1424

G. W. EADE AND MATTIE EADE Complainants VS CERTAIN LANDS ET ALS Respondents	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY. No. 1424.

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on behalf of the Complainants upon the Original Bill of Complaint, Notice of Pendency of Bill of Complaint, Proof of Publication of Notice of Pendency of Bill of Complaint, Register's Certificate as to service, Motion for Decrees Pro Confesso, Decrees Pro Confesso, Disclaimer of Lyle G. Eade and Lorna E. Eade, Motion for Appointment of Guardian Ad Litem and Special Attorney, Order Appointing Guardian Ad Litem and Special Attorney, Notice of Appointment, Acceptance and Answer of Guardian Ad Litem and Special Attorney and the testimony as noted by the Register upon consideration of all of which the Court is of the opinion that the Complainants are entitled to the relief prayed for by them in their said Bill of Complaint, whereupon it is therefore ORDERED, ADJUDGED AND DECREED by the Court:

1. That the Complainants, G. W. Eade and Mattie Eade are the lawful owners of, in fee simple, the following described lands situated in Baldwin County, Alabama, to-wit:

> All of the Southwest Quarter of Northwest Quarter and West Half of Southwest Quarter, lying East of Fish River, in Section 32, except the following described Four (4) Tracts of land to-wit:
>
> EXCEPTION NO. 1: Start at the Northeast Corner of Southwest Quarter of Southwest Quarter of Section 32, Township 6 South, Range 3 East, thence West 4.35 chains, thence North 2.73 chains to a stake in the branch for a beginning corner; Beginning at said stake in the branch, run thence North 5.20 chains, thence North 60-1/4 degrees West 20 chains to East bank of Fish River, thence down said river to the mouth of Robinson Branch, thence up said branch with its meanders to the point of beginning, containing 33.93 acres, more or less, lying in Sections 31 and 32 Township 6 South, Range 3 East, which lands were conveyed by Nellie Baldwin to H. M. Robertson by deed dated March 18, 1892, recorded in the office

of the Judge of Probate of Baldwin County, Alabama in Deed Book R at pages 445-7.

EXCEPTION NO. 2: Start at the Northeast Corner of the Southwest Quarter of Southwest Quarter of Section 32, Township 6 South, Range 3 East, run thence West 4.35 chains, thence North 7.93 chains to the beginning corner; Beginning at said corner run North 32.50 chains to a stake in the swamp, thence West 17.07 chains to the East bank of Fish River, thence down said river regardless of its meanders 23.50 chains to a stake, thence South 60-1/4 degrees East 20 chains to the place of beginning, containing 54.96 acres more or less in Sections 31 and 32, Township 6 South, Range 3 East.

EXCEPTION No. 3: Four (4) acres, more or less, in the extreme Southwest Corner of the Southwest Quarter of Section 32, Township 6 South, Range 3 East, near Fish River, heretofore sold by the late Laurent Millandon to one Baker of Baldwin County as excepted from that certain deed from Louis Burthe to D. W. Taylor, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book M at pages 470-4.

EXCEPTION No. 4: That certain tract of land conveyed by Lyle G. Eade to J. R. Underwood, by deed dated October 20, 1933, recorded in Deed Book 56 at page 204 of the records of the office of the Judge of Probate of Baldwin County, Alabama, and described as follows: From Southeast corner of Southwest Quarter of Section 32, Township 6 South, Range 3 East, run West 1688 feet and North 14-1/2 degrees West 370 feet for point of beginning, thence North 47-1/2 degrees East 223 feet, thence North 42 degrees 45 minutes West 100 feet, thence South 47-1/2 degrees West 330 feet, more or less, to East bank of Fish River, thence South 42 degrees 45 minutes East 100 feet thence along East bank of Fish River, thence North 47-1/4 degrees East 93 feet to point of beginning, containing 3/4 acres, more or less.

Northeast Quarter of Southwest Quarter of Section 32; Southeast Quarter of Southwest Quarter of Section 32, except the following described land, to-wit: Start at the Northwest Corner of the Southeast Quarter of the Southwest Quarter of Section 32, Township 6 South, Range 3 East, run East 3.05 chains to a stake, thence South 7.48 chains to a stake, for a beginning corner, thence South 323.75 feet to a stake, thence East 180 feet, thence North 323.75 feet to a stake, thence West 180 feet to place of beginning, containing 1.34 acres, and being Lots 1, 2 and 3 and North Half of Lot 4 in Block 4 of the Baldwin Addition to Marlow, Alabama.

East Half of Northwest Quarter of Section 32; South Half of Southeast Quarter of Section 32; Northwest Quarter of Southeast Quarter of Section 32 except a tract 5.25 acres, which said excepted property is described as follows, to-wit: From the Southwest Corner of the Northwest Quarter of Southeast Quarter of Section 32, Township 6 South, Range 3 East, run North 170 feet to the beginning corner; thence run North 323 feet to a corner; thence East 707 feet to

a corner; thence South 323 feet to a corner; thence West 707 feet to the beginning corner.

East Half of Northeast Quarter of Section 32.

All of the Southeast Q uarter of Southwest Quarter of Section 29, lying East of Polecat Creek, which creek is otherwise known as Silver Creek.

All of the foregoing lands lying in Township 6 South Range 3 East of St. Stephens Meridian.

Also: South fifteen and one-half (15-1/2) acres of the tract of land known as "James Laduc Tract" which tract is described as follows: Starting at the half section post of the South boundary line of Section 5, Township 7 South Range 3 East and running North 45.00 chains for a beginning corner; thence West 11.00 chains to a public road; thence North 10.00 chains to a stake, thence East 31.00 chains to a stake, thence South 10.00 chains to a stake; thence West 20.00 chains to the point of beginning; and being in the Southwest Quarter of the Northeast Quarter and Southeast Q uarter of Northwest Q uarter of Section 5, Township 7 South, Range 3 East of St. Stephens Meridian;

that the absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said Complainants, free and clear of and from the claim or claims of any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof or any interest therein; that the said Complainants have and they are hereby given judgment against the said lands and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof. The Complainants' title to the said land is hereby quieted against Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, Geo. P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam Carl A. Krause, Frank H. Riddle, Homer Ohlhaver, Alice Ohlhaver,

Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade, Lyle G. Eade and the heirs and devisees of such of said parties as may be dead and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof and any and all such claim or claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

2. The Register of this Court shall within thirty (30) days from the rendition of this decree file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama for record therein and tax the cost of such recording as a part of the costs of this proceeding.

3. The Judge of Probate of Baldwin County, Alabama shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, Geo. P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Homer Ohlhaver Alice Ohlhaver, Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade and shall index the same in the indirect or reverse index of said records in the names of G. W. Eade and Mattie Eade.

4. The title hereby decreed to be in the said Complainants G. W. Eade and Mattie Eade shall enure to the benefit of

all persons who derive title to the said lands, or any interest therein from or through the said Complainants and such title or interest shall be at all times treated and considered as though it had been established in favor of the person or persons so procuring or deriving title from the said Complainants.

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

ORDERED, ADJUDGED AND DECREED this the 15th day of March, 1946.

F. M. Hare

Judge.

