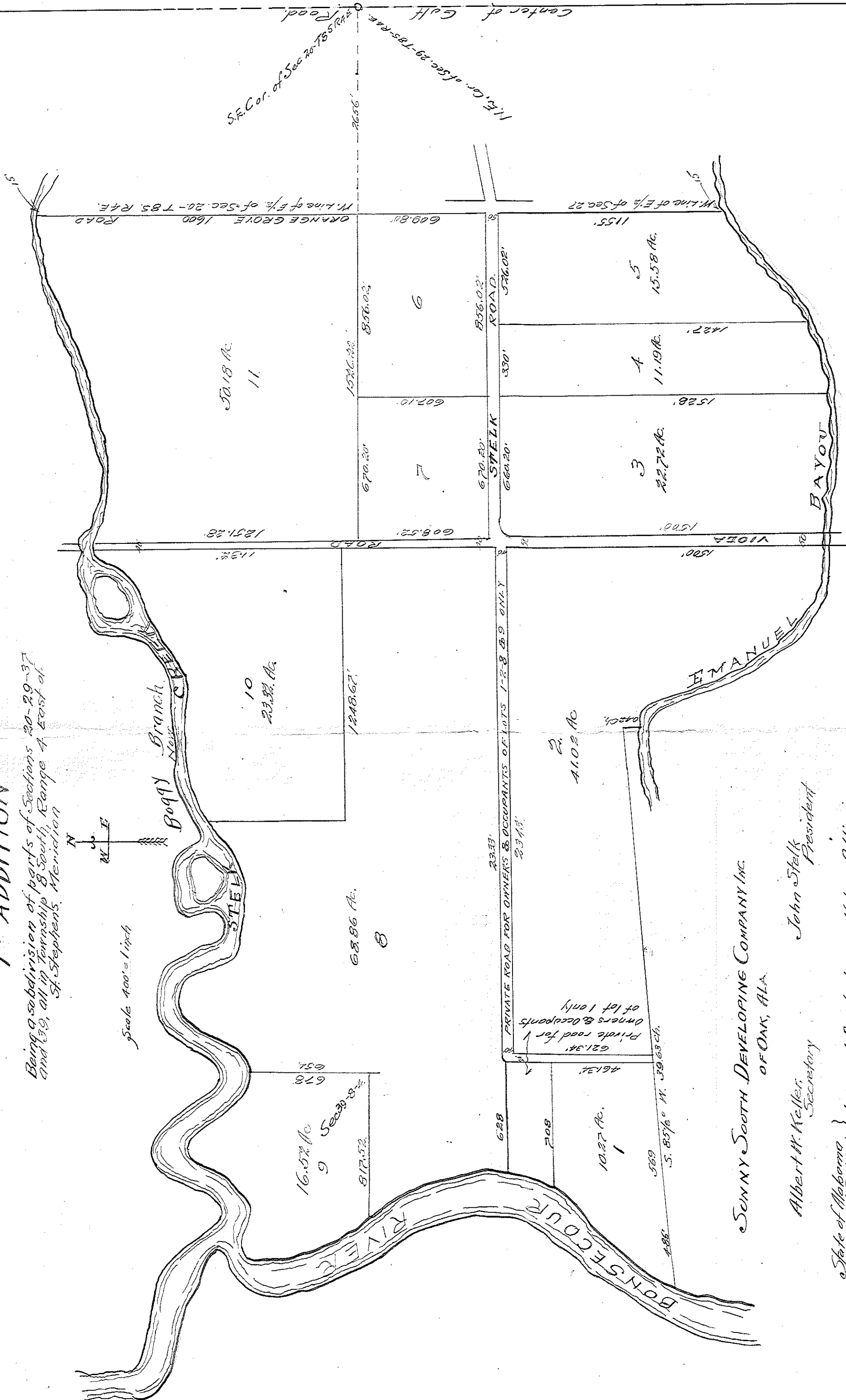
David M. Veltz
Judge of Probate Court by
Deputy.



OAK RIVER VIEW 1ST ADDITION

Being a subdivision of parts of Sections 20-29-37
and 39, all in Township 8 South, Range 4 East of
St. Stephens Meridian

Scale 400' = 1 inch



SUNNY SOUTH DEVELOPING COMPANY INC.
OF OAK, ALA.

Albert W. Keller,
Secretary

John Stelk,
President

I, Ernest Duestenberg, a Notary Public in
County of Baldwin }
and the said County in said State, hereby certify that John Stelk
as President and Albert W. Keller, as Secretary of the Sunny
South Developing Company, whose names are signed to the
 foregoing application, and who are known to me, acquainted
 before me that being informed of the contents of the said map
 or plat, they as such officers respectively executed the same
 voluntarily on this day, and caused the corporate seal to be
 affixed.
 Given under my hand and seal, this the 6th day
 Sept. A.D. 1932.

I, Theodore Widdell, a Surveyor, hereby certify that
I have surveyed the land embraced in the above plat by
request of the Sunny South Developing Company and have
subdivided the same under direction of said Company's
Officers.

This the 5th day of Sept. A.D. 1932.
Theo. Widdell, Surveyor