

Huggins - Burnside

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,
Complainants,

-vs-

THE LAND HEREIN DESCRIBED, THOMAS
JOHNSON, W. L. THOMPSON AND ALL PER-
SONS, FIRMS OR CORPORATIONS CLAIM-
ING TITLE TO, INTEREST IN, LIEN OR
ENCUMBRANCE ON SAID LAND OR ANY PART
THEREOF.

Respondents.

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

BALDWIN COUNTY,

Notice is hereby given to Thomas Johnson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to W. L. Thompson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to the heirs, devisees, personal representatives and next of kin of Thomas Johnson and W. L. Thompson and to any and all persons, firms or corporations who claim any title to, interest in, lien or encumbrance on the land hereinafter described, that on the 3d day of March, 1927, Frank W. Bewersdorf and Julia Bewersdorf, filed in the Equity side of the Circuit Court at Baldwin County, Alabama, a Bill of Complaint against the respondents described land in Baldwin County, Alabama, being a sub-division of parts in Oak River View, First Addition, being a sub-division of parts of sections twenty, twenty-nine, thirty-seven and thirty-nine in township eight south of range four east of St. Stephens township eight south of range four east of St. Stephens except 20 feet from the east end for public road. That said Bill of Complaint was and is filed for the purpose of establishing the title of said complainants to said land and for the purpose of quieting their title thereto and clearing up all doubts and disputes concerning same.

That the complainants allege in their Bill of Complaint that the legal title to said lands stands on the records of the Probate Court of Baldwin County, Alabama in the name of complainants and that they claim title to said land by and through the following deeds and instruments, viz:- Will of Donat LaCoste devising all property owned by testator at the time of his death to John Cook, Adolph C. Evans and Jeannine LaCoste in trust for the sole use and benefit of Adelle Cook and John LaCoste, dated June 1st., 1841 duly probated and recorded in Will Book "A", pages 74-5; deeds from Clara McJorick and Dan, her husband, Kate Reay and John H., her husband, Adele LaCoste, John LaCoste and Bertha, his wife, Joseph LaCoste, Donat LaCoste and Clotilde, his wife, being all the children of John D. LaCoste, deceased and Catherine, widow of John D. LaCoste and Ada LaCoste and Ida LaCoste, conveying said property to Cora LaCoste, said deeds being dated Mar. 27, 1905 and October 19., 1905 recorded in Deed Book 8 N. S. page 508 and Deed Book 9 N. S. pages 492-3, respectively; Report of Commissioners and decree of the Court in the matter of Cora LaCoste, Complainant, versus Alexander Schultz, et al, Defendants, in the Chancery Court at Mobile, Alabama, decree dated Oct. 24, 1906 and Report of Commissioners filed Sept. 5, 1906, both recorded in Deed Book 11 N. S. pages 196-9 under which lands above described were set apart in a division to Alexander Schultz as to a part thereof, Jacob Schultz as to a part thereof and

(page two)