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. No. 1424.

NOTICE OF APPOINTMENT, ACCEPTANCE AND ANSWER OF GUARDIAN AD LITEM

TO T. J. MASHBURN, JR:

You are hereby notified that you have been appointed as guardian ad litem to represent any unknown minors interested in this proceeding and as special attorney to represent any of the unknown parties interest in this proceeding who are in the military service.

Dated this 11th day of March, 1946.

Register.

STATE OF ALABAMA
BALDWIN COUNTY

I, T. J. MASHBURN, JR. do hereby accept appointment as guardian ad litem and as special attorney in this cause and for answer to the Bill of Complaint filed in this cause and to each and every count thereof separately and severally, I deny each and all of the allegations of said complaint and demand strict proof of same.

Dated this 11th day of March, 1946.

T. J. Mashburn Jr.
Guardian ad litem and special attorney.

NOTICE OF APPOINTMENT, ACCEPTANCE AND ANSWER OF GUARDIAN AD LITEM

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 1424.

Dated March 11, 1946.

G.W. EADE and MATTIE EADE Complainants VS CERTAIN LANDS ET ALS Respondents	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY. No. 1424.

MOTION

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

Now come the Complainants in this cause by their solicitor and respectfully represent that this suit has been filed against certain unknown parties and that it is possible that some of the said parties are minors and that some are in the military service.

Complainants further represent that if any of said unknown respondents are minors or in the military service and interested in this cause they can be properly protected and properly represented by a guardian ad litem and by an attorney appointed by the Court to represent any of said unknown parties who may be in the military service.

Wherefore Complainants move the Court to appoint a guardian ad litem to represent any of the said unknown parties and an attorney to represent any of said unknown parties who may be in the military service.

Respectfully submitted,

J. B. Blackburn

Solicitor for Complainants.

MOTION
FOR APPOINTMENT OF GUARDIAN
AD LITEM

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 1424.

Filed March 11, 1944

[illegible]
Register

G. W. EADE AND MATTIE EADE Complainants VS CERTAIN LANDS ET ALS Respondents	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY. No. 1424.

DECREES PRO CONFESSO

In this cause, it being made to appear to the Register that a copy of the Summons and Bill of Complaint in this cause was personally served on the respondents Ida V. Moore, Voncile Sute, Ida Lou Russell and Daniel Gardner more than sixty (60) days prior to this date and that each of said respondents have failed to appear and plead, answer or demur to the Bill of Complaint filed against them in this cause; that a copy of the notice of pendency of Bill of Complaint in this cause was mailed by the Register by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed", return receipt requested addressed to the said Register, which said articles were sent to the following named respondents at the addressed given below: Alice Ohlhaver, Aurora, Illinois; Mildred Ohlhaver Stubbs, Aurora, Illinois; Lila Ohlhaver Morrill, Aurora, Illinois and Homer Ohlhaver, Chicago, Illinois; that the said registered articles so mailed to Mildred Ohlhaver Stubbs and Homer Ohlhaver were returned undelivered; that the return cards signed by Alice Ohlhaver and Lila Ohlhaver Morrill were received and filed by the Register of this Court more than thirty (30) days prior to this date and it being made further to appear to the Register that a copy of the notice of pendency of Bill of Complaint in this cause was published once a week for four (4) consecutive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, which said publication commenced on the 11th day of October, 1945; that a certified copy of the said notice was filed for record in the office of the Judge of Probate of Baldwin County, Alabama on October 11, 1945; that on the said

date a copy of the said notice was posted at the front door of the Courthouse in Baldwin County, Alabama, in each and all of which notices the following respondents were named: Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, Geo. P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H.S. Derby, Edward D. Northem, Carl A. Krause, Frank H. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade, Lyle G. Eade and the heirs and devisees of such of said parties as may be dead and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands described in the said notice and the Bill of Complaint filed in this cause and to date hereof each and all of the said respondents have failed to appear and plead, answer or demur to the Bill of Complaint in this cause:

Now, therefore, on motion of the complainants, it is ORDERED, ADJUDGED AND DECREED by the Register that the said Bill of Complaint be and it is hereby confessed against the said Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, Geo. P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman,

H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade, Lyle G. Eade and the heirs and devisees of such of said parties as may be dead and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands which are specifically described in the Bill of Complaint filed in this cause.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Court on this the 11th day of March, 1946.

R L Veale
Register.

DECREES PRO CONFESSO

G. W. EADE and
MATTIE EADE
Complainants

VS

CERTAIN LANDS et als
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 1424.

G. W. EADE AND MATTIE EADE Complainants		IN THE CIRCUIT COURT OF
VS		BALDWIN COUNTY, ALABAMA
CERTAIN LANDS ET ALS Respondents		IN EQUITY. No. 1424.

MOTION FOR DECREES PRO CONFESSO

Motion is hereby made for Decrees Pro Confesso against the respondents Ida V. Moore, Voncile Sute, Daniel Gardner and Ida Lou Russell on the ground that each of the said parties were personally served with a copy of the Summons and Bill of Complaint in this cause more than sixty (60) days prior to this date and that to the date hereof each and all of said parties have failed to appear and plead, answer or demur to the Bill of Complaint filed against them in this cause.

Motion is further made for Decrees Pro Confesso against the respondents Alice Ohlhaver and Lila Ohlhaver Morrill on the ground that a copy of the Notice of the Pendency of the Bill of Complaint filed in this cause was mailed to each of them by the Register of this Court by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed" with return receipt demanded addressed to said Register and that said return receipts so signed by each of the said respondents were received and filed by the said Register more than thirty (30) days prior to this date and that the said respondents each have failed to appear and answer, plead to or demur to the Bill of Complaint filed against them in this cause.

Motion is further made for Decrees Pro Confesso against Robert Steel, John A. Cottrell; James M. Dannelly; John W. Hicks; Clement Millandon; Benjamin Laurent Millandon; Henrietta Millandon; Casimir Gardanne; Edmond Burthe; Emanuel Burthe; F. George Burthe; Andre Burthe; Marguerette Butler; Lizzie Millandon; Mrs. Adolph Tamboury; Madeline Millandon; Genevieve Millandon; A. Tamboury;

David Gordon; John Morton; Alexander Morton; George M. Bonner; Lillie Bonner Machette; Herbert Macan Bonner; Geo. P. Chapman; Jas. P. Chapman; Helen DeWitt; Clara Chapman; Kate Chapman; H. S. Derby; Edward D. Northam; Carl A. Krause; Frank H. Riddle; Homer Ohlhaver; Mildred Ohlhaver Stubbs; M. E. Gieple; Lorna E. Eade; Lyle G. Eade and the heirs and devisees of such of said parties as may be dead and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands which are specifically described in the Bill of Complaint filed in this cause which form the basis of this suit on the ground that more than sixty (60) days have elapsed since the first publication of the notice of pendency of the Bill of Complaint in this cause, which said service was had by publication according to law and the said respondents and each of them have failed to answer, plead to or demur to the Bill of Complaint in this cause to this date and on the further ground that a copy of the notice of the pendency of the Bill of Complaint was mailed to the respondents Mildred Ohlhaver Stubbs and Homer Ohlhaver by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed" with return receipt demanded and that such registered articles were returned undelivered to the Register of this Court.

