

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

Old Spanish Fort Development Company,
a corporation,

Complainant,

-vs-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof.

This cause, coming on to be heard, is submitted on motion of the Register to the Court to prescribe in what newspaper the notice of publication necessary in said cause be published.

It is therefore ordered, adjudged and decreed by the Court that all notices and orders of publication necessary in this cause be published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama.

Judge, Twenty-first Judicial Circuit of
Alabama.

Gory

~~896~~ 666

Old Spanish Fort
Dev. Co.

40110 P. 505

QUIT-CLAIM DEED.

This Deed, Made the 8th day of April, 1926, between Hiram H. Maynard, a bachelor, party of the first part, and Old Spanish Fort Development Company, a corporation of the State of Delaware, party of the second part, Witnesseth:

That the party of the first part, in consideration of One Dollar (\$1) and other good and valuable considerations to him in hand paid by the party of the second part, the receipt of which is hereby acknowledged, has remised, released and quit-claimed and by these presents does remise, release and forever quit-claim, unto the said party of the second part, its successors and assigns forever, all the real property situated in the County of Baldwin and State of Alabama, conveyed or intended to be conveyed to the party of the first part by the certain deed of Agnes B. Lott and William O. Lott, her husband, dated the 27th day of October, 1925, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book No. 37, N. S. page 395, said real property being therein described as follows, to-wit:

"That certain lot or parcel of land being more particularly described as a lot of land beginning on the East margin of Bay Minette Creek, 1.69 chains above the mouth of Spanish Fort Bayou or Creek, thence North 52 degrees East 8 chains to a stake at foot of the bluff, North side of Spanish Fort, thence North 45 degrees West 5.12 chains to a stake on margin of Bay Minette Creek, thence down said Creek, with its meanders, to place of beginning, containing two (2) acres, more or less. All within the bounds of the Lefroy Troulette claim, a Spanish Grant in Township four (4) south of Range 1 and 2 east".

Together with all the rights and appurtenances to said described premises in anywise belonging:

To have and to hold the said released premises unto the said Old Spanish Fort Development Company, its successors and assigns

a

forever: So that enither the said party of the first part, his heirs or assigns, nor any other person in trust for them or in their names, shall or will, can or may, by any ways or means whateo- ever, hereafter have or claim any right or title thereto; but that the said party of the first part, his heirs and assigns, each and every one of them from all estate, right, title, interest or claim and demand whatsoever, in or to said premises, are, is, and shall be, by these presents, forever excluded and debarred.

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered Hiram H. Maynard (seal)
in the presence of:

Harry H. Phillips,
William S. Allen.

State of Illinois,)
 ; ss.
County of Cook.)

I, Charles J. Horn, a notary public in and for said county in the State aforesaid, hereby certify that Hiram H. Maynard, whose name is signed to the foregoing conveyance, and who is known to me acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this 8th day of April, 1926.

(SEAL) Charles J. Horn, Notary Public,
 Cook County, Illinois,
 My commission expires February
 24th, 1929.

State of Alabama,)
 ; I, W. D. Stapleton, Judge of Probate for
Baldwin County.) said County, hereby certify that the following privilege tax has
 been paid on the within instrument as required gy Acts 1923 Viz:
\$-----cts 50.

W. D. Stapleton, Judge of Probate,
By J. L. Kessler, Clerk.

Filed for record Sept. 10th, 1926 at 8 A M
Recorded Sept. 14th, 1926.
W. D. Stapleton, Judge of Probate

(2)

Filed Oct 10/1927
P. W. Keenan
Register

40116 19 1926

QUIT-CLAIM DEED.

This Deed, Made the 8th day of April, 1926, between Hiram H. Maynard, a bachelor, party of the first part, and Old Spanish Fort Development Company, a corporation of the State of Delaware, party of the second part, Witnesseth:

That the party of the first part, in consideration of One Dollar (\$1) and other good and valuable consideration to him in hand paid by the party of the second part, the receipt of which is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and forever quit-claim, unto the said party of the second part, its successors and assigns forever, all the real property, situated in the County of Baldwin and State of Alabama, conveyed or intended to be conveyed to the party of the first part by the certain deed of Agnes B. Lott and William O. Lott, her husband, dated the 17th day of October, 1925, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book No. 37 N. S. pages 309-10, said real property being therein described as follows, to-wit:

"Beginning on East bank of Bay Minette Creek, near or below the mouth of Spanish Fort Bayou or Creek, at the intersection of Alexander Troulette Claim, with Bay Minette Creek, thence due East along the North boundary line of Alexander Troulette claim twelve (12) chains to a stake, thence South 3.16 chains to a stake, thence west twelve (12) chains to Bay Minette Creek, thence up margin of said creek 3.10 chains to place of beginning, containing four (4) acres, more or less, all within the boundary of the Alexander Troulette Claim, a Spanish Grant, in township four (4) South of Ranges One (1) and Two (2) East."

Together with all the rights and appurtenances to said described premises in anywise belonging:

To have and to hold the said released premises unto the said Old Spanish Fort Development Company, its successors and assigns forever: So that neither the said party of the first part, his heirs

or assigns, nor any other person in trust for them or in their names, shall or will, can or may, by any ways or means whatsoever, hereafter have or claim any right or title thereto; but that the said party of the first part, his heirs and assigns, each and every one of them, from all estate, right, title, interest or claim and demand whatsoever, in or to said premises, are, is, and shall be, by these presents, forever excluded and debarred.

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered Hiram H. Maynard (SEAL)
in the presnce of:
Harry H. Phillips,
William S. Allen.

State of Illinois,)
 : SS.
County of Cook.)

I, Charles J. Horn, a notary public in and for said county in the State aforesaid, hereby certify that Hiram H. Maynard, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this 8th day of April, 1926.

(SEAL)

Charles J. Horn, Notary Public,
Cook County, Illinois,
My commission expires February
24th, 1929.

State of Alabama,)
 : I, W. D. Stapleton, Judge of Probate for
Baldwin County.) said County, hereby certify that the following privilege tax has been
paid on the within instrument as required by Acts 1923, viz; \$--cts.50.

W. D. Stapleton, Judge of Probate,

By J. L. Kessler, Clerk.

Filed for record Sept 10th, 1926 at 8 A. M.
Recorded Sept 14th, 1926.

W. D. Stapleton, Judge of Probate.

Filed Oct 10/927
J. W. Williams
Register

DEED WITH WARRANTY.

THIS INDENTURE, Made the 27th day of October, 1925, between Agnes B. Lott and William O. Lott, her husband, parties of the first part, and Hiram H. Maynard, party of the second part: Witnesseth, that the parties of the first part in consideration of Five Hundred & 00/100 Dollars, hereby acknowledged to have been paid the parties of the first part by the party of the second part, does grant, bargain, sell and convey unto said party of the second part, his heirs and assigns, all the real property in Baldwin Co., Ala., described as follows:

That certain lot or parcel of land being more particularly described as a lot of land beginning on the East margin of Bay Minette Creek, 1.69 chains above the mouth of Spanish Fort Bayou or Creek, thence North 52 degrees East 8 chains to a stake at foot of the bluff, North side of Spanish Fort, thence north 45 degrees West 5.12 chains to a stake on margin of Bay Minette Creek, thence down said Creek, with its meanders to place of beginning, containing two (2) acres, more or less, All within the bounds of the Lefroy Troulette Claim, a Spanish Grant in Township Four (4) South of Range 1 and 2 east.

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

And Agnes B. Lott and William O. Lott, her husband for themselves and their heirs, the said described premises and appurtenances, will forever warrant and defend unto the said party of the second part, his heirs and assigns, against the lawful claims of all persons whatsoever.

In Witness whereof, The said parties of the first part have hereunto set their hand and seal the day and year above written.

Signed, sealed and delivered Agnes B. Lott (seal)
in the presance of William O. Lott (seal)

(50¢ U S I R Stamp attached)

(5)

State of Alabama,)
 ;
Mobile County.)

I, Hiram C. Bowling a notary public in and for said State and County, do hereby certify that Agnes B. Lott and William O. Lott (her husband) 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 and seal, this 27th day of October, 1925.

H. C. Bowling, Notary Public,
Mobile County, Ala.

State of Alabama,)
 ;
Baldwin County.)

I, W. D. Stapleton, Judge of Probate for said County hereby certify that the following privilege tax has been paid on the within instrument as required by Acts 1923, Vol. \$---cts 50.

W. D. Stapleton, Judge of Probate,
By J. L. Kessler, Clerk.

Filed for record Oct. 30th, 1925 at 2:10 P.M.
recorded November 5th, 1925.

W. D. Stapleton, Judge of Probate.

Filed Oct 10/927
T W Richmond
Register

DEED WITH WARRANTY.

This Indenture, Made the 17th day of October, 1925, between Agnes B. Lott and William O. Lott, her husband, parties of the first part, and Hiram H. Maynard party of the second part : Witnesseth, that the parties of the first part in consideration of One & 00/100 dollars and other good and valuable considerations, hereby acknowledged to have been paid the parties of the first part by the party of the second part, do grant, bargain, sell and convey unto said party of the second part, his heirs and assigns, all the real property in Baldwin Co., Ala., described as follows:

Beginning on East bank of Bay Minette Creek, near or below the mouth of Spanish Fort Bayou or Creek, at the intersection of Alexander Troulette claim with Bay Minette Creek, thence due East along the North boundary line of Alexander Troulette claim twelve (12) chains to a stake, thence South 3.16 chains to a stake, thence west twelve (12) chains to Bay Minette Creek, thence up margin of said creek 3.10 chains to place of beginning, containing four (4) acres, more or less, all within the boundary of the Alexander Troulette Claim, a Spanish Grant-in township four (4) South of Ranges One (1) and Two (2) East.

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

And the said Agnes B. Lott and William O. Lott for themselves and their heirs, the said described premises and appurtenances, will forever warrant and defend unto the said party of the second part, his heirs and assigns, against the lawful claims of all persons whatsoever.

In Witness Whereof, The said parties of the first part have hereunto set their hand and seal the day and year above written.

Signed, Sealed and Delivered in the presence of

Agnes B. Lott (seal)
William O. Lott (seal)

Guad Ad 10/927
T W Richardson
Regent

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

I, G. W. Humphries, Judge of Probate in and for said State and County, hereby certify that the above and foregoing pages 1 & 2 contain a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 40 N.S. at page 535, now on file in the office of Judge of Probate Court of Baldwin County, Alabama;

And I further certify that pages 3 & 4 of the above and foregoing contain a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record No. 40 N. S. at page 536, now on file in the office of Judge of Probate Court of Baldwin County, Alabama;

And I further certify that pages 5 & 6 of the above and foregoing contain a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record No 37 N S at page 395, now on file in the office of Judge of Probate Court of Baldwin County, Alabama;

And I further certify that pages 7 & 8 of the above and foregoing contain a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Record No. 37 N.S., at page 309,^{&310} now on file in the office of Judge of Probate Court of Baldwin County, Alabama.

Witness my hand and the seal of said Court, this 7th day of October A.D., 1927:

G. W. Humphries
Judge of Probate.

by J. S. Stegler, Clerk

Oct 27th 1910.

J D Henderson }
vs. }
C W Hamilton }

Judgement for
\$8450

~~1911-5-28~~

~~1910-10-27~~

Int. \$380
81 50

~~\$8530~~

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The State of Alabama, :
: :
Baldwin County. :

In Circuit Court of said County.
Spring Term 1911.

TO ANY SHERIFF OF THE STATE OF ALABAMA.-- GREETING;

WHEREAS at the Fall term 1910, of the Circuit Court of Baldwin County, to-wit: On the 27th, day of October, 1910, being a regular day of said term, J.D.Henderson recovered a judgment against C.W.Hamilton for the sum of Eighttyone and 50/100 Dollars and costs of suit, and affidavit having been made by Charles Hall, Attorney for J.D.Henderson, that Mary T.Hamilton individually and as Executrix of the estate of Andrew J.Hamilton, deceased, is supposed to be indebted to or have in her possession under her control, goods, effects, or things in action, belonging to said C.W.Hamilton, defendant; and that he believes process of Garnishment against said Mary T.Hamilton, individually and as Executrix of the estate of Andrew J.Hamilton, deceased, is necessary to obtain satisfaction of said judgment:

YOU ARE THEREFORE HEREBY COMMANDED TO SUMMON THE SAID, Mary T.Hamilton, individually and as Executrix of the Estate of Andrew J.Hamilton, deceased, to appear before the Circuit Court of Baldwin County, Alabama, at the Court House thereof, in the County of Baldwin, on the fourth Monday in May, A.D., 1911, being the 22nd, day of May, 1911, then and there, within the three first days of the term, to answer on oath, whether at the time of the service of the garnishment or at the time of making her answer, or at any time intervening between the time of serving the garnishment and making the answer thereto, whether she the said Mary T. Hamilton, individually and as Executrix of the Estate of Andrew J.Hamilton, deceased, was indebted to the defendant, C.W.Hamilton, and whether she will not be indebted in the future to him by contract then existing and whether by contract then existing, she is liable to him for the

delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether she has not in her possession or under her control, money or effects belonging to the said defendant.

Herein fail not, and have you then and there this Writ.

WITNESS, T.W. Richerson, Clerk of our said Court, this 5th day of May, 1911.

T. W. Richerson Clerk.

Attest.

Received May 5th 1911, and ~~sent~~ ^{on}
May 9th 1911, I served Copy of within
Garnishment on Judgment on
Mary J. Hamilton, individually and as
Executrix of the Estate of Andrew J. Ham-
ilton, deceased, and on the 15th day
of May 1911 I served Copy of within
Garnishment on Judgment on
C. W. Hamilton, the Defendant in
within proceedings.

J. S. Richardson Sheriff P. Co., Ala.

Original

J. S. Richardson

C. W. Hamilton

Garnishment on
Judgment

Filed May 5th 1911

J. S. Richardson
Deput.

Served copy on
Mrs. Hamilton
May 9th

The State of Alabama, :
Baldwin County. :

Personally appeared before me, T.W. Richerson, Clerk of the Circuit Court of Baldwin County, Alabama, Charles Hall, who maketh oath and sayeth, that he is Attorney for J.D. Henderson and that Mary T. Hamilton, individually and as Executrix of the Estate of Andrew J. Hamilton, deceased, is indebted to said C.W. Hamilton in the sum of Eighty-one and 50/100 Dollars, and costs of Court, and that said Mary T. Hamilton, individually and as Executrix of the Estate of Andrew J. Hamilton, deceased, is supposed to be indebted to, or have effects of the said C.W. Hamilton in her possession, or under her control, and that he believes process of Garnishment against said Mary T. Hamilton, individually and as Executrix of the Estate of Andrew J. Hamilton, deceased, is necessary to obtain satisfaction of said debt.

Sworn to and subscribed
before me this 5th day of
May, 1911.

Charles Hall

T. W. Richerson Clerk.

Confessant

J. W. Henderson

= V R =

W. W. Hamilton

Guarishment
on Judgment

Filed May 5th 1904,

J. W. Henderson

Clerk.

Montgomeery O11769.

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 of the Land Office at Montgomery, Alabama, whereby it appears that the Private Land Claim of Alexis Trouillette, being Claim No. 7 in Report No. 6 of the Commissioner William Crawford (American State Papers, Duff Green Edition, Volume 3, page 14) was confirmed by Sections three and four at the Act of May 8, 1822 (3 Stat., 707), and that the said claim has been regularly surveyed and designated as Section thirty-eight in Township four South of Ranges one and two east of the St. Stephens Meridian, Alabama, containing two hundred thirty-six acres and eighty-six hundredths of an acre, 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 Alexis Trouillette and to his heirs, the Land 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 Alexis Trouillette and to his heirs and assigns forever, in accordance with the provisions of the said Act of May 8, 1822.