Cora LaConte as to a part thereof; deed from Alexander Schultz and Esther, his wife, to C. R. Swift, of date June 3, 1908 and recorded in Deed Book 13 N. S. pages 206-7 conveying a portion of said lands; deed from Geo. R. Swift, unmarried, to Sidney J. Blankenbaker, dated Apr. 6, 1914 and recorded in Deed Book 21 N. S. page 432 conveying a part of said lands; deed from Esther Schultz widow, to Sidney J. Blankenbaker of date July 19, 1917 and recorded in Deed Book 26 N. S., page 234 conveying a portion of said lands; deed from Alexander Schultz and Esther Schultz, his wife, Cecelia Burns, a widow, Joe Schultz, and Netta, his wife, Henry Schultz, widower, and Cora LaConte, unmarried to Jacob Schultz of date Mar. 29, 1909 and of record in Deed Book 22 N. S. pages 192-3 and conveying a portion of said lands; deed from Jacob Schultz, widower, to Sidney J. Blankenbaker of date Apr. 4, 1914 of record in Deed Book 22 N. S. page 193 and conveying a portion of said lands; deed from Jacob Schultz, a widow, to Sidney J. Blankenbaker of date Apr. 2, 1917 of record in Deed Book 26 N. S. page 621 conveying a portion of said lands; deed from W. H. W. Harding Commissioner to Robert Fulford of date Nov. 19, 1913 recorded in Deed Book 21 N. S. pages 327-8 conveying a portion of said lands; deed from R. L. Fulford and wife Celina to S. D. Gaar dated January 31, 1914 of record in Deed Book 22 N. S. pages 60-1 conveying a portion of said lands; deed from S. D. Gaar and Emma E., his wife, to Sidney J. Blankenbaker of date Mar. 5th, 1914, recorded in Deed Book 21 N. S. pages 61-2 and conveying a portion of said lands; deed from S. D. Gaar and Emma E. Gaar, his wife, to Sidney J. Blankenbaker of date May 23, 1914 and of record in Deed Book 21 N. S. page 613, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Lottie H., his wife to S. D. Gaar of date May 23, 1914 of record in Deed Book 24 N. S. page 443 conveying a portion of said lands; deed from Simeon D. Gaar and Emma E. Gaar, his wife, to Sidney J. Blankenbaker of date Mar. 23, 1917 of record in Deed Book 29 N. S. page 370, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Lottie H., his wife, to S. D. Gaar of date Mar. 22, 1917 of record in Deed Book 26 N. S. page 457 conveying a portion of said lands; decree of the Chancery Court for the 13th. District Southwestern Division of Alabama at Mobile quieting title in favor of Sidney J. Blankenbaker against Thomas Johnson, if living and his unknown heirs, if any, devisees, next of kin, alienees, donees or personal representatives, if he be dead, of date April 13, 1915 of record in Deed Book 23 N. S., pages 212-13 and covering a portion of said lands; deed from Robert L. Fulford to Celina Fulford of date Mar. 2, 1914 of record in Deed Book 21 N. S. page 369 and conveying a portion of said lands; deed from Celina A. Fulford and R. L., her husband, to J. M. Halladay of date May 31, 1915 recorded in Deed Book 23 N. S. pages 261-2 and conveying a portion of said lands; deed from J. M. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker, of date Oct. 29, 1917 of record in Deed Book 26 N. S. page 609 and conveying a portion of said lands; deed from J. M. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker of date Mar. 16, 1920 of record in Deed Book 29 N. S. page 341 and conveying a portion of said lands; deed from Sidney J. Blankenbaker and Lottie H. Blankenbaker, his wife, to Herman Freso of date Apr. 2, 1921 recorded in Deed Book 32 N. S. page 363 and conveying said lands; deed from Herman D. Freso and Emma Freso, his wife, to Sunny South Developing Company, Inc., of date June 2, 1922 of record in Deed Book 32 N. S. pages 363-4 and conveying said lands and deed from Sunny South Developing Company, Inc., to your Orators of date October 2, 1922 of record in Deed Book 32 N. S.

(page three)

pages 511-12 and conveying said lands.

The complainants further allege in their Bill of Complaint that they are in the quiet and peaceable possession of said land, claiming to own the same absolutely and in fee simple. That they and those under whom they claim have paid taxes on said land and hold the same under color of title for more than 10 years next preceding the filing of this Bill of Complaint and that during said time no one else has paid any taxes on said land or been in possession thereof.

Witness my hand this ^{20th} ~~20th~~ day of June, 1927

FORBONE STONE,
Solicitor for Complainants.

T. W. Riccerson
As Register Circuit Court Equity
Side / State of Alabama, Baldwin
County.

FRANK W. BEWERSDORF AND

JULIA BEWERSDORF,

Complainants,

-vs-

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

Respondents.

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

BALDWIN COUNTY.

STATE OF ALABAMA.

BALDWIN COUNTY.

I, T. W. Richerson, as Register of the Circuit Court
Equity Side State of Alabama, Baldwin County, do hereby certify
that the foregoing and annexed -3- pages from 1 to -3-, incl-
usive, constitute a full, true and correct copy of the "Notice of
the Pendency of the Bill of Complaint" in the above styled cause
as drawn and ~~signed~~ by me as the Register of this Court in which
the proceeding is pending and being by me published in the
Robertsdale American, a newspaper having general circulat-
ion and published in Baldwin County, Alabama, the county where the
lands described in said cause lie, and being the newspaper
designated by order of the court.

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

T. W. Richerson
AS Register.

Record of Probate Court
4
"Notice"

Frank W. Bowersdorf, et al
vs
Certain Lands, et al.

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 30
day of June 192 7 at 3:17
o'clock P.M. and I further certify that the
same is duly recorded in Record Book No. 1
Page 60-1 and duly examined.

Witness my hand this 1 day of July
1927
G. W. Humphries, Judge of Probate Court
By _____

N. C. Stone

Fee 3.00

6/30/27 3:17 P.M.