Dated this 11th day of March, 1946.

J. B. Blackburn
Solicitor for Complainants.

MOTION FOR DECREES PRO CONFESO

G. W. EADE and
MATTIE EADE
Complainants

VS

CERTAIN LANDS et als
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No1 1424.

Filed 3-11-1944
R S Duck
Register

G. W. EADE AND MATTIE EADE Complainants VS CERTAIN LANDS ET ALS Respondents		IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY. No. 1424.

ORDER APPOINTING GUARDIAN AD LITEM

In this cause it being made to appear to the Register that this suit has been filed against various Respondents, some of which are unknown and the Complainants have filed a motion in this cause requesting appointment of a guardian ad litem to represent any of the unknown heirs which may be minors and an attorney to represent any of the said parties which may be in the military service.

It further appearing to the Register that the Attorney hereinafter named is not of kin or council to any of the parties to this suit or in any way interested in the result thereof and is in all respects qualified to act as guardian ad litem for any of the said unknown parties who are minors and as attorney for any of the said parties who may be in the military service.

It is therefore ORDERED, ADJUDGED AND DECREED by the Register that T. J. Mashburn, Jr be and he is hereby appointed as guardian ad litem to represent any of the said unknown parties respondent who are minors and as attorney to represent any of the said unknown parties respondent who are in the military service.

Dated this 11th day of March, 1946.

Register.

ORDER APPOINTING GUARDIAN AD LITEM

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 1424.

Dated March 11, 1946.
R. Duck
Register

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. No. 1424.

CERTIFICATE

I, the undersigned R. S. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the notice of pendency of Bill of Complaint in this cause was published once a week for four (4) successive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, the said notice appearing in the issues of said paper of October 11, October 18, October 25 and November 1, 1945.

I further certify that on October 11, 1945, a copy of said notice was filed for record in the office of the Judge of Probate of Baldwin County, Alabama and on the said date a copy of the said notice was posted at the front door of the courthouse at Bay Minette, in Baldwin County, Alabama.

A copy of the summons and Bill of Complaint in said cause was served on the respondents Ida V. Moore, Voncile Sute and Daniel Gardner on November 23, 1945 and a copy of the summons and Bill of Complaint was served on the respondent, Ida Lou Russell on December 4, 1945.

I did on January 31, 1946, mail a copy of the notice of pendency of Bill of Complaint in said cause by registered mail, postage prepaid, marked "For delivery only to person to whom addressed" with return receipt demanded addressed to me as sending officer to the following respondents at the following addresses: Alice Ohlhaver, Aurora, Illinois; Mildred Ohlhaver Stubbs, Aurora, Ill; Lila Ohlhaver Morrill, Aurara, Illinois and Homer Ohlhaver, Chicago, Illinois. The said registered articles so mailed to Mildred Ohlhaver Stubbs and Homer Ohlhaver were returned undelivered. The return receipt for the said registered articles sent to and

received by Alice Ohlhaver and Lila Ohlhaver Morrill, signed by the said respondents, were each received and filed by me on February 7, 1946.

I further certify that all of the respondents named in the said Bill of Complaint have to the date hereof failed to appear and plead, anser or demur to the Bill of Complaint filed against them in this cause.

Dated this 11th day of March, 1946.

R. L. Hick
Register.

CERTIFICATE

G. W. EADE and
MATTIE EADE
Complainants

VS

CERTAIN LANDS, et als
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 1424.

Filed March 11-1946
R. Dwyer
Reg

Legal Notices

NOTICE OF PENDENCY OF BILL O COMPLAINT

G. W. EADE AND MATTIE EAD Complainants,

VS.

THE LANDS HEREINAFTER D SCRIBED AND ROBERT STEEL, et al Respondents.

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

Notice is hereby given to Rober eel, John A. Cottrell, James M. Dan elly, John W. Hicks, Clement Millandon enjamin Laurent Millandon, Henriett Millandon, Cosimir Gardanne, Edmon Burthe, Emanuel Burthe, F. Geort Burthe, Andre Burthe, Marguerete Butler, Lizzie Millandon, Mrs. Adolp Tamboury, Madeline Millandon, Gen vieve Millandon, A. Tamboury, Dav Gordon, John Morton, Alexander Mo on, George M. Bonner, Lillie Bonn Machette; Herbert Macan Bonner, Geo. P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Mary E. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver, Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade, and the heirs and devisees of such of said parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 11th day of October, 1945, G. W. Eade and Mattie Eade filed in the Circuit Court of Baldwin County, Alabama, Equity Side a verified Bill of Complaint against the following described lands situated in Baldwin County Alabama, to-wit:

All of the Southwest Quarter of Northwest Quarter and West Half of Southwest Quarter, lying East of Fish River, in Section 32, except the following described Four (4) tracts of land, to-wit:

EXCEPTION NO. 1: Start at the Northeast Corner of Southwest Quarter of Southwest Quarter of Section 32, Township 6 South, Range 3 East, thence West 4.35 chains thence North 2.73 chains to a stake in the branch for a beginning corner; Beginning at said stake in the branch, run thence North 5.20 chains, thence North 60¼ degrees West 20 chains to East bank of Fish River, thence down said river to the mouth of Robinson Branch, thence up said branch with its meanders to the point of beginning, containing 33.93 acres, more or less, lying in Sections 31 and 32 Township 6 South Range 3 East, which lands were conveyed by Nellie Baldwin to H. M. Robertson, by deed dated March 18, 1892, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book R at pages 445-7.

EXCEPTION NO. 2: Start at the Northeast Corner of the Southwest Quarter of Southwest Quarter of Section 32, Township 6 South Range 3 East, run thence West 4.35 chains, thence North 7.93 chains to the beginning corner; Beginning at said corner run North 32.50 chains to a stake in the swamp, thence West 17.07 chains to the East bank of Fish River, thence down said river regardless of its meanders 23.50 chains to a stake, thence South 60¼ degrees East 20 chains to the place of beginning, containing 54.96 acres, more or less in Sections 31 and 32, Township 6 South Range 3 East.

EXCEPTION NO. 3: Four (4) acres, more or less, in the extreme Southwest Corner of the Southwest Quarter of Section 32 Township 6 South, Range 3 East, near Fish River, heretofore sold by the late Laurent Millandon to one Baker of Baldwin County as excepted from that certain deed from Louis Burthe to D. W. Taylor, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book M. at pages 470-4.

EXCEPTION NO. 4: That certain tract of land conveyed by Lyle G. Eade to J. R. Underwood, by deed dated October 20, 1933, record Deed Book 56 at page 204 o records of the office of the J of Probate of Baldwin County, A bama, and described as follows: Fr Southeast corner of Southwest Qua ter of Section 32 Township 6 South Range 3 East, run West 1688 feet and North 14½ degrees West 370 feet for point of beginning, thence North 47½ degrees East 223 feet, thence North 42 degrees 45 minutes West 100 feet, thence South 47½ degrees West 330 feet, more or less, to East bank of Fish River, thence South 42 degrees 45 minutes East 100 feet thence along East bank of Fish River, thence North 47½ degrees East 93 feet to point of beginning, containing three-fourths acres, more or less.