In Testimony Whereof, I, Calvin Coolidge, 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-fifth day of August in the year of our Lord one thousand nine hundred and twenty-five and of the Independence of the United States the one hundred and Fiftieth.

(SEAL)

By the President: Calvin Coolidge,
By Viola B. Plugh, Secretary,
John O'Connell,
Acting Recorder of the General Land Office.

110

Recorded; Patent Number 965622.

State of Alabama,)

Baldwin County.)

I, W. D. Stapleton, Judge of Probate, for said County, hereby certify that the following privilege tax has been paid on the within instrument as required by Acts 1923 \$4.cts 00.

W. D. Stapleton, Judge of Probate,

By J. L. Kessler, Clerk.

Filed for record, September 3rd, 1925, at 10:05 A. M.

Recorded September 5th, 1925.

W. D. Stapleton, Judge of Probate.

(27)

QUIT CLAIM DEED.

This Deed made the 8th day of April, 1926, between Hiram H. Maynard, a bachelor, party of the first part and Old Spanish Fort Development Company, a corporation of the State of Delaware, party of the second part.

WITNESSETH: That the party of the first part, in consideration of One Dollar (\$1.00) and other good and valuable considerations to him in hand paid by the party of the second part, the receipt of which is hereby acknowledged, has remised, released and quit claimed, and by these presents does remise, release and forever quit claim unto the said party of the second part, its successors and assigns forever, all that real property in the county of Baldwin, State of Alabama, conveyed or intended to be conveyed to the party of the first part in and by the certain deed of Agnes B. Lott and W. O. Lott, her husband, dated the 10th day of November, 1925, and recorded in the office of the Judge of Probate of Baldwin county, Alabama, in record Book number 37 N. S. at pages 551 et seq., and therein described as follows:

FIRST TRACT:

"Fraction " B" and the south half of Section Seventeen; all of Fractional Section Eighteen south of Bay Minette; Fraction "A" and the north half of the northeast quarter of section Twenty; Fractions "A", "D", "E" and "F", and the south half of the southwest quarter of Section Thirty, (except four acres conveyed by Augustus W. Sibley and wife to Samuel E. Stokes by deed recorded in Deed Book Q, at pages 108-9); Subdivision "A" and Subdivision "B" of Section Nineteen, all in township four south of Range two east in Baldwin County, Alabama.

All of Section Thirty-eight, Township Four South of Ranges One and Two East, known as the Alexis Trouillette Grant, (less four acres conveyed by Augustus W. Sibley to Margaret Francisco by deed recorded in Deed Book K, pages 489-8).

All of section Thirty-nine, Township Four South of Ranges One and Two East, known as the Lefroy Trouillette Grant, except the following described four parcels:

(1) Six acres conveyed by Augustus W. Sibley and wife to Charles Wilson by deed recorded in Deed Book K, pages 261-2;

(2) Three acres conveyed by the said Sibley and wife to Thomas Domingo by deed recorded in Deed Book ", at page 516;

(3) Four acres conveyed by the said Sibley to Guy Edward Loxley by deed recorded in Deed Book 21, N. S. at pages 610-611;

(4) Three acres conveyed by the said Sibley to Joseph Salva By deed recorded in Deed Book L, pages 308-9.

All of the Deed Books herein referred to being in the office of the Probate Judge of Baldwin County, Alabama."

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

SECOND TRACT:

" Subdivisions "A", "C" and "D" of Section Seventeen; all of the north half of Section twenty (except that part included in Subdivision "A" and in the north half of the north east quarter of said Section); the southeast quarter of Section Thirty, being Subdivisions "B" and "C" of said Section Thirty; Subdivisions "C" and "E" of Section Eighteen; Subdivisions "A" and "B" of Section Thirty-one; the south half of the southwest quarter of Section Twenty nine; all of Section Nineteen lying south of Section Thirty-nine (except the south half of the southeast quarter of said Section Nineteen), all in Township Four South, Range Two East.

Also the east half of Fractional Section Twenty-four in Township Four South, Range One East."

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

To have and to hold the said released premises unto the said Old Spanish Port Development Company, its successors and assigns forever; So that neither the said party of the first part, his heirs or assigns, nor any person in trust for them, or in their names, shall or will, can or may, by any ways or means whatsoever hereafter have or

claim any right or title thereto; but that the said party of the first part, his heirs and assigns, each and every one of them, from all estate, right, title, interest or claim and demand whatsoever, in or to said premises, or any part thereof, are, is, and shall be, by these presents, forever excluded and debarred.

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the premises of: Harry H. Phillips, William S. Allen. Hiram H. Maynard (seal)

state of Illinois,) County of Cook.) ss.

I, Charles J Horn, a notary public in and for said county in the State aforesaid, hereby certify that Hiram H. Maynard, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand this 8th day of April, 1926.

(Seal) Charles J. Horn, Notary Public Cook County, Illinois. My commission expires, February 24th, 1929.

State of Alabama,) Baldwin County.) I, W. D. Stapleton, Judge of Probate for said County, hereby certify that the following privilege tax has been paid on the within instrument as required by Acts 1923, viz: \$54 cts.00.

W. D. Stapleton, Judge of Probate, by J. L. Kessler, Clerk.

Filed for record Sept 10th, 1926, at 8 A. M. Recorded Sept 14th, 1926.

W. D. Stapleton, Judge of Probate.

(25)

State of Alabama,)
Baldwin County.)

Know all men by these presents, That we, Henry D. Moorer, and Ruth Y. Moorer, his wife, for and in consideration of the sum of Fifteen Thousand & 00/100 (\$15,000.00) Dollars, cash, and the sum of Twenty Five Thousand & 00/100 (\$25,000.00) Dollars, to be paid as herein after specified, to us in hand paid by Agnes B. Lott, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said Agnes B. Lott, her heirs and assigns forever, the following described property, to-wit:

Fraction "B" and south half of Section 17; all of Fractional Section 18 south of Bay Minette;

Fraction "A" and north half of northeast quarter of Section 20; Fractions "A", "D", "E" and "F", and the south half of the southwest quarter, all in section 30, except four acres sold by Augustus W. Sibley and wife to Samuel E. Stokes by deed recorded in Deed Book Q. pp. 108-9.

Subdivisions "A" and subdivision "B" of Section 19; all of the above in township 4 south of range 2 east, in Baldwin County, Alabama.

All of Section 38, known as the Alexis Trouillette grant, less four acres sold by Augustus W. Sibley to Margaret Francisco by deed recorded in Deed Book K, pp. 487-8; Also all of Section 39, known as the Jeffrey Trouillette grant, except the following:-

Six acres sold by Augustus W. Sibley and wife to Charles Wilson by deed recorded in Deed Book K, pp 261-2; Three acres sold by the said Sibley and wife to Thomas Domingo by deed recorded in Deed Book Q, pp. 516; Four acres sold by the said Sibley to Gay Edward Loxley by deed recorded in Deed Book 21, N. S. pp. 610-611; And three acres sold by the said Sibley to Joseph Salva by deed recorded in Deed Book L, pp. 308-9; Said last two sections being in township four south of Ranges One and Two East, Baldwin County, Alabama.

To have and to hold unto the said Agnes B. Lott, her heirs and assigns forever, And we do covenant with the said Agnes B. Lott 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 Agnes B. Lott, her heirs and assigns, against the lawful claims of all persons, whomsoever.

And for the same consideration hereinbefore expressed we do hereby grant, bargain, sell and convey unto Agnes B. Lott, the following described property, to-wit:

Subdivisions "A", "C" and "D" of Section 17; All of the north half of Section 20, except what is included in subdivisions "A" and the north half of the northeast quarter of said section; southeast quarter of section 30, being subdivisions "B" and "C"; Subdivisions "C" and "E" of Section 18; Subdivisions "A" and "B" of Section 31; The south half of the southwest quarter of Section 29; Also all of section 19, lying south of Section 39, except the south half of the southeast quarter, all in township 4 south of range 2 east, The east half of fractional section 24, in Township 4 south, Range 1 east, all in Baldwin County, Alabama.

It is the intention of this conveyance to convey and the grantors do hereby convey to the Grantee all lands owned by them in Sections 17, 18, 19, 20, 24, 29, 30, 31, 38 and 39 being in township 4 south of Ranges 1 and 2 east, in Baldwin County, Alabama, whether the same be specifically described in the descriptions above referred to or not.

A Vendor's Lien is hereby expressly reserved to secure the payment of \$25,000.00 to be paid as follows:

\$9,000.00 on or before one year from date; with interest at 6%
\$8,000.00 on or before two years from date " " " "
\$8,000.00 on or before three years from date" " " "

It is distinctly understood by and between the parties hereto that should default be made in the payment of any one or part of one of said notes then the said Henry D. Moorer, his heirs or assigns shall have the right to sell their interest in the property herein above described after giving twenty days notice by publication in some newspaper published in Baldwin County, Alabama, the proceeds to be applied, First, to the payment of the expenses of foreclosing the said mortgage, second, to the payment of the indebtedness secured herein.

To have and to hold unto the said Agnes B. Lott, her heirs and assigns, forever.

Witness our hands and seals this the 10th day of November, 1925.

(\$40.00 U S I R Stamp
Attatched.)

Henry D. Moorer (seal)

Ruth Y. Moorer (seal)

State of Alabama,)

Baldwin county)

I, Gladys Bush a notary public in and for said County in said State, hereby certify that Henry D Moorer and Ruth Y Moorer, his 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 conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 10th day of November, 1925.

(seal)

Gladys Bush, Notary Public,
Baldwin Co., Ala.

State of Alabama,)

Baldwin County.)

I, Gladys Bush, a notary public in and for said county in said State, hereby certify that on the 10th day of November, 1925, came before me the within named Ruth & Moorer, known to me to be the wife of the within named Henry D Moorer, who being examined separate and apart from the husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

Given under my hand and official seal this the 10th day of
November, 1925.

(seal)

Gladys Bush, Notary Public,
Bald. Co., Ala.

State of Alabama,)
Baldwin County.)

I, W. D. Stapleton, Judge of Probate for

said County, hereby certify that the following privilege tax has
been paid on the within instrument as required by Acts 1923 viz:
\$15. cts.

W. D. Stapleton, Judge of Probate,
By J. L. Kessler, Clerk.

I hereby certify that the mortgage or privilege tax on within
instrument was paid by the lender or creditor (see General Acts of
the Legislature of 1919, on page 420.)

Henry D. Moorer, by J L Kessler.

State of Alabama,)
Baldwin County.)

I, W. D. Stapleton, Judge of Probate for

said County, hereby certify that the following privilege tax
has been paid on the within instrument as required by Acts 1902 &
1903, Viz: \$37. cts 50.

W. D. Stapleton, Judge of Probate,
By J L Kessler, Clerk.

Filed for record Nov. 23rd, 1925 at 8 A M.

Recorded December 14th, 1925.

W. D. Stapleton, Judge of Probate.

[Handwritten initials]

STATE OF ALABAMA,)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, That we, W. A. Sibley and Ella T. Sibley, his wife and Belle E. Sibley, unmarried, in consideration of One Dollar & 00/100 (\$1.00) and other valuable considerations to us in hand paid by Henry D. Moorer, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said Henry D. Moorer, his heirs and assigns, forever, the following described property, to-wit:

Subdivisions "A" "C" and "D" of Section 17; Also Fraction "B" and south half of Section 17;

Subdivisions "C" and "E" of of Section 18; also all of Fractional Section 18 south of Bay Minette;

Subdivisions "A" and "B" of Section 19; also all of Section 19 lying south of Section 39, except the south half of the south half of the southeast quarter;

Fraction "A" and north half of the northeast quarter of Section 20; also all of north half of section twenty, except what is included in the Subdivision "A" and north half of the northeast quarter of said Section.

South half of southwest quarter of Section 29.

Fractions "A", "D", "E" and "F" and South half of southwest quarter in Section 30, except 4 acres sold by Augustus W. Sibley and wife to Samuel E. Stokes by deed recorded in Deed Book Q, pp. 108-9; also the southeast quarter of Section 30, being subdivisions "B" and "C".

Subdivisions "A" and "B" of Section 31, all the above described real estate situate, lying and being in Township Four South, Range Two East, Baldwin County, Alabama.

The East half of Fractional Section 24, in township 4 south, range 1 East, Baldwin County, Alabama.

All of Section 38, known as the Alexis Trouillette Grant, less 4 acres sold by Augustus W. Sibley to Margaret Francisco by deed

recorded in Deed Book K, pp. 487-8.

All of Section 39, known as the LeFroy Trouillette Grant, except the following:

Six acres sold by Augustus W. Sibley and wife to Charles Wilson by deed recorded in Deed Book K, pp. 261-2.

Three acres sold by the said Sibley and wife to Thomas Domingo by deed recorded in Deed Book Q., pp. 516.

Four acres sold by the said Sibley to Guy Edward Loxley by deed recorded in Deed Book 21, N. S. pp. 610-611;

And three acres sold by the said Sibley to Joseph Salva by deed recorded in Deed Book L, pp. 308-9.

Said last two sections being in township 4 south of ranges 1 and 2 east, Baldwin County, Alabama.

It is the intention of this conveyance to convey and the grantors do hereby convey to the grantee all lands owned by them in Sections 17, 18, 19, 20, 24, 29, 30, 31 and 38 and 39, being in township 4 south, ranges 1 and 2 east, in Baldwin County, Alabama, whether the same be specifically described in the description above referred to or not.

To have and to hold unto the said Henry D Moorer, his heirs and assigns forever, and we do covenant with the said Henry D. Moorer 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 Henry D. Moorer, his heirs and assigns, against the lawful claims of all persons whomsoever.

Witness our hands and seals this the 9th day of November, 1925.

(\$30.00 U. S. I. R)
(stamp attached.)

W. A. Sibley (seal)
Ella T Sibley (seal)
Belle E. Sibley (seal)

State of Mississippi,)
Stone County.)

I, M. E. Cooper, a notary public in and for said county in said State, hereby certify that the said W. A. Sibley and Ella T. Sibley,

his 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 conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of November, 1925.

(seal)

M. E. Cooper, Notary Public.

State of Mississippi,)
 ;
Stone County.)

I, M. E. Cooper, a notary public in and for said county in said State, hereby certify that on the 9th day of November, 1925, came before me the within named Ella T Sibley known to me to be the wife of the within named W. A. Sibley, who, being examined separate and apart from the husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

Given under my hand and official seal this the 9th day of November, 1925.

(seal)

M. E. Cooper, Notary Public.

State of Alabama,)
 ;
Baldwin County.)

I, Gladys Bush a notary public in and for said county in said State, hereby certify that Belle E. Sibley, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance she signed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of November, 1925.

(seal)

Gladys Bush, Notary Public.

Given under my hand and official seal this 15th day of January,
1921.