LAW OFFICES
NORBORNE STONE
BAY MINETTE, ALA.

Articles of Agreement made this third day of April, 1902, between John D. La Coste, parties of the first part, (and W.L. Thompson, parties of the second part, Witnesseth, That for and in consideration of the sum of One dollar (1.00) in hand paid by parties of the second part, receipt of which is hereby acknowledged, said parties of the first part do hereby lease and let unto said parties of the second part and their heirs and assigns, for oil, gas, coal and mineral purposes of every description all that tract or parcel of land situated in Baldwin County, State of Alabama, bounded and described as follows, to-wit:

S E quarter of the south west quarter Sec. 14 township 8 S, R 3 east, 40 acres; SW quarter of the SE quarter Sec. 14, T 8 S, R 3 East, 40 acres; $E\frac{1}{2}$ of S E $\frac{1}{4}$ Sec. 14, T 8 S, R 3 E, 80 acres; NW $\frac{1}{4}$ of N E $\frac{1}{4}$ Sec. 23 township 8 S, R 3 East, 40 acres; N E $\frac{1}{4}$ of N W $\frac{1}{4}$ Sec. 23, township 8 S, R 3 E, 40 acres; Lots No. 1 and 2 of the John Cook Grant in Sec. 35 and 4, township 8 and 9 south, range 3 east, 50 acres; 200 acres of the Thomas Johnson Grant, Sec. 37, township 8 S, 4 east. All of the above lands being in Baldwin County and in the State of Alabama.

Said parties of the second part have the exclusive right to dig, bore and mine for petroleum oil, carbon oil, gas, fire-clay, rock, coal, lead, gold, silver and all other minerals and oils found in and upon the aforesaid lands. To have and to hold the aforesaid lands for the term of twenty years from this date, and as much longer as any of the substances above specified is to be found in paying quantities upon the same conditions of this lease. Also to have the right-of-way to and from all wells or mines, for the purpose of operating, mining or removing said coal, oils, minerals and gases therefrom, and full

of the second part reserve the right to remove all machinery and improvements of any kind placed upon the premises, when the same is abandoned or lease expires. The said parties of the second part agree to drill and mine at their own expense, maintain and remove the necessary lines of pipe, machinery and structures to convey gas or oil off of or through said premises, such pipes to be buried at least twenty inches deep, and the surface of the ground left as nearly as practicable in its original condition. If gas be found on said premises, the parties of the second part shall receive all the gas produced on said land as long as this contract remains in force, except as hereinafter specified, and shall pay to the parties of the first part as royalty therefor the sum of Fifty dollars per year for each gas well, from the time the well is turned into the gas line and is made use of by the parties of the second part, as long as such well produces gas in paying quantities, such payments to be made at the office of-----at Mobile, Alabama, Parties of the first part shall have sufficient gas from such well or wells on said premises to heat and light on dwelling house for such time as the parties of the second part shall use such well or wells. The connections and piping of the gas to and in the house, to be at the expense of the parties of the first part, but under the supervision of parties of the second part. As royalty of oil, the parties of the second part agree to deliver to the parties of the first part one-tenth of the oil realized from said premises (except that part uses for running pumps and other machinery in sinking wells) in tanks provided by parties of the first part at the wells, or pay to the parties of the first part the market price at the wells of the said one-tenth in cash when sold, at the option of the

same, the parties of the first part shall have the right to pay for the casings in such well, and have the sole right to use same thereafter. If gas or oil be found on said premises, all rights, benefits and obligations secured hereby shall continue so long as either can be produced in paying quantities. In case no well be drilled on said premises within three years from this date, all right to drill upon said premises shall cease unless the parties of the second part shall elect to continue this contract to drill in force from year to year, by paying an annual rental of ten cents an acre for said premises until a well is drilled thereon, said rental to be paid to the parties of the first part direct, or by depositing the same to their credit at a bank in Mobile, Alabama. The parties of the second part shall have the right at any time to terminate this contract by notice in writing, or by surrendering this contract, and shall thereafter be released from all obligations and liabilities under the same. When this contract terminates, either by expiration of its term or by notice of forfeiture, as herein provided, the parties of the second part shall have the right to remove the casings from the wells and pipes from said lands, but pipe lines already laid across said lands may be maintained. In case parties of the second part shall offer to furnish parties of the first part, gas for heating and lighting the dwelling house on said premises, such furnishing of gas or offering to do so shall be considered in lieu of the rental, hereinabove provided, for the purpose of continuing this contract in force until a well is drilled. This contract shall be binding upon the heirs, representatives, successors and assigns for the parties hereto.