Northeast Quarter of Southwest Quarter of Section 32; Southeast Quarter of Southwest Quarter of Section 32, except the following described land, to-wit: Start at the Northwest Corner of the Southeast Quarter of the Southwest Quarter of Section 32, Township 6 South, Range 3 East, run East 3.05 chains to a stake, thence South 7.48 chains to a stake, for beginning corner, thence South 323.75 feet to a stake, thence East 180 feet, thence North 323.75 feet to a stake, thence West 180 feet to place of beginning, containing 1.34 acres, and being Lots 1, 2 and 3 and North Half of Lot 4 in Block 4 of the Baldwin Addition to Marlow, Alabama.

East Half of Northwest Quarter of Section 32; South Half of Southeast Quarter of Section 32; Northwest Quarter of Southeast Quarter of Section 32 except a tract 5.25 acres, which said excepted property is described as follows, to-wit: From the Southwest Corner of the Northwest Quarter of Southeast Quarter of Section 32, Township 6 South Range 3 East, run North 170 feet to the begining corner; thence run North 323 feet to a corner; thence East 707 feet to a corner; thence South 323 feet to a corner; thence West 767 feet to the beginning corner.

East Half of Northeast Quarter of Section 32.

All of the Southeast Quarter of Southwest Quarter of Section 29, lying East of Polecat Creek, which creek is otherwise known as Silver Creek.

All of the foregoing lands lying in Township 6 South Range 3 East of St. Stephens Meridian.

Also: South fifteen and one-half (15½) acres of the tract of land known as "James Laduc Tract" which tract is described as follows: Starting at the half section post on the South boundary line of Section 5 Township 7 South Range 3 East and running North 45.00 chains for a beginning corner; thence West 11.00 chains to a public road; thence North 10.00 chains to a stake, thence East 31.00 chains to a stake, thence South 10.00 chains to a stake; thence West 20.00 chains to the point of beginning; and being in the Southwest Quarter of the Northeast Quarter and Southeast Quarter of Northwest Quarter of Section 5 Township 7 South, Range 3 East of St. Stephens Meridian,

and against Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Mallandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, George P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Mary E. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade, and the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of the Complainants to all of the said lands; for the purpose of quieting their title thereto and to clear up all doubts and disputes concerning the title to the said property.

The Complainants claim the absolute fee simple title in and to all of the said lands under, from, by and through the following conveyances, all of which are recorded in the office of the Probate Judge of Baldwin Countf, Alabama, the county where the said lands are situated, to-wit:

(1) Patent, United States of America to Robert Steel, dated March 1, 1855 and recorded in Deed Book 27 at page 270;

(2) Patent, United States of America to John A. Cottrell, dated November 15, 1854, recorded in Deed Book 4 N. S. at pages 151-2;

(3) Patent United States of America to John A. Cottrell, dated March 1, 1859 and recorded in Deed Book 1 N. S. at page 645;

(4) Patent, United States of America to William de Forest Holly and Jacob Baptiste, dated January 5 1841 and recorded in Deed Book 27 N. S at page 112;

(5) Patent, United States of America to William de Forest Holly and Jacob Baptiste dated January 5, 1841 aud recorded in Deed Book 27 N. S. at pages 111-12;

(6) Patent, United States of America to George M. Bonner dated August 1, 1854 and recorded in Deed Book "W" at page 151;

(7) Patent, United States o ca to David Gordon, John Morton Alexander Morton, dated July 1 1839 and recorded in Deed Book 27 N. S. at page 283;

(8) Quit Claim Deed, William Ohlhaver and Alice Ohlhaver, his wife, Frank H. Riddle and Eleanor M. Riddle, his wife to Garfield Eade, dated October 11, 1928 and Recorded in Deed Book 47 N. S. at pages 101-2;

(9) Deed, Garfield W. Eade and Mattie M. Eade to Lyle G. Eade dated July 1, 1933 and recorded in Deed Book 55 N. S. at page 83;

(10) Deed, Frank H. Riddle and Eleanor M. Riddle, his wife; Frank H. Riddle, as Trustee for himself, M. E. Gieple, G. W. Eade, Edward Northam, W. A. Ohlhaver, C. A. Krause, Lyle G. Eade and Mary E. Riddle, to P. E. Teter, dated March 4, 1938 and recorded in Deed Book 64 N. S. at pages 464-5;

(11) Deed, P. E. Teter and Sidney P. Teter, his wife, to Lyle G. Eeade, dated March 30, 1938 and recorded in Deed Book 65 N. S. pages 143-4;

(12) Deed, Lyle G. Eade to G. W. Eade and Mattie Eade dated December 11, 1939 and recorded in Deed Book 71 N. S. at pages 72-3;

(13) Deed, Lorna E. Eade, wife of Lyle G. Eade to G. W. Eade and Mattie Eade dated September 14 1945 which was filed for record on October 8, 1945.

The Complainants, in and by their said Bill of Complaint alledge and aver that they own the said lands in their own right, absolutely and in fee simple, and that they are in the actual, peaceable possession thereof; that they, together with those through whom they claim title to the said lands, have held color of title thereto and have been in the actual, peaceable, continuous and undisputed possession thereof for more than ten years next preceding the filing of the said Bill of Complaint, during all of which time they have paid taxes thereon; that no suit is pending to test Complainants' title to, interest in or right to the possession of the said lands or any part thereof; that no person, firm or corporation, other than the Complainants and those through whom they claim title, have at any time within ten years next preceding the filing of this Bill of Complaint, had any possession of the said lands and that no person, firm or corporation has within ten years paid any taxes thereon or made any claim to any part of the said lands or any interest therein except S. E. Taylor, Taylor, Lowenstein and Company, Daniel Gardner, R. H. Moore and Ida V. Moore, who have at various times paid taxes on the following described tract of land situated in Baldwin County, Alabama, to-wit:

Beginning at the Northwest corner of the Northwest Quarter of Northeast Quarter of Section 32, Township 6 South Range 3 East and run thence South 6 chains; thence West 4 chains; thence North 6 chains; thence East 4 chains to beginning.

The above named parties and any and all persons, firms or Corporations claiming any title to interest in, lien or encumbrance on the said lands or any part thereof, must appear in this Court and plead, answer or demur to the said Bill of Complaint before December 11, 1945, or on the said date decrees pro confesso will be taken against them.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama in Equity and affixed the seal of the said Court on this the 11th day of October, 1945.

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

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Fa

that he is the PUBLISH

lished at Bay Minette, E

Notice o

Complai

2144 WC

I hereby certify th

Was published in said r

Date of 1st publication

Date of 2nd publication

Date of 3rd publication

Date of 4th publication

Subscribed and sworn

Notary Public, Baldwin County.

Jimmy

JAMES H. FAULKNER
EDITOR AND PUBLISHER

the BALDWIN times

COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

...ans May ...ke Vocational ...raining On Farms

War veterans will be able to ... to school and remain on their ...rms according to details recent... worked out by R. E. Cammack, ...ate director of Vocational Edu...tion, and Harley A. Smith, ...hief, Vocational Rehabilitation

J. B. BLACKBURN,
Solicitor for Complainants

...ust 1, 1854 and recorded in Deed ...ca to George M. Bonner dated Aug...