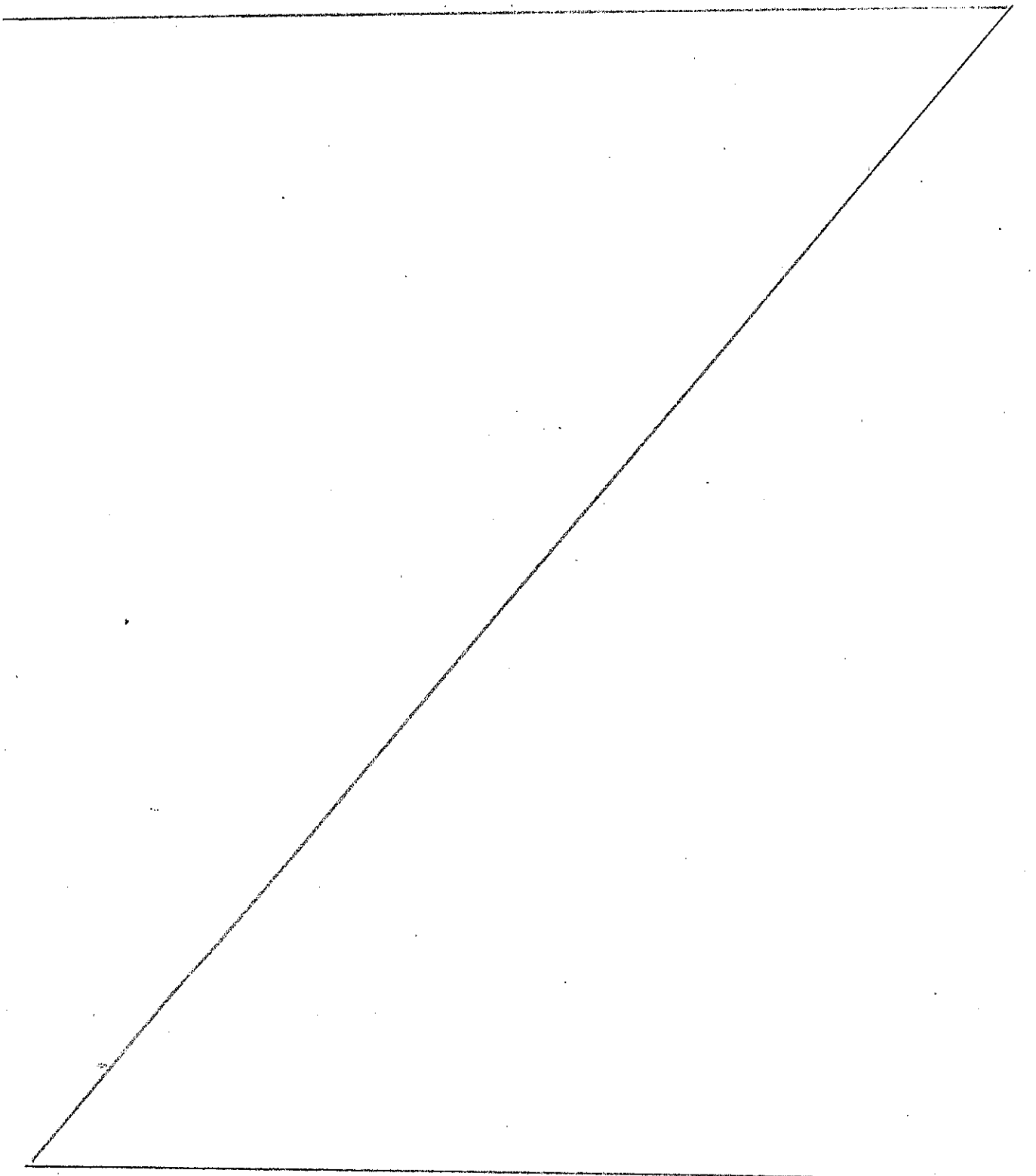
(seal)

H. W. Cassibry, Notary Public, Stone
County, State of Mississippi.
My commission expires May 8, 1922.

Filed for record Jan 17th, 192 at 10:38 A M

Recorded Jan 17th, 1921.

Jas M. Voltz, Judge of Probate.



22

Know all men by these presents, that I Cyrus Sibley of the County of Baldwin, State of Alabama, in consideration of the love and affection I have and bear towards my son Augustus W. Sibley, and for the purpose of making a partial division of my property among my children do hereby give, grant, convey and confirm unto the said Augustus W. all the following lands in Baldwin County, in said State, to-wit, all my lands and improvements situated in township four south and ranges two and three east.

Also eighty acres on east side of Alabama River above cut off, purchased by me of Uriah Blue: Also square number thirteen in the vottage of Montrose in said county according to the Map of said vottage on record, lying between Mrs Drews and the square on which is the Academy.

To have and to hold unto him the said Augustus W. Sibley and to his heirs and assigns forever.

In Witness Whereof, I have hereto set my hand and seal this 27th day of July, 1865.

Attest:) Cyrus Sibley (LS)
James Bond, :
D. C. Anderson.)

The State of Alabama,)
Mobile County.) I, William Brooks, a Justice of the Peace for said county, do hereby certify, that Cyrns Sibley, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this 27th day of July, 1865.

William Brooks,

Justice Peac, M.C.

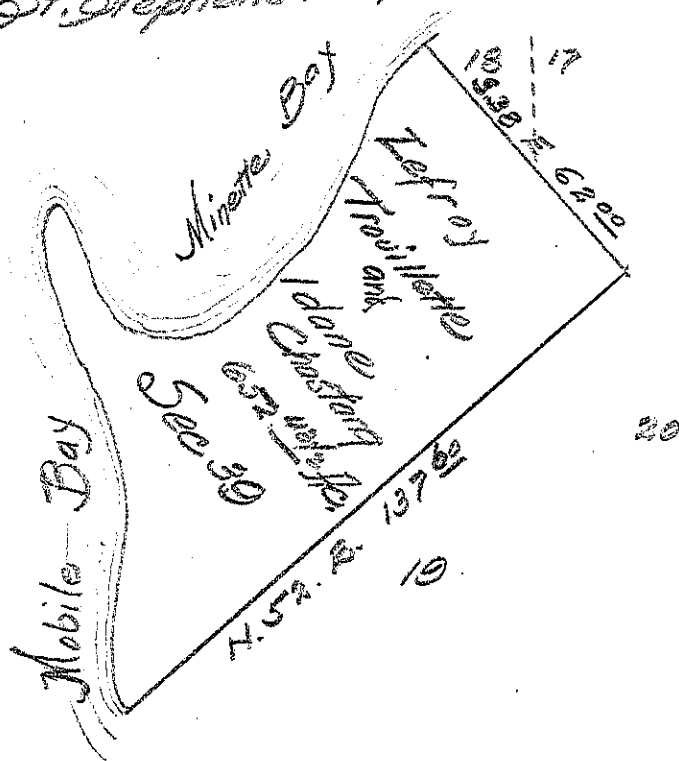
Received for record 31st July, 1865,

Recorded August 3rd, 1865.

C. W. Wilkins, Judge Probate.

United States
three dollars
Quarterly
inter-revenue.

Comr Rept No 1, Cl. No 15
 Section 39, Township 4 South, Ranges 1 & 2 East
 St. Stephens Land District



Pursuant to an order of survey issued by the Register and Receiver of the Land Office at St. Stephens, Ala., dated September 28, 1836, I have surveyed for Lefroy Trouillette, and Idane Chastang a tract of land on the east side of the Bay of Mobile, on Bay Minette, in Township 4 S. of Range 1 and 2 east of the basis meridian, south of the 31st degree of latitude, and bounded as follows:

Beginning at the mouth of a small bayou on the east bank of the river Appalchy, and running thence N 52 E, correcting for magnetic course, change of variations &c, 137.60 ch to a lightwood stake, a red oak bearing N 69 W. 36 L. a pine bearing S 1 1/2 W 47 L, thence N 38 W. 62.00 ch to a small black gum on the margin of Bay Minette, thence with the meanders of bay and river as follows: S 52 W 17.00 ch., S 18 W 3.00 ch. south 3.00 ch, S 25 W 3.50 ch, S 35 W. 6 ch. S 22 W 9.00 ch, S 47 W 27.50 ch, S 72 1/2 W 14.00 ch, N 84 1/2 W 9.00 chs, N 65 W 5.50 ch, N 64 W 22.75 ch, N 45 1/2 W 5.00 ch, N 82 1/2 W 3.00 ch, S 13 1/2 E 15.50 ch, S 9 1/2 E 16.50 ch, S 20 1/2 E, 22.50 ch, S 11 1/2 E 5.00 ch, S 5 1/2 E 1.50 ch, S 16 1/2 W 5.50 ch, S 11 E 3.00 ch, S. 11 W. 11.50 ch, S 60 E 3.50 ch, S 7 1/2 W 8.00 ch, S 2 1/2 E 16.91 to the place of beginning, containing 652.43 1/2 acres, and having such shape, form and marks, natural and artificial, as are represented in the above plat & description.

January 2, 1837.

John James, Deputy Surveyor.

Surveyor's Office,

Florence, Ala., June 5, 1837,

Examined and approved.

James H. Weakley, Surveyor Gen'l of
 public lands in Alabama.

Private Claim Record, Pg. 93.

CERTIFICATE.

The State of Alabama,)
County of Baldwin.)

COURT OF PROBATE.

I, G. W. Humphries, Judge of Probate in and for said State and County, hereby certify that pages 1 and 2 of 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 37 N S at page 136, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify that pages 3, 4, & 5 of 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 40 N. S. at pages 534, now on file in the office of Judge of Probate Court, Baldwin County, Alabama;

And I further certify that pages 6, 7, 8 & 9 of 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 37 N S at page 503, now on file in the office of Judge of Probate Court, Baldwin County, Alabama;

And I further certify that pages 10, 11, 12 & 13 of 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 37 N S at page 502, now on file in the office of Judge of Probate, Baldwin County, Alabama.

And I further certify that pages 14 & 15, of 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 30 N S at page 390 now on file in the office of Judge of Probate Court, Baldwin County, Alabama;

And I further certify that page 16 of the above and foregoing contain a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record H at page 506, now on file in the office of Judge of Probate Court, Baldwin county, Alabama;

Grand Bell 10/27

T.W. Reichenbach

Register

State of Alabama,

Baldwin County.

KNOW ALL MEN BY THESE PRESENTS, That the undersigned Agnes B. Lott and W. O. Lott, her husband, the Grantors, in consideration of One Dollar and other valuable considerations, cash in hand paid to the said Agnes B. Lott, and the further sum of Twenty-nine Thousand Dollars (\$29,000.00) to be paid to the said Agnes B. Lott by Hiram H. Maynard, the Grantee, as hereinafter provided, do hereby grant, bargain, ^{convey} and sell unto the said Hiram H. Maynard, the Grantee, all that real property in the County of Baldwin, State of Alabama, described as follows:-

Fraction "B" and the south half of Section Seventeen; all of Fractional Section Eighteen south of Bay Minette; fraction "A", and the north half of the northeast quarter of Section Twenty; fractions "A", "D", "E", and "F", and the south half of the southwest quarter of Section Thirty, (except four acres conveyed by Augustus W. Sibley and wife to Samuel E. Stokes by deed recorded in Deed Book Q, at pages 108-9); Subdivision "A" and Subdivision "B" of Section Nineteen, all in Township Four South of Range Two East in Baldwin County, Alabama.

All of Section Thirty-eight, Township Four South of Ranges One and Two East, known as the Alexis Trouillette Grant, (less four acres conveyed by Augustus W. Sibley to Margaret Francisco by deed recorded in Deed Book K, pages 487-8).

All of Section Thirty-nine, Township Four South of Ranges One and Two East, known as the Lefroy Trouillette Grant, except the following described four parcels:

- (1) Six acres conveyed by Augustus W. Sibley and wife to Charles Wilson by deed recorded in Deed Book K, pages 261-2;
- (2) Three acres conveyed by the said Sibley and wife to Thomas Domingo by deed recorded in Deed Book Q, at page 516;
- (3) Four acres conveyed by the said Sibley to Guy Edward Loxley by deed recorded in Deed Book 21 N. S., at pages 610-611;
- (4) Three acres conveyed by the said Sibley to Joseph Salva by deed recorded in Deed Book L, pages 308-9.

All of the Deed Books herein referred to being in the office of the Probate Judge of Baldwin County, Alabama.

TOGETHER WITH ALL AND SINGULAR the rights, tenements, hereditaments, privileges and appurtenances thereunto appertaining or in anywise belonging.

TO HAVE AND TO HOLD the same unto the said Grantee, his heirs and assigns, forever.

And the said Agnes B. Lott, for herself, her Executors and Administrators, does hereby covenant with the said Hiram H. Maynard, that she is seized of an indefeasible estate in fee simple in said property, that said property is free from all encumbrances, and that she will warrant and forever defend the title to said property unto the said Hiram H. Maynard, his heirs and assigns, against the lawful claims of all persons.

and assigns, so long as any part of said purchase price, or the

2.

For the same consideration the said Grantors, Agnes B. Lott and W. O. Lott, her husband, do hereby grant, bargain, sell and convey unto the said Grantee, Hiram H. Maynard, all of their right, title and interest in and to the following described lands situated in Baldwin County, Alabama:

Subdivisions "A", "C", and "D" of Section Seventeen; all of the north half of Section Twenty (except that part included in subdivision "A" and in the north half of the northeast quarter of said Section); the southeast quarter of Section Thirty, being Subdivisions "B" and "C" of said Section Thirty; Subdivisions "C" and "E" of Section Eighteen; Subdivisions "A" and "B" of Section Thirty-one; the south half of the southwest quarter of Section Twenty-nine; all of Section Nineteen lying south of Section Thirty-nine (except the south half of the southeast quarter of said Section Nineteen), all in Township Four South, Range Two East.

Also the east half of Fractional Section Twenty-four in Township Four South, Range One East.

TOGETHER WITH ALL AND SINGULAR the rights, tenements, hereditaments, privileges and appurtenances thereunto appertaining or in anywise belonging.

TO HAVE AND TO HOLD the same unto the said Grantee, his heirs and assigns, forever.

It is the intention of the Grantors to convey, and they do hereby convey, to the Grantee all lands owned by them in Sections Seventeen, Eighteen, Nineteen, Twenty, Twenty-four, Thirty, Thirty-one, Thirty-eight, Thirty-nine and the west half of Section Twenty-nine, in Township Four South, Ranges One and Two East, in Baldwin County, Alabama, whether or not the same be specifically included in the descriptions hereinabove written.

The Grantor Agnes B. Lott hereby reserves and retains a vendor's lien upon the property hereinabove described to secure the payment of the unpaid balance of said purchase money, to-wit, the sum of Twenty-nine Thousand Dollars (\$29,000.00). Said balance of Twenty-nine Thousand Dollars (\$29,000.00) is payable as evidenced by three certain promissory notes of even date herewith made by the Grantee and payable to the said Agnes B. Lott at the banking house of the Merchants Bank in Mobile, Alabama, one of said notes being for Ten Thousand Dollars (\$10,000.00) and being payable on or before one year after date, one being for Ten Thousand Dollars (\$10,000.00) and being payable on or before two years after date, and one being for Nine Thousand Dollars (\$9,000.00) and being payable on or before three years after date, each of said notes bearing interest at the rate of six per cent per annum from the date thereof.

By accepting this conveyance the Grantee, Hiram H. Maynard, hereby agrees and binds himself, his heirs, personal representatives

the Grantors, or either of them, may bid for and purchase said property like a stranger hereto, and in such event the Auctioneer conducting said sale is authorized to make a proper conveyance of the said property to such purchaser.

6. That the word "Grantors" wherever herein used is intended to include also the executors, administrators, heirs and assigns of the Grantors.

None of the property hereinabove described is the homestead or any part of the homestead of the Grantors.

IN WITNESS WHEREOF, the said Grantors, Agnes B. Lott and her husband, W. O. Lott, have hereunto set their hands and seals this 10th day of November, 1925.

x Agnes B. Lott. (SEAL)
W. O. Lott (SEAL)

State of Arkansas,
County of Garland.

I, RAY S. SMITH, a Notary Public in and for said State and County, hereby certify that Agnes B. Lott, 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 this 10th day of November, A. D., 1925.