In Witness whereof the parties of the first and second parts hereto have set their hands, the day and year first above written.

John D. Le Costa

Given under my hand this 3rd day of April, 1902.

Chas. W. McConnell, Justice of the
Peace.

Filed for record April 16th, 1902 at 5 P.M.

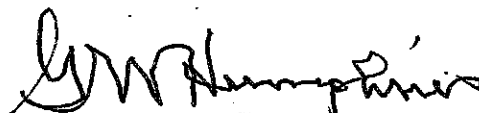
Recorded April 17th, 1902.

Chas. Hall, Judge of Probate.

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

I, G.W. Humphries, Judge of Probate in and for said State and
County, hereby certify that the above and foregoing is a true cor-
rect and complete copy of an instrument of writing as the same appear
of record in Deed Record 5 N.S. at pages 131 and 132, now on file
in the office of Judge of Probate of Baldwin County, Alabama.

Witness my hand and the seal of the Probate Court of Baldwin
County, Alabama, this 9th day of October, A.D., 1928.


Judge of Probate.

Filed Oct 23/928
The Picnic
Rights.

COPY OF REPORT OF COMMISSIONERS.

Bon Secour, Baldwin Co., Ala., Aug. 30-06.

We the undersigned commissioners appointed by Chancery Court to make division of lands belonging to the Estate of Shultz & La Coste in T 8 S, R 4 E, herewith submit our report as follows:

Lot No. one to Mrs. Cecile Burns,

Lot No. Two " Alexander Shultz

Lot No. Three" Jacob Shultz,

Lot No. Four " Cora La Coste,

Lot No. Five " Joseph Shultz,

as shown by platte attached hereto.

S.L. Willis,
N.L. Durant,
Oscar Eslava,
Commissioners.

Filed Septr. 5th., 1906,
Chas. K. Holt, Register."

Cora La Coste,

8182 -VS-

Alexander Schultz, et als.

In Chancery at Mobile, Alabama.

This cause coming on to be heard on the report of the Commissioners filed September 5th, 1906, as to their action in setting apart to the various owners their respective portions of the lands described in this cause. It is therefore ordered, adjudged, and decreed that the said report is in all things ratified and confirmed. It is further ordered that the title to the property shown by said report be and the same is hereby vested in the respective parties to whom the said various lots are set apart as shown by said report, viz: That the title to Lot number one is vested in Cecile Burns, the title to lot number two is vested in Alexander Schultz, the title to lot number three is vested in Jacob Schultz, the title to lot number four is vested in Cora La Coste, and the title to lot number five is vested in Joseph Schultz.

It is further ordered that the map attached to and made a part of said report be recorded in the records of this Court, and also that said map and report of the commissioners be recorded in the office of the Judge of Probate of Baldwin County, Alabama.

It is further ordered that the costs in this cause be taxed against the complainant Cora LaCoste, and the same shall constitute a lien upon lot number four set apart to said Cora La Coste, and if the same is not paid, that said lot be sold by the Register of this Court for the payment of said costs.

Oct. Term, 1906
Oct. 24, 1906,
Ent. Min. "A-E", Page 357.

THOS. H. SMITH, Chancellor.