(6) Patent, United States of Ameri... S. at pages 111-12:

and recorded in Deed Book 27 N. ...Jacob Baptiste dated January 5, 1841 ...ca to William de Forest Holly and

(5) Patent, United States of Ameri... N. S at page 112:

Jacob Baptiste, dated January 5 1841 and recorded in Deed Book 27 ...are recorded in the office of the Pro...bate Judge of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

(4) Patent, United States of Ameri... 1 N. S. at page 645:

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Cashier Gardanne, Edmond Burthe Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Mallandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, George F. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Mary E. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade, and the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of the Complainants to all of the said lands; for the purpose of quieting their title thereto and to clear up all doubts and disputes concerning the title to the said property.

The Complainants claim the absolute fee simple title in and to all of the said lands under, from, by and through the following conveyances, all of which are recorded in the office of the Probate Judge of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

(1) Patent, United States of America, to Robert Steel, dated March 1, 1855 and recorded in Deed Book 27 at page 270:

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AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

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

Notice of Pendency of bill of Complaint.

COST STATEMENT

2144 WORDS @ 4½ cents ..... $ 96.48

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

Jimmy Faulkner
Publisher.

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

Date of 1st publication Oct. 11, 1945 Vol. 56 No. 37

Date of 2nd publication Oct. 18, 1945 Vol. 56 No. 38

Date of 3rd publication Oct. 25, 1945 Vol. 56 No. 39

Date of 4th publication Nov. 1, 1945 Vol. 56 No. 40

Subscribed and sworn before the undersigned this 2 day of Nov 1945.

Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.

NOTICE OF PENDENCY OF BILL OF COMPLAINT

BOOK 002 PAGE 17

G. W. EADE AND MATTIE EADE,

Complainants,

VS.

THE LANDS HEREINAFTER DESCRIBED AND ROBERT STEEL, et als,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Notice is hereby given to Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette; Herbert Macan Bonner, Geo. P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Mary E. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver, Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade, and the heirs and devisees of such of said parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 11th day of October, 1945, G. W. Eade and Mattie Eade filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a verified Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

All of the Southwest Quarter of Northwest Quarter and West Half of Southwest Quarter, lying East of Fish River, in Section 32, except the following described Four (4) tracts of land, to-wit:

EXCEPTION NO. 1: Start at the Northeast Corner of Southwest Quarter of Southwest Quarter of Section 32, Township 6 South, Range 3 East, thence West 4.35 chains, thence North 2.73 chains to a stake in the branch for a beginning corner; Beginning at said stake in the branch, run thence North 5.20 chains, thence North 60¼ degrees West 20 chains to East bank of Fish River, thence down said river to the mouth of Robinson Branch, thence up said branch with its meanders to the point of beginning, containing 33.93 acres, more or less, lying in Sections 31 and 32 Township 6 South Range 3 East, which lands were conveyed by Nellie Baldwin to H. M. Robertson, by deed dated March 18, 1892, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book R at pages 445-7.

EXCEPTION NO. 2: Start at the Northeast Corner of the Southwest Quarter of Southwest Quarter of Section 32, Township 6 South Range 3 East, run thence West 4.35 chains, thence North 7.93 chains to the beginning corner; Beginning at said corner run North 32.50 chains to a stake in the swamp, thence West 17.07 chains to the East bank of Fish River, thence down said river regardless of its meanders 23.50 chains to a stake, thence South 60¼ degrees East 20 chains to the place of beginning, containing 54.96 acres, more or less in Sections 31 and 32, Township 6 South Range 3 East.

EXCEPTION NO. 3: Four (4) acres, more or less, in the extreme Southwest Corner of the Southwest Quarter of Section 32 Township 6 South, Range 3 East, near Fish River, heretofore sold by the late Laurent Millandon to one Baker of Baldwin County as excepted from that certain deed from Louis Burthe to D. W. Taylor, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book M. at pages 470-4.

EXCEPTION NO. 4: That certain tract of land conveyed by Lyle G. Eade to J. R. Underwood, by deed dated October 20, 1933, recorded in Deed Book 56 at page 204 of the records of the office of the Judge of Probate of Baldwin County, Alabama, and described as follows: From Southeast corner of Southwest Quarter of Section 32 Township 6 South, Range 3 East, run West 1688 feet and North 14½ degrees West 370 feet for point of beginning, thence North 47½ degrees East 223 feet, thence North 42 degrees 45 minutes West 100 feet, thence South 47½ degrees West 330 feet, more or less, to East bank of Fish River, thence South 42 degrees 45 minutes East 100 feet thence along East bank of Fish River, thence North 47¼ degrees East 93 feet to point of beginning, containing 3/4 acres, more or less.

Northeast Quarter of Southwest Quarter of Section 32; Southeast Quarter of Southwest Quarter of Section 32, except the following described land, to-wit: Start at the Northwest Corner of the Southeast Quarter of the Southwest Quarter of Section 32, Township 6 South, Range 3 East, run East 3.05 chains to a stake, thence South 7.48 chains to a stake, for beginning corner, thence South 323.75 feet to a stake, thence East 180 feet, thence North 323.75 feet to a stake, thence West 180 feet to place of beginning, containing 1.34 acres, and being Lots 1, 2 and 3 and North Half of Lot 4 in Block 4 of the Baldwin Addition to Marlow, Alabama.

East Half of Northwest Quarter of Section 32; South Half of Southeast Quarter of Section 32; Northwest Quarter of Southeast Quarter of Section 32 except a tract 5.25 acres, which said excepted property is described as follows, to-wit: From the Southwest Corner of the Northwest Quarter of Southeast Quarter of Section 32, Township 6 South Range 3 East, ~~run North 170~~ feet to the beginning corner; thence run North 323 feet to a corner; thence East 707 feet to a corner; thence South 323 feet to a corner; thence West 707 feet to the beginning corner.

East Half of Northeast Quarter of Section 32.

All of the Southeast Quarter of Southwest Quarter of Section 29, lying East of Polecat Creek, which creek is otherwise known as Silver Creek.

All of the foregoing lands lying in Township 6 South Range 3 East of St. Stephens Meridian.

Also: South fifteen and one-half (15½) acres of the tract of land known as "James Laduc Tract" which tract is described as follows: Starting at the half section post on the South boundary line of Section 5, Township 7 South Range 3 East and running North 45.00 chains for a beginning corner; thence West

11.00 chains to a public road; thence North 10.00 chains to a stake, thence East 31.00 chains to a stake, thence South 10.00 chains to a stake; thence West 20.00 chains to the point of beginning; and being in the Southwest Quarter of the Northeast Quarter and Southeast Quarter of Northwest Quarter of Section 5 Township 7 South, Range 3 East of St. Stephens Meridian,

and against Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, George P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Mary E. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade, and the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of the Complainants to all of the said lands; for the purpose of quieting their title thereto and to clear up all doubts and disputes concerning the title to the said property.