Ray Smith
Notary Public, Garland County, Arkansas
my Comm. expires 1-22-28,

State of Alabama,
County of Mobile.

I, O. B. Swinson, a Notary Public in and for said State and County, hereby certify that W. O. Lott, whose name is signed to the foregoing instrument, and who is known to me to be the husband of the within named Agnes B. Lott, 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 this 16th day of November, A. D., 1925.

O. B. Swinson
Notary Public, Mobile County, Alabama.



For the same consideration the said Grantors, Agnes B. Lott and W. O. Lott, her husband, do hereby grant, bargain, sell and convey unto the said Grantee, Hiram H. Maynard, all of their right, title and interest in and to the following described lands situated in Baldwin County, Alabama:

Subdivisions "A", "C", and "D" of Section Seventeen; all of the north half of Section Twenty (except that part included in subdivision "A" and in the north half of the northeast quarter of said Section); the southeast quarter of Section Thirty, being Subdivisions "B" and "C" of said Section Thirty; Subdivisions "C" and "E" of Section Eighteen; Subdivisions "A" and "B" of Section Thirty-one; the south half of the southwest quarter of Section Twenty-nine; all of Section Nineteen lying south of Section Thirty-nine (except the south half of the southeast quarter of said Section Nineteen), all in Township Four South, Range Two East.

Also the east half of Fractional Section Twenty-four in Township Four South, Range One East.

TOGETHER WITH ALL AND SINGULAR the rights, tenements, hereditaments, privileges and appurtenances thereunto appertaining or in anywise belonging.

TO HAVE AND TO HOLD the same unto the said Grantee, his heirs and assigns, forever.

It is the intention of the Grantors to convey, and they do hereby convey, to the Grantee all lands owned by them in Sections Seventeen, Eighteen, Nineteen, Twenty, Twenty-four, Thirty, Thirty-one, Thirty-eight, Thirty-nine and the west half of Section Twenty-nine, in Township Four South, Ranges One and Two East, in Baldwin County, Alabama, whether or not the same be specifically included in the descriptions hereinabove written.

The Grantor Agnes B. Lott hereby reserves and retains a vendor's lien upon the property hereinabove described to secure the payment of the unpaid balance of said purchase money, to-wit, the sum of Twenty-nine Thousand Dollars (\$29,000.00). Said balance of Twenty-nine Thousand Dollars (\$29,000.00) is payable as evidenced by three certain promissory notes of even date herewith made by the Grantee and payable to the said Agnes B. Lott at the banking house of the Merchants Bank in Mobile, Alabama, one of said notes being for Ten Thousand Dollars (\$10,000.00) and being payable on or before one year after date, one being for Ten Thousand Dollars (\$10,000.00) and being payable on or before two years after date, and one being for Nine Thousand Dollars (\$9,000.00) and being payable on or before three years after date, each of said notes bearing interest at the rate of six per cent per annum from the date thereof.

By accepting this conveyance the Grantee, Hiram H. Maynard, hereby agrees and binds himself, his heirs, personal representatives

State of Alabama,

County of Baldwin.

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

Old Spanish Fort Development Company,
a corporation,

Complainant,

-75-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof,
Respondents.

Comes the Complainant and moves the Register of this Court for the oral examination of the witnesses herein named, before a Commissioner appointed by the Register of this Court, said witnesses to be examined before said Commissioner at Room 508 of the First National Bank Building, in Mobile, Alabama, on Thursday, the 6th day of October, 1927, at ten o'clock A. M., said witnesses and their residences being as follows:-

Carter Smith, 17 N. Ann Street, Mobile, Alabama.
W. O. Lott, 160 Rapier Avenue, Mobile, Alabama.
W. L. Durant, 60 Bradford Avenue, Mobile, Alabama.

Hubby D. Brown

Thomas M. Conroy, Method Good & Ferry
Solicitors for Complainant.

We suggest the name of F. A. Brown, whose business address is 502-B First National Bank Building, and who resides at 202 St. Emanuel Street, Mobile, Alabama, as a suitable person to act as Commissioner for the examination of such witnesses.

Hubby D. Brown

Thomas M. Conroy, Method Good & Ferry
Solicitors for Complainant.

The foregoing motion coming on to be heard, it is ordered that the same be granted and that commission duly issue.

Dated this 3rd day of October, 1927.

F. A. Brown
Register.

Old Spindle
Fast Development Co

VS
No 38 539

Filed Oct 3rd 1927
T W McInerney
Register

Old Spanish Fort Development Company,
a corporation,

Complainant,

-vs-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms,
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof,

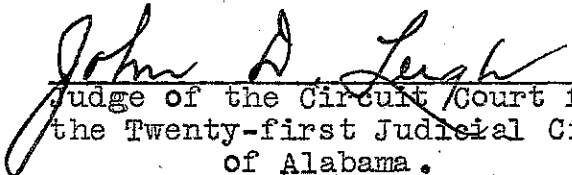
Respondents.

IN THE
CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

IN EQUITY.

This cause coming on to be heard on motion of respondents and cross-complainants, Clarence E. Sibley, Wesley R. Sibley, Theodore F. Searing and Mrs. Florence S. Baird, to withdraw their respective answers and cross-bills herein filed and on motion to the Court to dismiss said answers and cross-bills, it is ordered, adjudged and decreed that said answers and cross-bills, of each of said respective respondents and cross-complainants, be and the same are hereby dismissed out of this Court.

Done this the 10th day of October, 1927.


Judge of the Circuit Court for
the Twenty-first Judicial Circuit
of Alabama.

These 3 Instruments
are depts Exp 12
TIMES May 10, 1936

Baldwin County Loan Association Loxley Bank Building

JEN SATSUMA

depts Exp 11 for
ALA. Identification

ATION

OFFICERS	
GEORGE W. MORGAN	Secretary Treasurer
CHARLES E. CANRIGHT	Attorney
C. L. SCHLICH	Ast. Secretary Treasurer

ng duly sworn, deposes and says that he is
ES, a Weekly Newspaper published at Bay

he notice hereto attached of

Fort vs Roads

BOARD OF DIRECTORS

- J. W. RANDALL, Loxley & Foley.
President Bank of Loxley
President Bank of Foley
County Commissioner
- O. K. CUMMINGS, Fairhope
Member of Commerce

depts Exp 12

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

issues:

Date of first publication	June 30	1927	Vol.	38	No.	22
Date of second publication	July 7	1927	Vol.	38	No.	23
Date of third publication	July 14	1927	Vol.	38	No.	24
Date of fourth publication	July 21	1927	Vol.	38	No.	25

Subscribed and sworn to before the undersigned this 23 day of

September 1927

R. D. Vaig

Publisher.

J. W. Anderson
Clerk Circuit Court

These 3 instruments
are depts Exp 12
May 10, 1956

PUBLISHED EVERY THURSDAY

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

R. B. VAIL
EDITOR AND PROPRIETOR

BAY MINETTE, ALA. *Identification*

ALFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

R. B. Vail, 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

Old Spanish Fort vs Leads

depts Exp 12

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

issues:

Date of first publication	<u>June 30</u>	<u>1927</u>	Vol.	<u>38</u>	No.	<u>22</u>
Date of second publication	<u>July 7</u>	<u>1927</u>	Vol.	<u>38</u>	No.	<u>23</u>
Date of third publication	<u>July 14</u>	<u>1927</u>	Vol.	<u>38</u>	No.	<u>24</u>
Date of fourth publication	<u>July 21</u>	<u>1927</u>	Vol.	<u>38</u>	No.	<u>25</u>

Subscribed and sworn to before the undersigned this 23 day of

September 1927

R. B. Vail

Publisher.

J. W. Wickerson
Clerk Circuit Court

Filed Sept 23/927

T. W. Rice

Rice

NOTICE

In the Circuit Court of Baldwin County, Alabama, in Equity.
Old Spanish Fort Development Company, a corporation, Complainant vs. Sections 38 and 39, Township 4 South, Ranges 1 and 2 East in Baldwin County, Alabama, and any and all persons, firms, or corporations claiming any title, interest in, or lien or encumbrance on said lands, or any part thereof.

Notice is hereby given that Old Spanish Fort development Company corporation, on the 19th day of May, 1927, filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, claiming to be in actual, peaceable possession of and claiming to own those certain parcels of land situated in the County of Baldwin, State of Alabama as follows:

Sections 38, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama, and known as the Alexis Truillet or the Alexis Truillet Grant, and Section 39, Township 4 South, Range 2 East, Baldwin County, Alabama, and known as the same land patented to Alexis Truillet by a patent recorded in deed Book 37 N. S. page 136, or the Public Records of Baldwin County, Alabama, and said Section 39 being the same property granted by the Spanish Government to Le-froy Truillet and Idane Chastang and confirmed by the Acts of Congress of the United States of America.

Complainant alleges in its bill of

in Township 4 South, Range 2 East, stands on the records of the Probate Court of said County in Complainant; and that Complainant claims title to said land by deed from Hiram H. Maynard to complainant recorded in Deed Book 40 N. S. at page 534, or the Public Records in the Probate Office of Baldwin County, Alabama, and by another deed from said Hiram H. Maynard to Complainant recorded in Deed Book 40 N. S. at page 535, of said Public Records aforesaid; and complainant avers in said bill that the said Hiram H. Maynard acquired title to said property through a chain of conveyances, referred to in said bill, which is on file in my office at Bay Minette, Baldwin County, Ala., and complainant alleges in said bill that it, and those under whom it claims have regularly assessed said lands for taxes and have paid the taxes thereon since July 27th, 1865, and including the ten years next preceeding the filing of said bill, and that no one else has paid taxes thereon, or been in possession thereof except William Mastin alias William Merchant, who claims to own a small parcel situated in said Section 39; and that this bill of complaint is filed for the purpose of establishing its title to and interest in said lands and clearing up all doubts and disputes concerning the same.

Witness my hand this the 28th day of June 1927.

QUIT CLAIM DEED

THIS DEED made the 8th day of April, 1926, between Hiram H. Maynard, a bachelor, party of the first part and Old Spanish Fort Development Company, a corporation of the State of Delaware, party of the second part,

WITNESSETH:

That the party of the first part, in consideration of One Dollar (\$1.00) and other good and valuable considerations to him in hand paid by the party of the second part, the receipt of which is hereby acknowledged, has remised, released and quit claimed, and by these presents does remise, release and forever quit claim unto the said party of the second part, its successors and assigns forever, all that real property in the county of Baldwin, State of Alabama, conveyed or intended to be conveyed to the party of the first part and by the certain deed of Agnes B. Lott and W. O. Lott, her husband, dated the 10th day of November, 1925 and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in record book number 37 N. S. at pages 551 et seq., and therein described as follows:

FIRST TRACT

Fraction "B" and the south half of Section Seventeen; all of Fractional Section Eighteen south of Bay Minette; Fraction "A", and the north half of the northeast quarter of Section Twenty; Fractions "A", "D", "E", and "F", and the south half of the southwest quarter of Section Thirty, (except four acres conveyed by Augustus W. Sibley and wife to Samuel E. Stokes by deed recorded in Deed Book Q, at pages 108-9); Subdivision "A" and Subdivision "B" of Section Nineteen, all in Township Four South of Range Two East in Baldwin County, Alabama.

All of Section Thirty-eight, Township Four South of Ranges One and Two East, known as the Alexis Trouillette Grant, (less four acres conveyed by Augustus W. Sibley to Margaret Francisco by deed recorded in Deed Book K, pages 487-8).

All of Section Thirty-nine, Township Four South of Ranges One and Two East, known as the Lefroy Trouillette Grant, except the following described four parcels:

- (1) Six acres conveyed by Augustus W. Sibley and wife to Charles Wilson by deed recorded in Deed Book K, pages 261-2;
- (2) Three acres conveyed by the said Sibley and wife to Thomas Domingo by deed recorded in Deed Book Q, at page 516;
- (3) Four acres conveyed by the said Sibley to Guy Edward Loxley by deed recorded in Deed Book 21 N. S. at pages 610-611;
- (4) Three acres conveyed by the said Sibley to Joseph Salva by deed recorded in Deed Book L, pages 308-9.

All of the Deed Books herein referred to being in the office of the Probate Judge of Baldwin County, Alabama."

TOGETHER WITH ALL AND SINGULAR the rights, tenements, hereditaments, privileges and appurtenances thereunto appertaining or in anywise belonging.

SECOND TRACT

"Subdivisions "A", "C", and "D" of Section Seventeen; all of the north half of Section Twenty (except that part included in Subdivision "A" and in the north half of the northeast quarter of said Section); the southeast quarter of Section Thirty, being Subdivisions "B" and "C" of said Section Thirty; Subdivisions "C" and "E" of Section Eighteen; Subdivisions "A" and "B" of Section Thirty-one; the south half of the southwest quarter of Section Twenty-nine; all of Section Nineteen lying south of Section Thirty-nine (except the south half of the southeast quarter of said Section Nineteen), all in Township Four South, Range Two East.

Also the east half of Fractional Section Twenty-four in Township Four South, Range One East."

TOGETHER WITH ALL AND SINGULAR the rights, tenements, hereditaments, privileges and appurtenances thereunto appertaining or in anywise belonging.

TO HAVE AND TO HOLD the said released premises unto the said Old Spanish Fort Development Company, its successors and assigns forever; So that neither the said party of the first part, his heirs or assigns, nor any person in trust for them, or in their names, shall or will, can or may, by any ways or means whatsoever hereafter have or claim any right or title thereto; but that the said party of the first part, his heirs and assigns, each and every one of them, from all estate, right, title, interest or claim, and demand whatsoever, in or to said premises, or any part thereof, are, is, and shall be, by these presents, forever excluded and debarred.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.
Signed, sealed and delivered in the presence of: Hiram H. Maynard (SEAL)
Harry E. Phillips
William S. Allen

STATE OF ILLINOIS) ss.
COUNTY OF COOK)

I, Charles J. Horn, a notary public in and for said county in the state aforesaid, hereby certify that Hiram H. Maynard, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand this 8th day of April 1926.

(SEAL)

Charles J. Horn
Notary Public, Cook County, Illinois.
My commission expires February 24th 1929.

old

QUIT-CLAIM DEED

This Deed, Made the 8th day of April, 1926, between HIRAM H. MAYNARD, a bachelor, party of the first part, and OLD SPANISH FORT DEVELOPMENT COMPANY, a corporation of the State of Delaware, party of the second part, WITNESSETH;

That the party of the first part, in consideration of One Dollar(\$1) and other good and valuable considerations to him in hand paid by the party of the second part, the receipt of which is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and forever quit-claim, unto the said party of the second part, its successors and assigns forever, all the real property, situated in the County of Baldwin and State of Alabama, conveyed or intended to be conveyed to the party of the first part by the certain deed of Agnes B. Lott and William O. Lott, her husband, dated the 27th day of October, 1925, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book No. 37 N. S., Page 395, said real property being therein described as follows, to-wit:

"That certain lot or parcel of land being more particularly described as a lot of land beginning on the East margin of Bay Minette Creek, 1.69 chains above the mouth of Spanish Fort Bayou or Creek, thence North 52° East 8 chains to a stake at foot of the bluff, North side of Spanish Fort, thence North 45° West 5.12 chains to a stake on margin of Bay Minette Creek, thence down said Creek, with its meanders, to place of beginning, containing two(2) acres, more or less. All within the bounds of the Lefroy Troulette claim, a Spanish Grant in Township four(4) South of Range 1 and 2 East".