The Complainants claim the absolute fee simple title in and to all of the said lands under, from, by and through the following conveyances, all of which are recorded in the office of the Probate Judge of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

(1) Patent, United States of America to Robert Steel, dated March 1, 1855 and recorded in Deed Book 27 at page 270;

(2) Patent, United States of America to John A. Cottrell, dated November 15, 1854, recorded in Deed Book 4 N. S. at pages 151-2;

(3) Patent, United States of America to John A. Cottrell, dated March 1, 1859 and recorded in Deed Book 1 N. S. at page 645;

(4) Patent, United States of America to William de Forest Holly and Jacob Baptiste, dated January 5, 1841 and recorded in Deed Book 27 N. S. at page 112;

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(7) Patent, United States of America to David Gordon, John Morton and Alexander Morton, dated July 10, 1839 and recorded in Deed Book 27 N. S. at page 283;

(8) Quit Claim Deed, William Ohlhaver and Alice Ohlhaver, his wife, Frank H. Riddle and Eleanor M. Riddle, his wife to Garfield Eade, dated October 11, 1928 and Recorded in Deed Book 47 N. S. at pages 101-2;

(9) Deed, Garfield W. Eade and Mattie M. Eade to Lyle G. Eade dated July 1, 1933 and recorded in Deed Book 55 N. S. at page 83;

(10) Deed, Frank H. Riddle and Eleanor M. Riddle, his wife; Frank H. Riddle, as Trustee for himself, M. E. Gieple, G. W. Eade, Edward Northam, W. A. Ohlhaver, C. A. Krause, Lyle G. Eade and Mary E. Riddle, to P. E. Teter, dated March 4, 1938 and recorded in Deed Book 64 N. S. at pages 464-5;

(11) Deed, P. E. Teter and Sidney P. Teter, his wife, to Lyle G. Eade, dated March 30, 1938 and recorded in Deed Book 65 N. S. pages 143-4;

(12) Deed, Lyle G. Eade to G. W. Eade and Mattie Eade dated December 11, 1939 and recorded in Deed Book 71 N. S. at pages 72-3;

(13) Deed, Lorna E. Eade, wife of Lyle G. Eade to G. W. Eade and Mattie Eade dated September 14, 1945 which was filed for record on October 8, 1945.

The Complainants, in and by their said Bill of Complaint alledge and aver that they own the said lands in their own right, absolutely and in fee simple, and that they are in the actual, peaceable possession thereof; that they, together with those through whom they claim title to the said lands, have held color of title thereto and have been in the actual, peaceable, continuous and undisputed possession thereof for more than ten years next preceding the filing of the said Bill of Complaint, during all of which time they have paid taxes thereon; that no suit is pending to test Complainants' title to, interest in or right to the possession of the said lands or any part thereof; that no person, firm or corporation, other than the Complainants and those through whom they claim title, have at anytime within ten years next preceding the filing of this Bill of Complaint, had any possession of the said lands

and that no person, firm or corporation has within ten years paid any taxes thereon or made any claim to any part of the said lands or any interest therein except S. E. Taylor, Taylor, Lowenstein and Company, Daniel Gardner, R. H. Moore and Ida V. Moore, who have at various times paid taxes on the following described tract of land situated in Baldwin County, Alabama, to-wit:

> Beginning at the Northwest Corner of the Northwest Quarter of Northeast Quarter of Section 32, Township 6 South Range 3 East, and run thence South 6 chains; thence West 4 chains; thence North 6 chains; thence East 4 chains to beginning.

The above named parties and any and all persons, firms or Corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, must appear in this Court and plead, answer or demur to the said Bill of Complaint before December 11, 1945, or on the said date decrees pro confesso will be taken against them.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama in Equity and affixed the seal of the said Court on this the 11th day of October, 1945.

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

J. B. Blackburn
Solicitor for Complainants

STATE OF ALABAMA, BALDWIN COUNTY
Filed Oct. 11-1945 10 a M
Recorded Lis Pend book 2 page 17-21
and I certify that the following Privilege Tax has been paid.
Deed Tax
Mortgage Tax
W. P. Stuart
Judge of Probate
By

COMMISSION TO TAKE DEPOSITIONS

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

To LILLIE M. FRANKLIN

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine D. Z. Grove, Lewis Mannich and P. E. Teter

as witnesses in behalf of Complainants in a cause pending in our Circuit Court in Baldwin County, of said State, wherein G. W. Eade and Mattie Eade

are Complainants

and Certain Lands et als

are Respondents

on oath, to be by you administered, upon D. Z. Grove, Lewis Mannich and P. E. Teter to take and certify the deposition s of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 15th day of March, 19 46.

R S Hauck
Register

Commissioner's Fee, $

Witness' Fees, $

No. 1424

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

G. W. EADE AND

MATTIE EADE

Complainant-s

VS.

CERTAIN LANDS ET ALS

Defendant-s

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LIOLIE M. FRANKLIN

WITNESSES:

D. Z. GROVE

LEWIS MANNICH

P E. TETER

Eade to Eade
et al

G. W. EADE AND MATTIE EADE,

Complainants,

VS.

CERTAIN LANDS AND ROBERT STEEL, et als,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DISCLAIMER

Now comes Lyle G. Eade and Lorna E. Eade and each disclaim any interest in all of the lands involved in this proceeding, all interest therein and all liens or encumbrances thereon and each consent and agree that a commissioner be appointed, testimony taken and this cause submitted for final decree and that a final decree be rendered quieting complainants' title to all of the property involved in the said proceeding.

Dated this 5th day of ~~November~~ DECEMBER, 1945.

Lyle G. Eade (SEAL)

Lorna E. Eade (SEAL)

STATE OF CALIFORNIA

LOS ANGELES COUNTY

I, Joan Burns, a Notary Public, within and for said County in said State, hereby certify that Lyle G. Eade, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 5th day of ~~November~~ DECEMBER, 1945.

My Commission Expires May 11, 1948
NOTARY PUBLIC
In and for the County of Los Angeles, State of California

Joan Burns.
Notary Public, _____ County, California.

Affix Seal.

STATE OF CALIFORNIA

Los Angeles COUNTY

I, G. L. BIERBAUER, a Notary Public, within and for said County in said State, hereby certify that Lorna E. Eade, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 6 day of ~~November~~ December, 1945.

G. L. Bierbauer
Notary Public, Los Angeles County, California

Affix Seal

DISCLAIMER OF
LYLE G. EADE AND LORNA E.
EADE

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 1424.

Filed March 11, 1944

Register

G. W. EADE AND MATTIE EADE Complainants	IN THE CIRCUIT COURT OF
VS	BALDWIN COUNTY, ALABAMA
CERTAIN LANDS ET ALS Respondents	IN EQUITY. No. 1424.

DEMAND FOR ORAL EXAMINATION OF WITNESSES

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

You are hereby notified that the Complainants will require and therefore demand an oral examination of the following witnesses: D. Z. Grove, Lewis Mannich and P. E. Teter.

The examination of the said witnesses to be taken before the commissioner to be appointed by this Court at 9.00 o'clock a.m. on the 15th day of March, 1946 at Bay Minette, Alabama.

Lillie M. Franklin is hereby suggested as a commissioner to take the testimony of said witnesses.

Dated this the 11th day of March, 1946.

J. B. Blackburn
Solicitor for Complainants

STATE OF ALABAMA ()
BALDWIN COUNTY

Decrees Pro Confesso having been lawfully rendered against all of the respondents named in this suit, it is ordered that the three days notice required by Equity Rule No. 55 be given to said parties for three days by notice spread on the order book of the Register.

Dated this 11th day of March, 1946.

R. S. Duck
Register.

Service accepted this 11th day of March, 1946.

J. A. Mashburn, Jr.
Guardian Ad Litem and Special Attorney.

DEMAND FOR ORAL EXAMINATION
OF WITNESSES

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA
IN EQUITY. No. 1424.

Filed March 11,
1944

Register

G. W. EADE AND MATTIE EADE Complainants	IN THE CIRCUIT COURT OF
VS	BALDWIN COUNTY, ALABAMA
CERTAIN LANDS ET ALS Respondents	IN EQUITY. No. 1424.

NOTE OF TESTIMONY

This cause is submitted for Final Decree on behalf of the Complainants upon the following:

1. Original Bill of Complaint.
2. Notice of Pendency of Billlof Complaint.
3. Proof of Publication of Notice of Pendency of Bill of Complaint.
4. Register's certificate as to service.
5. Motion for Decrees Pro Confesso.
6. Decrees Pro Confesso.
7. Disclaimer of Lyle G. Eade and Lorna E. Eade.
8. Motion for Appointment of guardian ad litem and special attorney.
9. Order appointing guardian ad litem and special attorney.
10. Notice of appointment, acceptance and answer of guardian ad litem and special attorney.
11. Requirement for oral examintion of witnesses.
12. Oral deposition of P. E. Teter, taken before Lillie M. Franklin as Commissioner, together with Exhibits 1-13 both inclusive, to deposition of said witness.
13. Oral deposition of D. Z. Grove taken before Lillie M. Franklin as Commissioner.
14. Oral deposition of Lewis Mannich, taken before Lillie M. Franklin as Commissioner.

Dated this the 15th day of March, 1946.

Register

J. B. Blackburn

Solicitor for Complainants.

NOTE OF TESTIMONY

G. W. EADE AND
MATTIE EADE
Complainants

VS

CERTAIN LANDS ET ALS
Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 1424.

NOTICE OF PENDENCY OF BILL OF COMPLAINT

G. W. EADE AND MATTIE EADE, Complainants, VS. THE LANDS HEREINAFTER DESCRIBED AND ROBERT STEEL, et als, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

Notice is hereby given to Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tembourry, Madeline Millandon, Genevieve Millandon, A. Tembourry, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette; Herbert Macon Bonner, Geo. P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Mary E. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver, Stubbs, Lila Ohlhaver Merrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade, and the heirs and devisees of such of said parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 11th day of October, 1945, G. W. Eade and Mattie Eade filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a verified Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

All of the Southwest Quarter of Northwest Quarter and West Half of Southwest Quarter, lying East of Fish River, in Section 32, except the following described Four (4) tracts of land, to-wit:

EXCEPTION NO. 1: Start at the Northeast Corner of Southwest Quarter of Southwest Quarter of Section 32, Township 6 South, Range 3 East, thence West 4.35 chains, thence North 2.75 chains to a stake in the branch for a beginning corner; Beginning at said stake in the branch, run thence North 3.20 chains, thence North 60½ degrees West 20 chains to East bank of Fish River, thence down said river to the mouth of Robinson Branch, thence up said branch with its meanders to the point of beginning, containing 33.93 acres, more or less, lying in Sections 31 and 32 Township 6 South Range 3 East, which lands were conveyed by Nellie Baldwin to H. M. Robertson, by deed dated March 18, 1892, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book R at pages 445-7.

EXCEPTION NO. 2: Start at the Northeast Corner of the Southwest Quarter of Southwest Quarter of Section 32, Township 6 South Range 3 East, run thence West 4.33 chains, thence North 7.93 chains to the beginning corner; Beginning at said corner run North 32.50 chains to a stake in the swamp, thence West 17.07 chains to the East bank of Fish River, thence down said river regardless of its meanders 23.50 chains to a stake, thence South 60½ degrees East 29 chains to the place of beginning, containing 54.93 acres, more or less in Sections 31 and 32, Township 6 South Range 3 East.

EXCEPTION NO. 3: Four (4) acres, more or less, in the extreme Southwest Corner of the Southwest Quarter of Section 32 Township 6 South, Range 3 East, near Fish River, heretofore sold by the late Laurent Millandon to one Baker of Baldwin County as excepted from that certain deed from Louis Burthe to E. W. Taylor, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book M. at pages 470-4.

EXCEPTION NO. 4: That certain tract of land conveyed by Lyle C. Eade to J. R. Underwood, by deed dated October 20, 1953, recorded in Deed Book 58 at page 204 of the records of the office of the Judge of Probate of Baldwin County, Alabama, and described as follows: From Southeast corner of Southwest Quarter of Section 32 Township 6 South, Range 3 East, run West 1688 feet and North 14½ degrees West 370 feet for point of beginning, thence North 47½ degrees East 228 feet, thence North 42 degrees 45 minutes West 100 feet, thence South 47½ degrees West 330 feet, more or less, to East bank of Fish River, thence South 42 degrees 45 minutes East 100 feet thence along East bank of Fish River, thence North 47½ degrees East 93 feet to point of beginning, containing 3/4 acres, more or less.

Northeast Quarter of Southwest Quarter of Section 32; Southeast Quarter of Southwest Quarter of Section 32, except the following described land, to-wit: Start at the Northwest Corner of the Southeast Quarter of the Southwest Quarter of Section 32, Township 6 South, Range 3 West, run East 3.03 chains to a stake, thence South 7.48 chains to a stake, for beginning corner, thence South 325.75 feet to a stake, thence East 180 feet, thence North 325.75 feet to a stake, thence West 180 feet to place of beginning, containing 1.34 acres, and being Lots 1, 2 and 3 and North Half of Lot 4 in Block 4 of the Baldwin Addition to Marlow, Alabama.

East Half of Northwest Quarter of Section 32; South Half of Southeast Quarter of Section 32; Northwest Quarter of Southeast Quarter of Section 32 except a tract 5.25 acres, which said excepted property is described as follows, to-wit: From the Southwest Corner of the Northwest Quarter of Southeast Quarter of Section 32, Township 6 South Range 3 East, run North 170 feet to the beginning corner; thence run North 325 feet to a corner; thence East 707 feet to a corner; thence South 325 feet to a corner; thence West 707 feet to the beginning corner.

East Half of Northeast Quarter of Section 32.

All of the Southeast Quarter of Southwest Quarter of Section 29, lying East of Polecat Creek, which creek is otherwise known as Silver Creek.

All of the foregoing lands lying in Township 6 South Range 3 East of St. Stephens Meridian.