Together with all the rights and appurtenances to said described premises in any-where belonging:

TO HAVE AND TO HOLD the said released premises unto the said Old Spanish Fort Development Company, its successors and assigns forever: So that neither the said party of the first part, his heirs or assigns, nor any other person in trust for them or in their names, shall or will, can or may, by any ways or means whatsoever, hereafter have or claim any right or title thereto; but that the said party of the first part, his heirs and assigns, each and every one of them, from all estate, right, title, interest or claim and demand whatsoever, in or to said premises, are, is, and shall be, by these presents, forever excluded and debarred.

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

Signed, sealed and delivered in the presence of:
Harry H. Phillips
William S. Allen

Hiram H. Maynard (SEAL)

STATE OF ILLINOIS)SS.
COUNTY OF COOK)

I, CHARLES J. HORN, a notary public in and for said county in the state aforesaid, hereby certify that HIRAM H. MAYNARD, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand this 8th day of April, 1926.

(SEAL)

Charles J. Horn
Notary Public, Cook County, Illinois.
My commission expires February 24th 1929.

STATE OF ALABAMA)
BALDWIN COUNTY)

I, W. D. Stapleton, Judge of Probate for said County hereby certify that the following privilege tax has been paid on the within instrument as required by acts 1923. Viz. \$ ___ Cts. 50.

W. D. Stapleton, Judge of Probate,
by J. L. Kessler, Clerk.

Filed for record Sept. 10th 1926 at 8 A. M.
Recorded Sept. 14th 1926.

W. D. Stapleton, Judge of Probate.

The State of Alabama }
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

that the within and foregoing Two photostatic pages

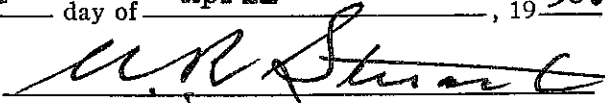
contain a full, true and complete copy of the Deed from Hiram H. Maynard to

Old Spanish Fort Development Co.,

as the same appears of record in my office in Deed Book No. 40

Page 534-5.

Given under my hand and seal of office, this 10th day of April, 1956.



Judge of Probate.

The State of Alabama }
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

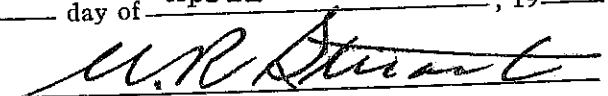
that the within and foregoing One photostatic pages

contain a full, true and complete copy of the Deed from Hiram H. Maynard to
Old Spanish Fort Development Co.,

as the same appears of record in my office in Deed Book No. 40

Page 535.

Given under my hand and seal of office, this 10th day of April, 19 56.


Judge of Probate.

STATE OF ALABAMA -- MOBILE COUNTY
CIRCUIT COURT -- AT BAY MINETTE.

Old Spanish Fort Develop-
ment Company, a corporation,
Complainant,

IN
EQUITY.

-vs-
Sections 38 and 39, Township
4, South, Ranges 1 and 2 East,
in Baldwin County, Alabama,
and any and all persons, firms
or corporations claiming any
title to, interest in, or
lien or encumbrance on said
lands, or any part thereof,
Respondents.

DEPOSITIONS OF

Garter Smith, W. O. Lott and W. L.
Durant, witnesses examined on the part
of the Complainant, before F. A. Brown,
Commissioner.

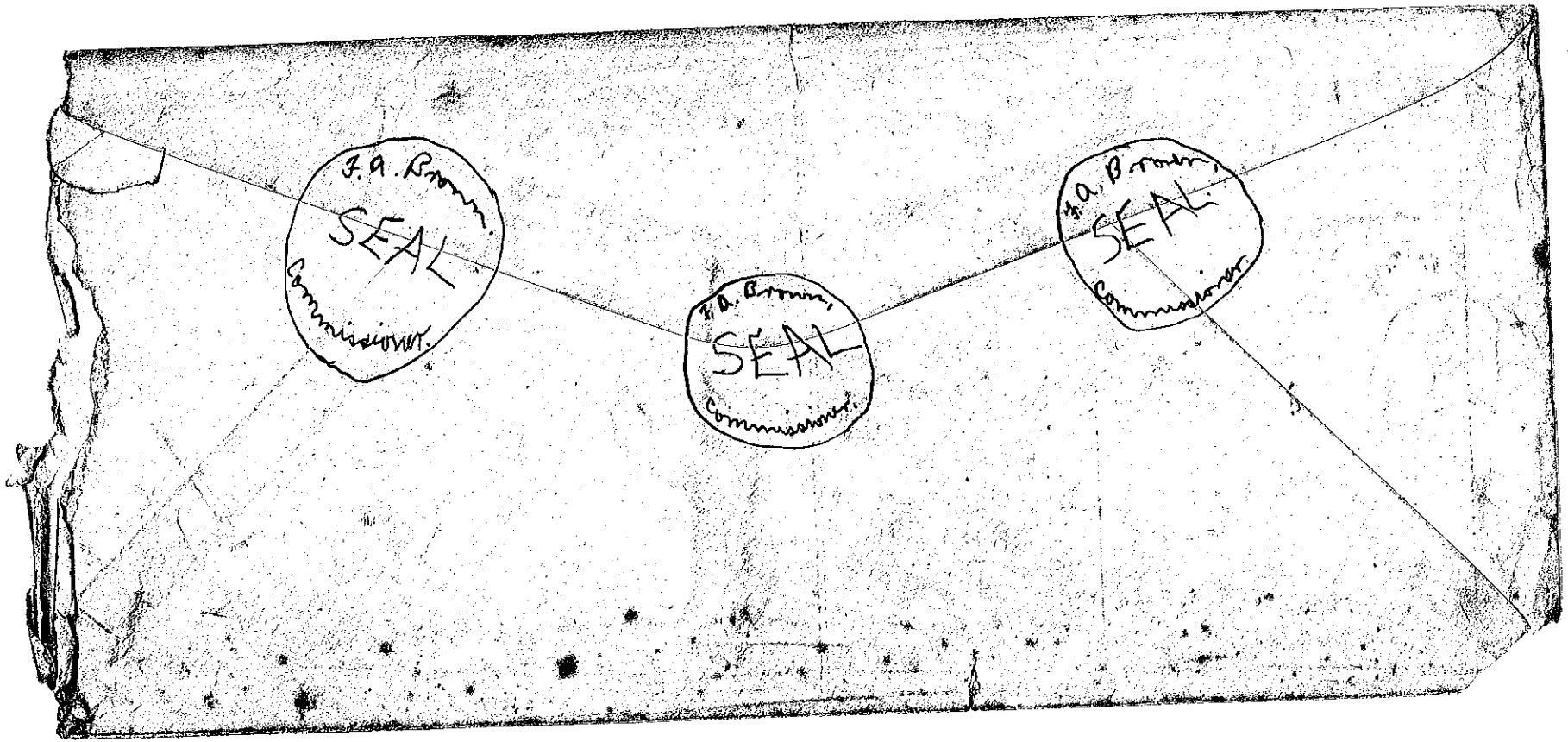
Commissioner's fee, \$15.00; not paid,
to be charged as Court costs.

Filed Oct 10 1927
F. A. Brown

F. A. Brown, Commissioner,
502-8 First National Bank Bldg.,
Mobile Alabama.

John W. Lott and co. of
Bay Minette, Alabama
10th day of October 1927
by John D. Lott

Hon. F. W. Richerson, Register,
Circuit Court,
Bay Minette, Alabama.



F. A. Brown,
SEAL
Commissioner.

F. A. Brown,
SEAL
Commissioner.

F. A. Brown,
SEAL
Commissioner.

Defendant denies that the complainant is not aware that other parties own an interest in the said land lying in range one east, being well aware that there is a number of heirs of Cyrus Sibley, deceased, owning an interest therein, although some were led to believe that they did not and signed quit-claims thereto.

Defendant further alleges that at least the following heirs of Cyrus Sibley, deceased, have interests therein.

Said Cyrus Sibley, deceased, died intestate, and left eight children, as his heirs at law. Of these one died without issue and intestate, leaving seven. That the heirs of these seven children are the heirs at law.

Defendant alleges that the said Clarence B. Sibley and Robert Sibley Sibley are interested in the said land lying in range one east, described in the bill, to the extent of one eighth of one twenty first each. That their father was Robert Sibley, who died intestate, who would have been entitled to a one sixth. That Robert Sibley was the son of Willard F. Sibley, who had three children, each inheriting one third of the estate of Willard F. Sibley, who died intestate. That Willard F. Sibley was the son of Cyrus Sibley and died intestate. That said Cyrus Sibley died intestate leaving seven children as his heirs at law, as aforesaid.

Defendant further alleges that another of the seven children of said Cyrus Sibley was Artemus Sibley, who married one Searing and died intestate. That Artemus Searing had three children, Theodore F. Searing, who is living and owns a one twenty first of the said property lying in range one east, Mrs. Florence S. Baird, who is living and owns the same proportionate interest therein, one twenty first, and a son named Cyrus Sibley Searing, who died intestate, leaving a widow, Fannie Gillespie Searing, and two children, Robert George Sibley Searing and Core S. Leonard, who are living. Said two children each own a ^{1/2} 1/2 interest in the land in range one east, subject to the dower interest of their mother therein, one third for life. All statements not admitted are denied.

Defendants by not here setting out other interests does not deny that some exist, but alleges specifically all the heirs of Cyrus Sibley, deceased, are interested in the said land in range one east as tenants in common who have not conveyed the same legally, and where the quit-claims were not obtained by misrepresentation, etc.

Defendant denies no suit is pending to the title of complainant, etc.

Now having fully answered, defendant prays that this answer may be taken as a cross-bill as against the complainant, said Old Spanish Fort Development Company, a corporation, in order that the interest of this defendant as above set out may be determined and established, and cross-complainant prays that the said corporation, Old Spanish Fort Development Co. may be made a defendant to this cross-bill by due process and required to answer this cross-bill, its oath being here waived. That at the hearing that the ~~set~~ cross-complainant be adjudged to have the interest in the property above set out as belonging to this cross-complainant, and that the said corporation be adjudged and decreed to have no title, interest or claim in or to said interest set out.

George Bowen Cleveland
Attorney for Mrs. Florence S. Baird.

Note: -Cross-defendant is required to answer all of above cross-bill in toto%.

George Bowen Cleveland
Attorney for cross-complainant.

666

[Handwritten mark]

Old Spanish Post

Filed July 20th 1927.

T. W. Stebbins
Register

Sections 58 and 59, township 4 South, Range 12E W)

Answer.

Comes the undersigned and for answer to the bill of complaint filed herein, says:-

- 1. That the defendant has no knowledge regarding the allegations of paragraph one and demands strict proof.
- 2. That defendant presumes *et* brings the proceeding as represented.
- 3. That defendant denies that complainant is in actual peaceable possession of the premises described. Defendant specifically denies that the complainant has hostile possession to defendant, as defendant is a tenant in common with complainant of the said premises and whatever possession complainant has, if any, is the possession of defendant.

Defendant is not advised as to the other matters set out in paragraph three of the bill, except as to the derivation of the title of Cyrus Sibley, deceased, which he presumed to be correctly set out, the patent to one of the said grants not being issued until August 28th, 1925, section 58. The exact date of the ^{patent} section 59, if issued at all, is not known to petitioner at the time of filing this answer, but defendant alleges an information and belief that if issued at all it was not issued previous to the date of the patent to section 58, August 28, 1925. Defendant alleges that the title to section 58 has been in the United States Government until August 28, 1925, and the title to section 59 has also been in the United States Government up to the time of the issuance of the patent, if issued, and, if not issued, is still in the United States Government, and no possession can be adverse to the United States.

Defendant further alleges that as to whatever conveyances mentioned as being made by Augustus W. Sibley or others to the parts of grants 58 and 59 lying in range one east, same could not convey the interest claimed by the defendant, the title thereto never having left said Cyrus Sibley, deceased, except by descent.

As to all matters not admitted in this paragraph the defendant denies the same and requires strict proof thereof.

- 4. In answer to paragraph four defendant denies that the fee simple title to all that part of the two grants mentioned lying in range one east "stands on the records of Baldwin Co., Alabama" in the name of the complainant, nor does defendant admit that exhibit A. is a true plot of that lying in range one east.

Defendant admits that Cyrus Sibley did not convey to Augustus Sibley any lands in range one east, and did not convey any part of said two grants lying in range one east to said Augustus W. Sibley. Defendant admits that the description in the deed is as set out from Cyrus to Augustus W. Sibley, but specifically denies that the true intent and purpose thereof was to convey any other land than therein described and particularly land owned by him in range one east, said land in range one east consisting of water front and said said Cyrus Sibley was engaged in steamboating, owning lines to New Orleans from the vicinity and well knowing the peculiar value thereof and utility as landings for himself and of spooling lines and reserved the same particularly from said deed.

- 5. Defendant specifically denies that said Augustus W. Sibley immediately vent into possession of and claimed to own said land in range one east, or any part thereof, nor could he hold adverse, or hostile, possession to the same as against defendant, a co-tenant, nor adverse possession thereof, as the title was in the U.S. Government. Defendant denies that W.A. and Belle Sibley went into possession of the land land described lying in range one east, or claimed to own the same up to the time they deed the same to Henry D. Moore.

Defendant alleges said parties could not hold adverse possession to defendant, because defendant was a co-tenant therein with said parties, they also being heirs of Cyrus Sibley, as was Augustus W. Sibley. Nor could they hold possession as against the United States, or adverse possession, title being in the United States.

Defendant denies that no one else had possession of *et* said land in *et* range one east, and denies that no one else paid taxes thereon, before or during the ten years before the filing of the bill herein.

PUBLISHED EVERY THURSDAY

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

R. B. VAIL
EDITOR AND PROPRIETOR

NOTICE

RAY MINETTE, ALA.

BOARD OF DIRECTORS

J. W. RANDALL, Loxley & Foley,
President Bank of Loxley
President Bank of Foley
County Commissioner
Fairhope
ber of Commerce

PLICATION

being duly sworn, deposes and says that he is
N TIMES, a Weekly Newspaper published at Bay

that, the notice hereto attached of _____

*with Fort Dea
Co vs Loxley*

OFFICERS

J. W. RANDALL
O. K. CUMMINGS
1st Vice President
ORT. H. ERTZINGER
2nd Vice President
GEORGE W. MORGAN
Secretary
CHARLES E. CANRIGHT
Attorney
C. L. SCHLICH
Asst. Secretary Treasurer

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

issues:

Date of first publication	<i>June 30 - 1927</i>	Vol.	<i>38</i>	No.	<i>22</i>
Date of second publication	<i>July 6</i>	Vol.	<i>38</i>	No.	<i>23</i>
Date of third publication	<i>July 13</i>	Vol.	<i>38</i>	No.	<i>24</i>
Date of fourth publication	<i>July 20</i>	Vol.	<i>38</i>	No.	<i>25</i>

Subscribed and sworn to before the undersigned this 15 day of _____

Aug 7
1927
H. W. ...
...
...

R. B. Vail
Publisher.

*Partly Pd
Direct*

896

666

Alfred Jones
vs

Rea 38 et al

Filed Aug 10/927
J W Keenan
Register

Old Spanish Fort Development
Company, a corporation,

Complainant,

-vs.-

Sections 38 and 39, Township 4
South, Ranges 1 and 2 East, in
Baldwin County, Alabama, and any
and all persons, firms or cor-
porations claiming any title to,
interest in, or lien or encum-
brance on said lands, or any part
thereof,

Respondents.

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

FALL TERM, 1927.

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

1. The original bill of complaint and the exhibits thereto.
2. The order of the Judge of this Court dated May 19th,
1927, directing that publication in said cause be made in the Baldwin
Times.
3. The original notice or order of publication in said
cause signed by the Register of this Court on the 19th day of May,
1927, showing the pendency of said cause, *and proof of service thereof on
Clarence E. Abbey, Wesley K. Abbey, and Wm. Madison.*
4. Copy of said notice or order of publication duly recorded
in the Probate Office of Baldwin County, Alabama, on May 20th, 1927,
with the endorsements thereon.
5. Proof of the publication of said notice or order of
publication in the Baldwin Times.
6. Testimony of Carter Smith, W. O. Lott and W. L. Durant
taken orally before F. A. Brown, Commissioner, on October 6th, 1927.
7. Testimony of Jessie M. Smith, Tax Collector of Baldwin
County, Alabama, taken orally before the Register of this Court on
the 10th day of October, 1927.
8. Certified copy of affidavit of N. L. Durant dated the
7th day of November, 1925, and recorded in the Probate Office of
Baldwin County, Alabama, in Deed Book 37, at pages 491 and 492.
9. Certified copy of certificate of E. E. Winters, Register
of the General Land Office at Montgomery, Alabama, as to the survey

and location of Section 38, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama.

10. Certified copy of United States patent to Alexis Trouillet and to his heirs covering said Section 38.

11. Certified copy of plat and survey by John James, Deputy Surveyor, under date of January 2nd, 1837, and recorded in "Private Claim Record", page 93, in the Probate Office of Baldwin County, Alabama.

12. Certified copy of Spanish Land Grant of the Intendant General of West Florida covering the Lefroy Trouillet and Idane Chastang Grant now known as Section 39, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama.

13. Certified copy of deed from Antoine Trouillet and others dated November 14th, 1846, to Jonathan Johns and recorded in Deed Book E, pages 337-8, of the public records of Baldwin County, Alabama.

14. Certified copy of deed from Ethelbert Brantley, as Guardian for Eliza J. Johns and Chloe E. Johns, minor heirs of Jonathan Johns, to Cyrus Sibley, dated the 9th day of July, 1853, and recorded in Deed Book F, at pages 351-2, of the public records of Baldwin County, Alabama.

15. Certified copy of deed from Ransom W. Mathers and wife to Cyrus Sibley dated March 17th, 1853, and recorded in Deed Book F, pages 332-3, of the Public Records of Baldwin County, Alabama.

16. Certified copy of deed from Antoine Trouillet and others to Cyrus Sibley dated the 3rd day of April, 1847, and recorded in Deed Book No. 21 N. S., pages 646-7, public records of Baldwin County, Alabama.

17. Certified copy of deed from Simon Chastang and others to Augusto Savisson dated 5th day of December, 1843, and recorded in Deed Book E, pages 127-8, of the public records of Baldwin County, Alabama.

18. Certified copy of deed from Auguste Lavisson (Savisson) to James Clough dated June 5th, 1861, and recorded in Deed Book H, pages 287-8, of the public records of Baldwin County, Alabama.

19. Certified copy of deed from Franklin C. Heard to George R. Griffith dated 2nd day of July, 1839, and recorded in Deed Book E,

pages 249-50, of the public records of Baldwin County, Alabama.

20. Certified copy of deed from George R. Griffith to Cyrus Sibley dated April 23rd, 1846, and recorded in Deed Book E, pages 253-4, of the public records of Baldwin County, Alabama.

21. Certified copy of deed from Ethelbert Brantley and Chloce Brantley to Cyrus Sibley dated February 19th, 1856, and recorded in Deed Book G, page 59, of the public records of Baldwin County, Alabama.

22. Certified copy of deed from Cyrus Sibley to Augustus W. Sibley dated the 27th day of July, 1865, and recorded in Deed Book H, page 506, of the public records of Baldwin County, Alabama.

23. Certified copy of deed from A. W. Sibley to W. A. Sibley and Belle E. Sibley dated January 15th, 1921, and recorded in Deed Book 30 N. S., page 390, of the public records of Baldwin County, Alabama.

24. Certified copy of deed from W. A. Sibley and wife and Belle E. Sibley, unmarried, to Henry D. Moorer, dated November 9th, 1925, and recorded in Deed Book 37 N. S., pages 502-3, of the public records of Baldwin County, Alabama.

25. Certified copy of deed from Henry D. Moorer and wife to Agnes B. Lott dated November 10th, 1925, and recorded in Deed Book 37 N. S., pages 503-4, of the public records of Baldwin County, Alabama.

26. Original deed from Agnes B. Lott and W. O. Lott, her husband, to Hiram H. Maynard dated November 10th, 1925, and recorded in Deed Book 37 N. S., page 551, of the public records of Baldwin County, Alabama.

27. Certified copy of deed from Hiram H. Maynard, a bachelor, to Old Spanish Fort Development Company dated April 8th, 1926, and recorded in Deed Book 40 N. S., page 534, of the public records of Baldwin County, Alabama.

28. Certified copy of deed from Hiram H. Maynard, a bachelor, to Old Spanish Fort Development Company dated the 8th day of April, 1926, and recorded in Deed Book 40 N. S., page 535, of the public records of Baldwin County, Alabama.

29. Certified copy of deed from Hiram H. Maynard, a bachelor, to Old Spanish Fort Development Company dated the 8th day of April, 1926, and recorded in Deed Book 40 N. S., page 536, of the public records of Baldwin County, Alabama.

30. Certified copy of deed from Agnes B. Lott and husband W. O. Lott, to Hiram H. Maynard dated the 27th day of October, 1925, and recorded in Deed Book 37 N. S., page 395, of the public records of Baldwin County, Alabama.

31. Certified copy of deed from Agnes B. Lott and husband, W. O. Lott, to Hiram H. Maynard dated October 17th, 1925, and recorded in Deed Book 37 N. S., pages 309-10, of the public records of Baldwin County, Alabama.

Thomas McCarty Woodford
Attorneys for Complainant.

I hereby certify that the foregoing Note of Testimony is correct. This 10th day of October, 1927.

W. W. Beaman
Register.

Old Spanish Fort Development Company,
a corporation,

Complainant,

-vs-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms,
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof,

Respondents.

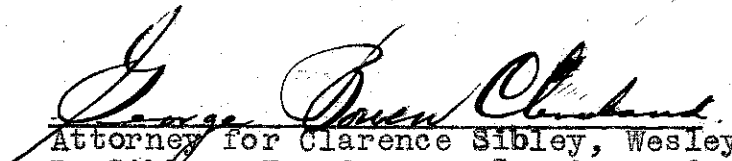
IN THE

CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

IN EQUITY.

Come the respondents, Clarence Sibley, Wesley R. Sibley, Theodore F. Searing and Mrs. Florence S. Baird, having heretofore intervened in this cause and having filed each separately an answer and cross-bill therein do hereby withdraw their respective answers and cross-bills, and move the Court to dismiss each of their said respective answers and cross-bills as filed herein, and consent that this Court may enter a decree, as prayed for in the original bill of complaint, quieting complainant's title to the property described in said bill, and the said respondents, cross-complainants and interveners and the undersigned as counsel for said parties, do hereby withdraw each and every of their respective appearances in said cause.


Attorney for Clarence Sibley, Wesley
R. Sibley, Theodore F. Searing and
Mrs. Florence S. Baird, respondents,
cross-complainants and interveners.

600
No. 896
Old Spanish Fort Ariz. Co.

vs.

Secs. 38 + 39 Tp 45N R 12E
East.

RECORDED

Request for area
Warrant.

RECORDED
Filed, Oct. 3, 1927.

D. W. Reimer

Register.

Expts Exp B for Identification

State of Alabama,

County of Baldwin.

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

Old Spanish Fort Development Company,
a corporation,

Complainant,

-VS-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof,

Respondents.

Comes the Complainant and moves the Register of this Court for the oral examination of the witnesses herein named, before a Commissioner appointed by the Register of this Court, said witnesses to be examined before said Commissioner at Room 508 of the First National Bank Building, in Mobile, Alabama, on Thursday, the 6th day of October, 1927, at ten o'clock A. M., said witnesses and their residences being as follows:-

- Carter Smith, 17 N. Ann Street, Mobile, Alabama.
- W. O. Iott, 160 Rapier Avenue, Mobile, Alabama.
- W. L. Durant, 60 Bradford Avenue, Mobile, Alabama.

Henry D. Morrow
Thomas M. Conway, W. L. Durant, Carter Smith
 Solicitors for Complainant.

We suggest the name of F. A. Brown, whose business address is 502-8 First National Bank Building, and who resides at 252 St. Emanuel Street, Mobile, Alabama, as a suitable person to act as Commissioner for the examination of such witnesses.

Henry D. Morrow
Thomas M. Conway, W. L. Durant, Carter Smith
 Solicitors for Complainant.

The foregoing motion coming on to be heard, it is ordered that the same be granted and that commission duly issue. Dated this 3rd day of October, 1927.

I hereby accept service of the foregoing motion and order, and waive all further notice this the 3rd day of October, 1927.

F. A. Brown
Register.

George Brown Cleveland
Attorneys for Respondents

^{to}
No. ~~876~~ 666
Old Spanish Fort Dev. Co.

vs.

Secs. 38 & 39, Tp. 4 S., R. 1
and 2 East.

Motion to Dismiss Cross-
bills.

RECORDED

Filed Oct. 4, 1927.

T. W. Rice
Register.

RECORDED

RECORDED

STEVENS, M'CORVEY, M'LEOD, GOODE & TURNER
ATTORNEYS AT LAW
502-8 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

THOMAS M. STEVENS
GESSNER T. M'CORVEY
WILLIAM M'LEOD
DAVID B. GOODE
BEN D. TURNER
C. M. A. ROGERS

October 19th, 1928.

Mr. T. W. Richerson,
Register Circuit Court,
Bay Minette, Ala.

Dear Sir:

In Re: Old Spanish Fort Development Co.,
a corporation, vs. Sections 38 and
39.

In our note of testimony in this case we noted with other testimony the following:

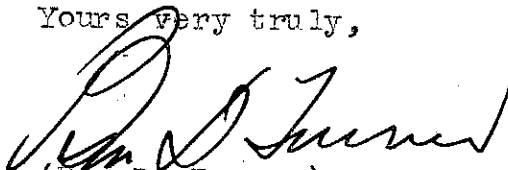
"12. Certified copy of Spanish Land Grant of the Intendant General of West Florida covering the Lefroy Trouillet and Idane Chastang Grant now known as Section 39, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama."

I desire to make a copy of the above paper. I think that there is attached to the same a map showing a sketch of said Grant as then thought to be located. If you will send me by return mail this particular Grant, I will have a copy thereof made and will return to you the original.

Some time ago I wrote you inquiring as to whether or not a final decree had been entered in the suit by a certain person or persons named Worcester, involving the title to land in Section 25, Township 4 South, Range 1 East. My recollection is that this suit was originally filed by Mr. McMillan. I would thank you to locate, on your records, and advise me whether or not the said decree has been entered and if so, the date thereof.

Thanking you for your attention to the matter, I am,

Yours very truly,


(Ben D. Turner)

BDT:BG

filed Sec. 28-111
Certified Copy

NOTICE.

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

Old Spanish Fort Development Company,
a corporation,

Complainant,

-vs-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof.

Notice is hereby given that Old Spanish Fort Development Company, a corporation, on the 19th day of May, 1927, filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, In Equity, claiming to be in actual, peaceable possession of and claiming to own these certain parcels of land situated in the County of Baldwin, State of Alabama, described as follows:

Section 38, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama, and known as the Alexis Truillet or the Alexis Truillet Grant, and Section 39, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama, and known as the Lefroy Truillet and Idane Chastang Grant, or as the Lefroy Truillet Grant; said Section 38 being the same land patented to Alexis Truillet by a patent recorded in Deed Book 37N5, page 136, of the Public Records of Baldwin County, Alabama, and said Section 39 being the same property granted by the Spanish Government to Lefroy Truillet and Idane Chastang and confirmed by the Acts of Congress of the United States of America.

Complainant alleges in its bill of complaint that the title to so much of said lands as lie in Township 4 South, Range 1 East, stands on the records of the Probate Court of Baldwin County, Alabama, in the name of Cyrus Sibley, and that the title to so much of said lands as lie in Township 4 South, Range 2 East, stands on the records of the Probate Court of said County in complainant; and that complainant claims title to said land by deed from Hiram H. Maynard to complainant recorded in Deed Book 40N5, at page 534, of the Public Records in the Probate Office of Baldwin County, Alabama, and by another deed from said Hiram H. Maynard to complainant recorded in Deed Book 40N5, at page 535, of said Public Records aforesaid; and complainant avers in said bill that the said Hiram H. Maynard acquired title to said property through a chain of conveyances, referred to in said bill, which is on file in my office

666

Filed with endorsement
Oct 10th 1927
T. W. Williamson
Register

THE STATE OF ALABAMA) Office of the Judge of
BALDWIN COUNTY) the Probate Court
I, G. W. HUMPHRIES, 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 20
day of May 1927 at 9:00
o'clock A.M. and I further certify that the
same is duly recorded in Record Book No. 422, S.
Page 17-8 and duly examined.
Witness my hand this 20 day of May
1927
G. W. Humphries Judge of Probate Court
By _____

N. C. Stone

W

9:5 PM

5/20/27 gam

CLARENCE E. SIBLEY and
WESLEY R. SIBLEY, et als.,

Complainants,

vs.

HIRAM H. MAYNARD, OLD SPANISH
FORT DEVELOPMENT COMPANY, et als.,

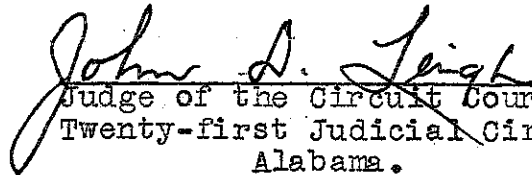
Respondents.

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

This cause coming on to be heard is submitted on motion of complainants to dismiss the same.

Said motion being considered and understood by the Court, it is ordered, adjudged and decreed that said cause be and the same is dismissed at the cost of the complainants.

Done this the 10th day of October, 1927.


Judge of the Circuit Court of the
Twenty-first Judicial Circuit of
Alabama.

N O T I C E.

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

Old Spanish Fort Development Company,
a corporation,

Complainant,

-vs-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof.

Repts kept 10

Notice is hereby given that Old Spanish Fort Development Company, a corporation, on the 19th day of May, 1927, filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, In Equity, claiming to be in actual, peaceable possession of and claiming to own those certain parcels of land situated in the County of Baldwin, State of Alabama, described as follows:

Section 38, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama, and known as the Alexis Truillett or the Alexis Truillett Grant, and Section 39, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama, and known as the Lefroy Truillett and Idane Chastang Grant, or as the Lefroy Truillett Grant; said Section 38 being the same land patented to Alexis Truillett by a patent recorded in Deed Book 372s, page 136, of the Public Records of Baldwin County, Alabama, and said Section 39 being the same property granted by the Spanish Government to Lefroy Truillett and Idane Chastang and confirmed by the Acts of Congress of the United States of America.

Complainant alleges in its bill of complaint that the title to so much of said lands as lie in Township 4 South, Range 1 East, stands on the records of the Probate Court of Baldwin County, Alabama, in the name of Cyrus Sibley, and that the title to so much of said lands as lie in Township 4 South, Range 2 East, stands on the records of the Probate Court of said County in complainant; and that complainant claims title to said land by deed from Hiram H. Maynard to complainant recorded in Deed Book 402s at page 534, of the Public Records in the Probate Office of Baldwin County, Alabama, and by another deed from said Hiram H. Maynard to complainant recorded in Deed Book 402s, at page 535, of said Public Records aforesaid; and complainant avers in said bill that the said Hiram H. Maynard acquired title to said property through a chain of conveyances, referred to in said bill, which is on file in my office

at Bay Minette, Baldwin County, Alabama; and complainant alleges in said bill that it and those under whom it claims have regularly assessed said lands for taxes and have paid the taxes thereon since July 27th, 1865, and including the ten years next preceding the filing of said bill, and during said time it and those under whom it claims have been in actual possession of said lands claiming to own the same, and that during said time no one else has paid taxes thereon or been in possession thereof except William Mastin, alias William Merchant, who claims to own a small parcel situated in said Section 39; and that this bill of complaint is filed for the purpose of establishing its title to and interest in said lands and clearing up all doubts and disputes concerning the same.