Also: South fifteen and one-half (15½) acres of the tract of land known as "Wames Ladue Tract" which tract is described as follows: Starting at the half section post on the South boundary line of Section 5, Township 7 South Range 3 East and running North 46.00 chains for a beginning corner; thence West

11.00 chains to a public road; thence North 10.00 chains to a stake, thence East 31.00 chains to a stake, thence South 10.00 chains to a stake; thence West 20.00 chains to the point of beginning; and being in the Southwest Quarter of the Northeast Quarter and Southeast Quarter of Northwest Quarter of Section 5 Township 7 South, Range 3 East of St. Stephens Meridian,

and against Robert Steel, John A. Cottrell, James M. Dannelly, John W. Hicks, Clement Millandon, Benjamin Laurent Millandon, Henrietta Millandon, Casimir Gardanne, Edmond Burthe, Emanuel Burthe, F. George Burthe, Andre Burthe, Marguerette Butler, Lizzie Millandon, Mrs. Adolph Tamboury, Madeline Millandon, Genevieve Millandon, A. Tamboury, David Gordon, John Morton, Alexander Morton, George M. Bonner, Lillie Bonner Machette, Herbert Macan Bonner, George P. Chapman, Jas. P. Chapman, Helen DeWitt, Clara Chapman, Kate Chapman, H. S. Derby, Edward D. Northam, Carl A. Krause, Frank H. Riddle, Mary E. Riddle, Homer Ohlhaver, Alice Ohlhaver, Mildred Ohlhaver Stubbs, Lila Ohlhaver Morrill, M. E. Gieple, Ida V. Moore, Voncile Sute, Ida Lou Russell, Daniel Gardner, Lorna E. Eade and Lyle G. Eade, and the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of the Complainants to all of the said lands; for the purpose of quieting their title thereto and to clear up all doubts and disputes concerning the title to the said property.

The Complainants claim the absolute fee simple title in and to all of the said lands under, from, by and through the following conveyances, all of which are recorded in the office of the Probate Judge of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

(1) Patent, United States of America to Robert Steel, dated March 1, 1855 and recorded in Deed Book 27 at page 270;

(2) Patent, United States of America to John A. Cottrell, dated November 15, 1854, recorded in Deed Book 4 N. S. at pages 151-2;

(3) Patent, United States of America to John A. Cottrell, dated March 1, 1859 and recorded in Deed Book 1 N. S. at page 645;

(4) Patent, United States of America to William de Forest Holly and Jacob Baptiste, dated January 5, 1841 and recorded in Deed Book 27 N. S. at page 118;

(5) Patent, United States of America to William de Forest Holly and Jacob Baptiste dated January 5, 1841 and recorded in Deed Book 27 N. S. at pages 111-12;

(6) Patent, United States of America to George M. Bonner dated August 1, 1854 and recorded in Deed Book "W" at page 151;

(7) Patent, United States of America to David Gordon, John Norton and Alexander Norton, dated July 10, 1839 and recorded in Deed Book 27 N. S. at page 283;

(8) Quit Claim Deed, William Ohlhaver and Alice Ohlhaver, his wife, Frank H. Riddle and Eleanor M. Riddle, his wife to Garfield Eade, dated October 11, 1938 and Recorded in Deed Book 47 N. S. at pages 101-2;

(9) Deed, Garfield W. Eade and Mattie K. Eade to Lyle G. Eade dated July 1, 1938 and recorded in Deed Book 55 N. S. at page 83;

(10) Deed, Frank H. Riddle and Eleanor M. Riddle, his wife; Frank H. Riddle, as Trustee for himself, M. E. Gieple, G. W. Eade, Edward Northam, H. A. Ohlhaver, C. A. Krause, Lyle G. Eade and Mary E. Riddle, to P. E. Yeter, dated March 4, 1938 and recorded in Deed Book 64 N. S. at pages 464-5;

(11) Deed, P. E. Yeter and Sidney P. Yeter, his wife, to Lyle G. Eade, dated March 30, 1938 and recorded in Deed Book 65 N. S. pages 143-4;

(12) Deed, Lyle G. Eade to G. W. Eade and Mattie Eade dated December 11, 1939 and recorded in Deed Book 71 N. S. at pages 72-3;

(13) Deed, Lorna E. Eade, wife of Lyle G. Eade to G. W. Eade and Mattie Eade dated September 14, 1945 which was filed for record on October 5, 1945.

The Complainants, in and by their said Bill of Complaint alledge and aver that they own the said lands in their own right, absolutely and in fee simple, and that they are in the actual, peaceable possession thereof; that they, together with those through whom they claim title to the said lands, have held color of title thereto and have been in the actual, peaceable, continuous and undisputed possession thereof for more than ten years next preceding the filing of the said Bill of Complaint, during all of which time they have paid taxes thereon; that no suit is pending to test Complainants' title to, interest in or right to the possession of the said lands or any part thereof; that no person, firm or corporation, other than the Complainants and those through whom they claim title, have at anytime within ten years next preceding the filing of this Bill of Complaint, had any possession of the said lands

and that no person, firm or corporation has within ten years paid any taxes thereon or made any claim to any part of the said lands or any interest therein except S. E. Taylor, Taylor, Lowenstein and Company, Daniel Gardner, R. H. Moore and Ida V. Moore, who have at various times paid taxes on the following described tract of land situated in Baldwin County, Alabama, to-wit:

> Beginning at the Northwest Corner of the Northwest Quarter of Northeast Quarter of Section 32, Township 6 South Range 3 East, and run thence South 8 chains; thence West 4 chains; thence North 8 chains; thence East 4 chains to beginning.

The above named parties and any and all persons, firms or Corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, must appear in this Court and plead, answer or demur to the said Bill of Complaint before December 11, 1945, or on the said date decrees pro confesso will be taken against them.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama in Equity and affixed the seal of the said Court on this the 11th day of October, 1945.

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

J. B. Blackburn
Solicitor for Complainants

Post Office Department

OFFICIAL BUSINESS

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POSTMARK OF DELIVERING OFFICE

Return to R. S. Duck

(NAME OF SENDER)

Street and Number, or Post Office Box,

REGISTERED ARTICLE

No. 5047

Post Office Bay Minette, Ala.

INSURED PARCEL

No.

State

16—12421

Form 3811
Rev. 1-4-40

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1 Alice Ahlhaver
(Signature or name of addressee)

2 .....
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 2-4, 194

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OFFICIAL BUSINESS

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

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Return to R. S. Duck

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Street and Number, or Post Office Box,

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No. 5049 Post Office Bay Minette, Ala.

INSURED PARCEL

No. 16—12421 State

Form 3811
Rev. 1-4-40

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1 Lila Oldhaver Morrill
(Signature or name of addressee)

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(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

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U. S. GOVERNMENT PRINTING OFFICE 16—12421

R. S. Duck Circuit Clerk

BALDWIN COUNTY

BAY MINETTE, ALA.

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REASON CHECKED

Unclaimed..... Refused.....

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No such office in state.....

Mirlmed Ohlhaver Stubbs

Aurora, Illinois

415 Oak

"FOR DELIVERY ONLY TO PERSON TO WHOM ADDRESSED"

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2-4-56

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NO. 5048

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31
1946
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AURORA, ILL.
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BAY MINETTE
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BAY MINETTE
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