Witness my hand this the ^{19th} day of May, 1927.

T. W. Reardon
 Register of the Circuit Court of
 Baldwin County, Alabama.

STEVENS, MCCORVEY, McLEOD, GOODE & TURNER

Solicitors for Complainant.

2 Original 666

Old Operative Front
Development Co
-OS-

Section 387 39 et al

Sept 10
April 10, 1956

Filed May 19th 1927
T. W. Rice
Register

Some copy in
Kearney Co. Nebraska
Creola, Wabey Co.
Lawrence & Sibley 5-1-20
William Marling 5-24
William W. ...
Notice Rec

Recorded by ...
by of ...
rence & Sibley on
May 20, 1927. On May
1927 preserved copy
in ...
By J. S. Sullivan
Att

Creola & Sibley not found in ...

county
Lawrence & Sibley
By W. S. Sullivan
Att

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. Oct 10th ~~1927~~, 1927

Repts Exp 15

Old Spanish Fort Development Co, Complainant...

vs.

See 38, 39 et al., Defendant...

To Register :

the same being at issue

In the above stated cause, a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Stevens, Mc Corvey, McLeod

Goode & Turner

Solicitors of record, now files with the Register of this Court.

this written request to deliver the papers in this cause to the Judge for final decree, ~~in vacation~~.

Stevens, Mc Corvey, McLeod, Goode & Turner
Solicitor for Complainant.

MOORE PRINTING COMPANY
COMMERCIAL PRINTING
Office Supplies——Legal Forms
TELEPHONE 937-7171 P. O. BOX 36
Bay Minette, Alabama

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

Old Spanish Fort Development Co,

vs.

Sections 38 & 39

REQUEST FOR DECREE IN

~~VACATION~~

FILED Oct 10th 1927

W. H. ...
Register

RECORDED

RECORDED IN _____ RECORD

VOL. _____ PAGE _____

Register

MD 666

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

Old Spanish Fort Development Company,
a corporation,
Complainant,

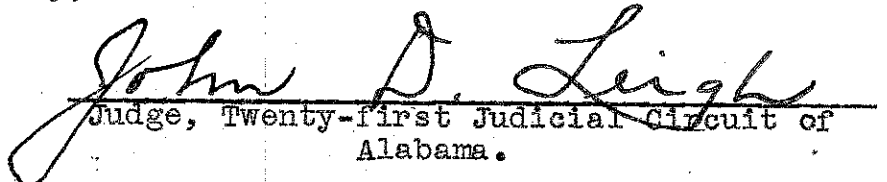
-vs-

Sections 38 and 39, Township 4 South,
Ranges 1 and 2 East in Baldwin County,
Alabama, and any and all persons, firms
or corporations claiming any title to,
interest in, or lien or encumbrance on
said lands, or any part thereof.

This cause, coming on to be heard, is submitted on motion of the Register to the Court to prescribe in what newspaper the notice of publication necessary in said cause be published.

It is therefore ordered, adjudged and decreed by the Court that all notices and orders of publication necessary in this cause be published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama.

May 19, 1927.


Judge, Twenty-first Judicial Circuit of
Alabama.

The State of Alabama, }
Baldwin County

Old Spanish Fort Development Co

Complainant
vs.
Section 38 & 39 et al.

Defendant

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

Repts Exp 14 for Identification

The Complainant's Attorney

requests the oral examination of the following named witnesses, on behalf of the

Complainant, viz:
Jesse M. Smith, Tax Collector of Baldwin County,

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.....

said witnesses reside in the County of Baldwin
State of Alabama.

Jesse M. Smith Tax Collector, who resides at
Bay Minette Alabama

or, The Register of this Court is suggested as a suitable person
to be appointed Commissioner to take the deposition of said witness on such oral examination.

Thomas M. Connor, M. God. Good, B. Hum

Solicitor for Complainant,

8
~~896~~ 666

CIRCUIT COURT OF
Baldwin County, Alabama

IN EQUITY

Old Spanish Fort Development Co

Complainant..

vs.

Section 38 & 39.

Defendant..

DEMAND FOR ORAL EXAMINATION

Filed *Oct 6* 1927

T. M. Rice Register.

Moore Printing Co. Bay Minette, Ala.

RECORDED

Diner

Old Spanish Fort
Development Co
vs

Acc 38032, Tr 421028
Baldwin County Ala.
— —

Filed May 19th 1927
D. W. Rieunier
Register



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

Old Spanish Fort Development Co,
.....Complainant.

VS.

Sections 38, and 39 Tp 4 South Ranges 1, and 2 East,
in Baldwin County, Alabama and any and all persons, Respondent,
firms or corporations claiming any title to, interest,
in, or encumbrance on said lands, or any part thereof.

as Register and Commissioner

have called and caused to come before me Jesse M. Smith, as Tax Collector of
Baldwin County Alabama,

witness named in the Requirement for Oral Examination, on the 10 day of October
1927, at the office of 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 witness

doth depose and say as follows:

I am Tax Collector of Baldwin County Alabama. Prior to my election
to this office I was for many years Assistant to the Tax Assessor
of this County. As Tax Collector I have ^{access} to, and custodian of
the records of Baldwin County Alabama, showing the payment of taxes
of lands situated in said County. I have examined the records of
said County for more than 20 years prior to the 19th day of May
1927 and find from said records that Augustus N. Sibley, during his
lifetime and M. A. and Belle E. Sibley and those claiming under them
have, during said period, regularly assessed and annually paid
taxes on all of Section 38, and 39, in Township Four South Ranges
1 and 2 East in said County. No other person has during that
period assed any of said property for taxation, nor paid any taxes
thereon except possibly 2 or 3 small lots in said Sections, One of
said lots being known as the Loxley property and the other lots
known as the Mastin property and the other heirs the Margeret
Francisco. None of these tracts contain more than 3 or 4 acres
and the Mastin property was assessed as being on the northern
boundary of the said section 39. My information now is that
Old Spanish Fort Development Co have bought the Loxley tract
and the Francisco tract. The assessment of the said A. W. Sibley

and these claiming under him has been of the entire sections.....
38 and 39, without recognizing ~~any of said~~ omitting any.....
portions thereof and for more than 20 years said parties have.....
paid taxes on said assessments .

Jesse W. Smith
As Tax Collector of Baldwin County
Alabama

ORAL EXAMINATION.

I, T.W. Richerson, 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... he... signed the same in the presence of myself... and Messrs. Ben D. Turner and Hon. H.D. Moorer Attys 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 10 day of Oct 1927

T.W. Richerson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Old Spanish Fort Development Co.

vs. Complainant

Sections 58 & 59 et al.

Respondent.

Oral Deposition

Filed Oct 10, 1927

T.W. Richerson Register.

Recorded in

Record

Vol. _____ Page _____

Register

State of Alabama,

Mobile County.

Personally appeared before me, F. A. Brown

a Notary Public in and for said State and County, M. L. Durant, who being duly sworn deposes and says:

I am eighty-two years of age and have resided in Baldwin County all of my life. During the last years of his life, I knew Cyrus Sibley, the father of Augustus W. Sibley, who is referred to in the chain of title relating to the lands hereinafter mentioned. During the time that I knew Cyrus Sibley he claimed to own, and was in possession of, the lands hereinafter described. Cyrus Sibley deeded the lands that he owned in Township 4, Ranges One and Two East, with other lands, to Augustus W. Sibley by deed dated July 27th, 1865, and recorded in Deed Book 8, page 506. The description in this deed called for lands in Township 4 South of Ranges Two and Three East, with other lands, but it was always my understanding that this deed was intended to cover all of the lands owned by the said Cyrus Sibley in Township 4, Range 1 East, as well. The heirs of Cyrus Sibley have recognized this inasmuch as three-fourths of said heirs in interest have quit-claimed their interest in any lands in Township 4 South, Range 1 East, to W. A. and Belle E. Sibley, son and daughter, respectively, of the said Augustus W. Sibley. Of my own personal knowledge I know that following the execution of this deed from Cyrus Sibley to Augustus W. Sibley, that Augustus W. Sibley went into possession and continuously remained in possession and claimed to own all of the lands which were owned by the said Cyrus Sibley at the date of the execution of said deed, including the lands in Township 4 South, Range 1 East, as well as those lands in Township 4 South, Range 2 East.

I am a Civil Engineer by profession and am familiar with land lines and land numbers in Baldwin County. I have surveyed much of the land in this area and have surveyed all of the Sibley lands, which will be hereafter referred to by numbers. When the said Augustus W. Sibley went into possession of the lands under the deed from Cyrus Sibley, he took possession of all of Section 16 lying South of Bay Minette and Bay Minette Creek; Fraction "B" and the South Half of Section 17. In speaking of the possession taken of the lands in Section

17. I am referring to the plat of this Township approved May 19th, 1845, which is the same plat recognized as the official plat of Baldwin County, as appears from the Plat Book of said County. He also went into possession of Fraction "A" and the North Half of the Northeast Quarter of Section 20, as the same is laid down by said plat. He also went into possession of Subdivisions "A", "D", "E" and "F", the North Half of the Southeast Quarter and the South Half of the Southwest Quarter of Section 30, and of Sections 38 and 39, said last two Sections being in Township One and Two East. The North Half of the Southeast Quarter of Section 30 is a portion of Subdivisions "C" and "B" of said Section. Section 39 is what is commonly known as the Lefroy Trouillette Grant and Section 38 is commonly known as the Alexis Trouillette Grant. Section 39, as I have known it for ^cfifty years or more, has extended to the waters of Bay Minette on the North, and Bay Minette Channel and the Apalache River on the West. After Augustus W. Sibley went into possession of these lands, he continuously remained in possession of all of said lands above described, extending to the water's edge, except small portions here and there which he sold off as lots to other persons. These tracts which the said Sibley has sold are referred to in the abstract compiled by Stone & Stone on August 24th, 1925, covering these lands, as Items 37, 57, 106, 107, 108 and 109. During the time that the said Augustus W. Sibley claimed these lands, he exercised such acts of possession and ownership over them as the lands were then susceptible of; he sold timber and cut wood and exercised complete ownership over the same and kept off trespassers. I have never known his possession to be disputed, nor have I ever heard of any adverse claimants to the area in question.

I am familiar with the Government plat of 1832 which shows Section 39 to be removed from the water and to extend further over into Sections 17 and 20. According to this plat, a part of Section 18, a part of Section 19 and a part of the East Half of Fractional Section 24 would intervene between the Lefroy Trouillette Grant in Section 39 and the waters of Bay Minette and the Apalache River. Whether or not this plat correctly locates the Lefroy Trouillette Grant, I know of my own personal knowledge that the said Augustus W. Sibley, since the execution of the deed to him from Cyrus Sibley, has been in the open,

continuous, notorious and peaceable ^{and exclusive} possession under claim of ownership of all of the lands which, according to said plat of 1832, would lie between Section 39 and the waters of Bay Minette or the Apalache River. The said Augustus W. Sibley also went into possession of, and has continuously claimed to own, all that part of Section 19 lying South and East of Section 39, except the South Half of the Southeast Quarter, which was patented by the United States Government to Ambrose Olete.

Of my own personal knowledge, the said Augustus W. Sibley has been in the open, continuous, peaceable and exclusive possession of all of the lands above listed since the 27th day of July, 1865, up to the 13th day of January, 1921; during all of said time he claiming to own the same and regularly listing the same for taxation and paying the taxes thereon, and claiming to own the same under the deed from the said Cyrus Sibley.

On January 13th, 1921, by deed recorded in Deed Book 30 B. S., page 390, the said A. W. Sibley, at that time a widower, deeded to W. A. Sibley and Belle E. Sibley all real estate which he at that time owned lying in the County of Baldwin. Under this deed the said W. A. Sibley and Belle E. Sibley immediately went into possession of all of the area above described, and since the execution of said deed they, under claim of ownership, have remained in the open, exclusive, continuous and peaceable possession of all of said area and have regularly listed the lands for taxation and paid the taxes thereon. During this time the said W. A. and Belle E. Sibley exercised such rights of ownership over the property as it was susceptible of, and upon one occasion leased the pine timber thereon for turpentine purposes.

I have recently had occasion to re-survey the lines of the lands above listed and there are no persons now in possession thereof except such as hold possession under the said W. A. and Belle E. Sibley.

W. L. Durant

Subscribed and sworn to before me this 7th day of November, 1925.

F. A. Brown

Notary Public, Mobile County, Alabama.

Filed for record November 23rd, 1925 at 8 A M,
Recorded December 12th, 1925.

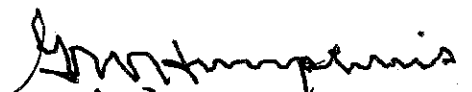
W. D. Stapleton, Judge of Probate.

The State of Alabama,
County of Baldwin.

)
:
)
COURT OF PROBATE.

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 Book 37, at pages 491 and 492, now on file in the office of Judge of Probate of Baldwin County, Alabama.

Witness my hand and the seal of said Court this 26th day of September, A. D. 1927.


Judge of Probate.

The State of Alabama, }

Baldwin County

CIRCUIT COURT.

To Hon. F. A. Brown, Mobile Alabama,

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 Carter Smith, 17 N. Ann St Mobile Ala, W. O. Lott, 160 Rapier Avenue, Mobile Alabama, W. L. Durant, 60 Bradford Avenue, Mobile Alabama.

as witnesses in behalf of Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Old Spanish Fort Development Company, a Corporation,

Complainant and Sections 38 and 39, Township 4 South, Ranges 1 and 2 East, in Baldwin County, Alabama, and any and all persons, firms or corporations, claiming any title to, interest in, or lien or encumbrance on said lands, or any part thereof, Defendant,

on oath to be by you administered, upon interrogatories or 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 4th day of October 1927

[Signature] Register.

Commissioners Fee \$15.00

Witness Fee's \$

and 2 East, in Baldwin County, Alabama, which said section is known as the Alexis Truilett, or the Alexis Trouillet, Grant, and all of Section 39, Township 4 South, Ranges 1 and 2 East, in said County and State, and known as the Lefroy Trouillet and Idane Chastang Grant, and sometimes as the Lefroy Trouillet Grant, except a certain three-acre tract near the north boundary of said section on Bay Minette Bay, which said three-acre tract was at that time in the possession of one William Mastin, alias Willie Merchant. Said three-acre tract is described in the bill of complaint filed in this cause as follows:-

Commencing at a point at a variation of 6 deg. E. bears South $85\frac{1}{4}$ deg. east from the most northerly point of the woods on Cedar Point on the south side and the mouth of Bayou Minette Bay, North $22\frac{1}{2}$ deg. W. $4\frac{1}{2}$ chains to a Cedar with an x and 2 chops, below running south 52 deg. E. 9.48 chains, thence south 38 deg. W. 3.16 chains, thence north 52 deg. W. 9.48 chains to the Bay, thence with the meanderings of the Bay to the place of beginning, containing 3 acres being portion of the Lefroy Trouillette claim in township four south of range two east.

On the date last above mentioned the said Old Spanish Fort Development Company claimed the title to all of said lands, except said three-acre tract, in fee simple, subject to two certain vendor's liens set out in said bill of complaint.

Said Company obtained the title to said property under the deed from Hiram H. Maynard dated April 8th, 1926, and recorded in Deed Book 40 N. S., at page 534, of the public records of Baldwin County, Alabama. The said Maynard obtained said title under the chain of conveyances, deeds and patents set out in said bill of complaint. Since I have been connected with the Old Spanish Fort Development Company it has been my purpose and my principal business to protect the property from trespassers and to see that the boundary lines thereof were properly marked. At the time the bill was filed in this cause, being the 19th day of May, 1927, and for several months prior thereto, the boundaries of the above described property were posted by notices warning persons against trespassing and bearing the name of the Old Spanish Fort Development Company, the then owners of said property. At this time there were several persons residing on said property who were tenants of the said Old Spanish Fort Development Company, their names being: Frank Yancey, Sam Burroughs, Ambrose Olete, and three Filipines going under the names of Tony, Mack and Cantenie. All of these persons with the exception of Sam Burroughs

Old Spanish Fort Development
Company, a corporation,

Complainant,

-vs.-

Sections 38 and 39, Township 4
South, Ranges 1 and 2 East, in
Baldwin County, Alabama, and any
and all persons, firms or corpora-
tions claiming any title to, interest
in, or lien or encumbrance on said
lands, or any part thereof,

Respondents.

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

I, F. A. Brown, the Commissioner named in that certain com-
mission signed by T. W. Richerson, Register of the Circuit Court of
Baldwin County, Alabama, and dated the 4th day of October, 1927,
directing me to conduct the oral examination of the witnesses herein-
after named, have called and caused to come before me Carter Smith,
W. O. Lott and W. L. Durant, the witnesses named in the requirement
for oral examination filed in said cause on the 3rd day of October,
1927, said witnesses appearing before me at Room 508 First National
Bank Building at Mobile, Alabama, on Thursday, the 6th day of October,
1927, and said witnesses having first been duly sworn to speak the
truth, the whole truth and nothing but the truth, depose and say on
their oral examination in answer to questions propounded to them by
Honorable Ben D. Turner, of the firm of Stevens, McCorvey, McLeod,
Goode & Turner, solicitors for complainant in said cause, as follows:-

The witness, Carter Smith, testified as follows:-

My name is Carter Smith. I am over the age of twenty-one
years and am Secretary of the Old Spanish Fort Development Company, a
corporation organized under the laws of the State of Delaware and
qualified to do business in Alabama. I reside at 17 North Ann Street
in the City of Mobile, Alabama. I have been actively connected with
the Old Spanish Fort Development Company for the last six months.
During that time I have actively looked after the lands of said Company
in Baldwin County, Alabama. On and prior to the 19th day of May,
1927, the Old Spanish Fort Development Company was in actual and
peaceable possession of all of Section 38, Township 4 South, Ranges 1

atoned to said Company and pay rent to said Company. The house in which Sam Burroughs resides is situated near the line of said Section 39 and Subdivision A of Section 25, Township 4 South, Range 1 East. It is my understanding and contention that said house is located on Section 39, though the parties who own Subdivision A of Section 25 contend that the house is on said Subdivision. The said Sam Burroughs and the owners of Subdivision A of Section 25 lay no claim to any portion of said Section 39. No other persons except the tenants above named and the Old Spanish Fort Development Company have been in possession of any of said property during the period of time I have been connected with said Company, except the said William Mastin, who claims and is in possession of the said three-acre tract above described. Since I have been connected with said Company I have cleared several acres of said property by cutting the underbrush therefrom and have built and maintained roads through said property and have constructed two observation towers thereon. The clearing extends along said roads leading through said property. Since my connection with said Company its possession of said property has been open, notorious, peaceable, adverse, continuous and exclusive and, except as above stated, no person has had any possession of any portion thereof.

I made diligent effort to ascertain the boundaries of a certain six-acre tract described in the bill of complaint as having been sold by Augustus W. Sibley to Charles Wilson, and a certain three-acre tract described in the bill of complaint as having been sold by Augustus W. Sibley to Thomas Domingo, and I have never been able to locate the boundaries of either of said tracts, nor have I been able to locate any of the marks, stakes or guide points described in either of said descriptions.

Since the Old Spanish Fort Development Company acquired said property they have regularly listed the same for taxation and have paid the taxes thereon, and no other person other than the said Willie Mastin has, during that period, assessed any portion of said property for taxation or paid any taxes thereon; that as Secretary of said Company I have caused the tax records at Bay Minette to be examined and have ascertained that during the ten years next preceding the filing of this bill that the complainant in this cause and those under

whom it claims have paid taxes during the whole period of ten years immediately preceding the filing of said bill of complaint, and that no person, except the said William Mastin, has paid any taxes on any portion of said property during the said period. The Old Spanish Fort Development Company does not claim to own nor is it in possession of the three-acre tract claimed by said Mastin and above described.

Carter Smith

X
The witness, W. O. Lott, testified as follows:-

My name is W. O. Lott and I reside at 160 Rapier Avenue, Mobile, Alabama. I have known the property described in the bill of complaint intimately since June, 1925. Acting for my wife, Mrs. Agnes B. Lott, I bought Sections 38 and 39, Township 4 South, Ranges 1 and 2 East, except certain portions thereof hereinafter referred to, from Henry D. Moorcrer and sold it subsequently to Hiram H. Maynard, who in turn conveyed it to the Old Spanish Fort Development Company, all of which appears of record in Baldwin County, Alabama. At the time I first became interested in the property it was owned and in the possession of W. A. and Belle E. Sibley, who subsequently sold said property to Henry D. Moorcrer. The said W. A. and Belle E. Sibley claimed the same under deed from their father, Augustus W. Sibley. At the time my wife bought said property no person other than the said Moorcrer or the persons from whom he bought said property were in possession of any portion of said Sections 38 and 39, except William Mastin who was in possession of and claiming to own a three-acre tract near the northern boundary of Section 39, Township 4 South, Ranges 1 and 2 East, and except two small tracts referred to in the bill of complaint in this case as being originally owned by Guy Edward Loxley and Margaret Francisco. Acting as agent for my wife I endeavored to locate the several small parcels described on pages three, four and five of the bill of complaint in this cause which were excepted in the deed from Moorcrer to my wife and in subsequent deeds, and after employing Captain N. L. Durant, a Civil Engineer who resided in Baldwin County, Alabama, and near the property about which I am testifying, to assist in this matter, we were able to locate

with some degree of certainty the three-acre tract now claimed by Mastin and referred to in the bill of complaint as the Joseph Salva property, and the four-acre tract referred to in the bill as the Margaret Francisco property, and the four-acre tract referred to in the bill as the Guy Edward Loxley property. We then negotiated for the purchase of the Margaret Francisco four-acre tract and the Guy Edward Loxley four-acre tract and bought the same, all of which will appear by deeds of record in the Probate Office of Baldwin County, Alabama. It afterwards developed, however, that the Loxley tract contained only about two acres. We were not able to locate the six-acre tract described in the bill of complaint as having been conveyed to Charles Wilson and the three-acre tract described in said bill as having been conveyed to Thomas Domingo. After my wife bought the said Francisco tract and the Guy Edward Loxley tract, we then conveyed the same to the said Hiram H. Maynard and he in turn to the Old Spanish Fort Development Company. The deed to the said Maynard conveying all of Sections 38 and 39 above described, except certain portions referred to in said deed, was dated November 10th, 1925. The deed to said Maynard conveying the Guy Edward Loxley property was dated the 27th day of October, 1925, and the deed to the said Hiram H. Maynard conveying the said Margaret Francisco tract was dated the 17th day of October, 1925. On the execution of said respective deeds the said Maynard went into possession of the property described in each respective deed and held said possession until the 8th day of April, 1926, at which time he conveyed all of the property described in all of said deeds to the Old Spanish Fort Development Company, a corporation. Since that date the Old Spanish Fort Development Company has been in the exclusive, actual, open, notorious, continuous and peaceable possession of all of said Sections 38 and 39, except the three-acre tract claimed by the said William Mastin. They have had tenants actually residing on a portion of said property and have improved the same by cutting the underbrush on certain portions thereof and by building and maintaining roads, bridges, fills and observation towers thereon and endeavoring to keep trespassers therefrom. At the time I was negotiating for the purchase of said property I relied upon the knowledge and information of Captain N. L. Durant, who was employed by me to locate the lines of said property.

Since I bought said property and up to the time of the filing of this bill I looked after the assessment of said property for taxation. I know of my own personal knowledge that since the date of the deed from Henry D. Moorer to Mrs. Agnes B. Lott that the Old Spanish Fort Development Company and their predecessors in title have annually listed said property for taxation. On a number of occasions I made a personal examination of the tax records in Baldwin County, Alabama, so far as said records show the assessment for taxation of said Sections 38 and 39, and I ascertained from said records that the Old Spanish Fort Development Company and those under whom it claims were and are the only people who listed said sections, or any portion thereof, for taxation during the last three years, except the said William Mastin. I found that the said William Mastin was assessing the three-acre tract evidently intended to cover the Joseph Salva three-acre tract referred to on page four of said bill of complaint. I also made inquiry as to who was claiming any portion of said sections and was informed by Captain Durant and other citizens residing in the community where said lands are situated, that all of said Sections 38 and 39, except the Mastin tract above referred to and the Loxley tract and the Margaret Francisco tract, had been in the possession of Augustus W. Sibley for many years, and that no person had claimed title to or had been in possession of any portion of said property. At the time I was negotiating for the purchase of this property Augustus W. Sibley, who was the son of Cyrus Sibley, was still living, and I learned from Captain Durant, who was an intimate friend of the said Augustus W. Sibley, that the said Augustus W. Sibley had been in adverse possession of said property since the 27th day of July, 1865, which was the date of the deed from Cyrus Sibley to the said Augustus W. Sibley, and that his possession extended up to the Apalachee River on the West and Bay Minette Bay and Creek, on the North. During these negotiations I never heard of anybody else other than the said Augustus W. Sibley and those who were claiming under him asserting any claim to or rights of possession over said property.

W. O. Lott

The witness, W. L. Durant, testified as follows:-

My name is W. L. Durant and I reside at 60 Bradford Avenue, Mobile, Alabama. I am a Civil Engineer by profession and have followed that profession for the last twenty years. I was born at Bromley, Baldwin County, Alabama, which place is eight miles from Sections 38 and 39, Township 4 South, Ranges 1 and 2 East. I have known this property from boyhood. My earliest recollection of the property was Spanish Fort situated in Section 39 and that A. W. Sibley owned all of the land in that immediate territory. We have secured from A. W. Sibley permits to hunt on this property. At this time he was in possession of all of Sections 38 and 39, except the Mastin, Loxley and Francisco tract of a few acres each, described in the bill of complaint claiming to own the same. About twenty years ago the said Augustus W. Sibley sold the pine and poplar timber on said Section 39 to my brother, Douglas Durant, now deceased. My brother cut this timber. Previous to this time the said Sibley leased the turpentine rights on both Sections 38 and 39 to Mr. Hiram C. Taylor and the said Taylor operated the entire property for turpentine purposes for several years. A firm known as Hammet & Fulton also had a sawmill situated on said Section 39 and operated there for two or three years. My understanding is that this was under a lease from the said Augustus W. Sibley. About thirty years ago a man named Fred Loxley operated a logging business at Old Spanish Fort Landing and had a tram road which extended from said landing eastwardly through Section 38, this road was constructed there by the knowledge and consent, or under grant or lease from the said A. W. Sibley. Upon one occasion the said Augustus W. Sibley gave permission to some historical society whose name I do not now recall, to remove an eight inch cannon named the "Lady Slocum" from Old Spanish Fort. I recall that this cannon took its name from the wife of Captain Slocum, who was the Commander of the battery. During all of my acquaintance with the property the said Augustus W. Sibley and those who claimed under him have been in the actual open, notorious, continuous, exclusive and adverse possession of all of said Sections 38 and 39, except the Mastin tract, the Loxley tract and possibly the Francisco tract. This possession extended to

the boundary, up to the Apalachee River on the West and Bay Minette and Bay Minette Creek on the North. I recall having seen Mr. Augustus W. Sibley on this property on numerous occasions and have been with him over the greater part thereof and have discussed with him the boundary lines thereof. I know that my father, Captain N. L. Durant, had an intimate knowledge of all of the facts relating to the possession and history of said property. My father is now dead.

I have done a great deal of surveying in the immediate territory and am familiar with the County map of Bay Minette and with all Government township plats in regard to covering said property. I know that Section 38 as the same is now located and shown on the County map at Bay Minette and on Government plats, is the same as the Alexis Truilett, or Alexis Trouillet, Grant, and that said Section 38, Township 4 South, Ranges 1 and 2 East, is called and known sometimes as Section 38 and sometimes as the Alexis Trouillet Grant. I also know that Section 39, Township 4 South, Ranges 1 and 2 East, as the same is now located on the County map of Baldwin County, Alabama, was originally known and is even now known as the Lefroy Trouillet and Idane Chastang Grant, or as the Lefroy Trouillet Grant, and said section is now called sometimes as Section 39 and sometimes as the said Lefroy Trouillet and Idane Chastang Grant, and sometimes merely as the Lefroy Trouillet Grant.

I have now before me the original bill of complaint in this case filed on May 19th, 1927, in the Circuit Court of Baldwin County, Alabama, and my attention is called to pages three, four and five thereof which purports to show the description of certain small tracts originally deeded by Augustus W. Sibley to persons whose names appear in connection with each respective description. I was employed by the Old Spanish Fort Development Company, in my capacity as a Civil Engineer, to endeavor to locate the three-acre tract described at the top of page four of the bill of complaint which was conveyed by Augustus W. Sibley to Joseph Salva. I find that this description was evidently intended to refer to a three-acre tract now claimed by William Mastin and by reason of his possession and improvements on said tract, we have been able to establish with some degree of certainty the boundary lines thereof. I know the location

of the tract known as the Loxley tract which is described at the bottom of page four and the top of page five. I have seen the lines of these two tracts which lines were established by my father.

I have read the description of the six-acre tract described on page four of the bill of complaint as being the tract sold by Augustus W. Sibley to Charles Wilson, and also the description on said page four, of the three-acre tract alleged to have been sold to Thomas Domingo, and in my opinion because of the fact that said descriptions are based on vague or uncertain starting points and the boundaries thereof are marked or depend upon data which it is now impossible to obtain, that it would be impossible for a surveyor to locate either of said tracts with any degree of certainty and I would not even by taking into consideration my large acquaintance with local conditions in the territory, be willing to certify as to the correctness of any survey which I might make as to the location of said tracts.

W. P. Stewart

C E R T I F I C A T E.

I, F. A. Brown, as Commissioner hereby certify that the foregoing depositions on Oral Examination were taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

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

Given under my hand and seal, this 8th day of October, 1927.

F. A. Brown.

(L. S.)

Commissioner's fee, \$15.00, not paid,
to be charged as Court costs.

Old Spanish Fort Development
Company,
Complainant,

-vs.-

Sections 38 and 39, Township
4 South, Ranges 1 and 2 East,

Respondents.

DEPOSITIONS OF
CARTER SMITH, W. O. LOTE AND
W. L. DURANT.

No.....

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

Old Spanish Fort.

Development Co

Complainant.....

vs.

Sectons 38,39 Township 4 S.

. Ranges 1&2 East.

Defendant.....

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONER:

Hon. F. A. Brown,

WITNESSES:

Carter Smith.

W. O. Lott.

W. L. Durant.