The State of Alabama,

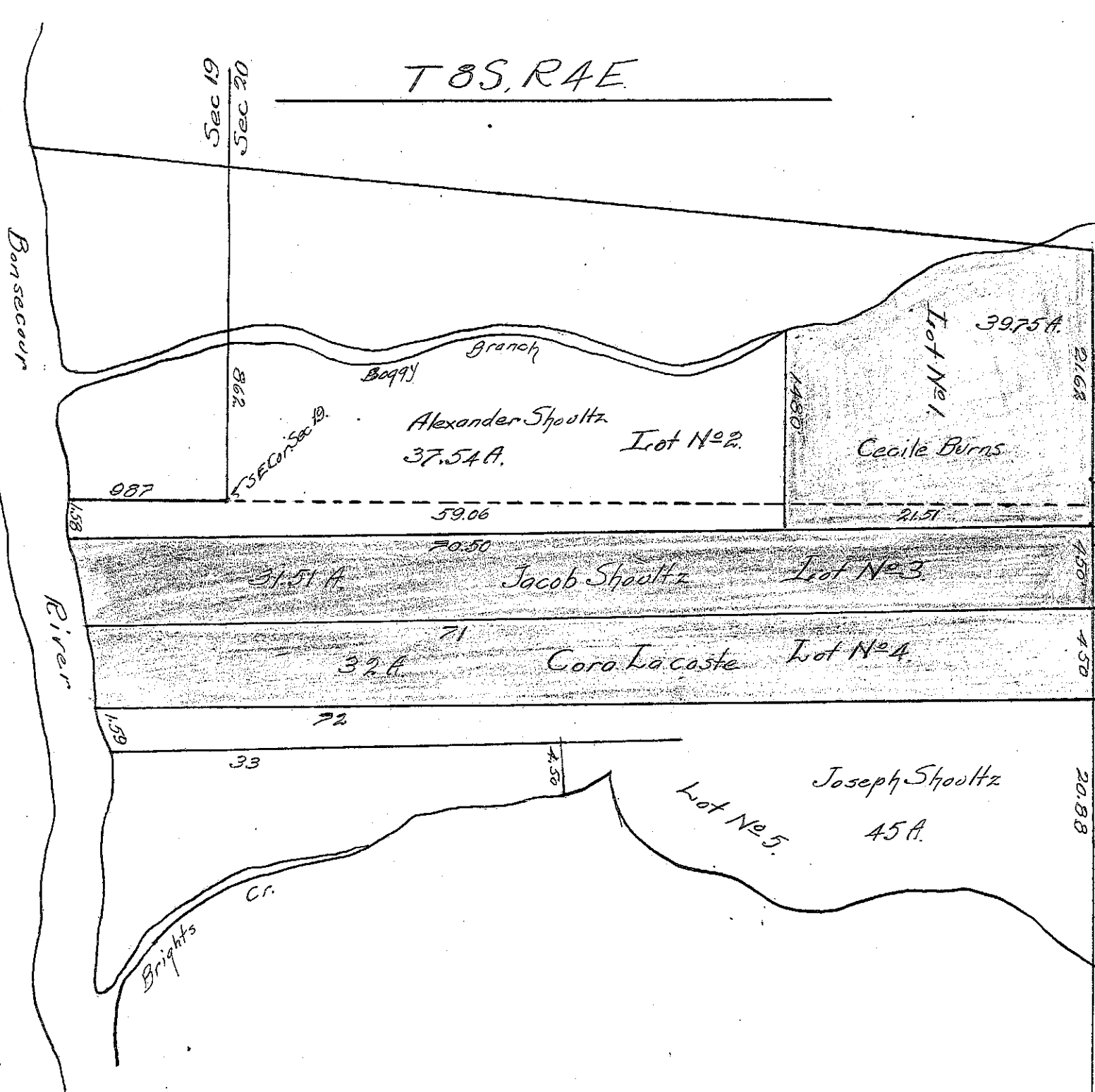
(B)

Thirteenth District, Southwestern Chancery Division.

I, Carl Holzborn, Register in Chancery for the Thirteenth District of the Southwestern Chancery Division of the said State, hereby certify that the foregoing two pages of typewritten matter contain a full, true and complete copy of the report of the Commissioners, and the decree confirming same, respectively, in a certain cause heretofore pending in the Court of Chancery for the Thirteenth District of the Southwestern Chancery Division of said State, wherein Cora La Coste is Complainant, and Alexander Schultz and others are defendants, as the same remain of record in my office. That the map hereto attached is a true and complete copy of the map attached to the said report of the Commissioners and referred to therein. In Testimony whereof, I have hereunto set my hand and affixed the seal of the said Court of Chancery at office in Mobile, Alabama, this the 22nd day of November, 1906.

(seal)

CARL HOLZBORN, Register



September 3rd 1906.

N. L. Duront
County Surveyor.

Filed for record Nov. 23rd, 1906
Recorded Dec. 5th, 1906,
J.H.H. Smith, Judge of Probate.

11725 198-9

STATE OF ALABAMA, !
 :
BALDWIN COUNTY. 0

Know all men by these presents, That I Cecelia Burns, widow, for and in consideration of one dollar and other valuable considerations the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto Sidney J. Blankenbaker the following described land situated in Baldwin County, Alabama, to-wit:

Beginning at the north east corner of the Thomas Johnson Grant known as Section Thirty-seven (37) Township Eight (8) South, Range Four (4) East, thence South along the eastern boundary of said grant twenty one and 53/100 (21.53) chains; thence west thirty (30) chains; thence north fourteen and 75/100 (14.75) chains to Boggy Branch; thence easterly along said branch and following its meanderings to the north boundary of the Thomas Johnson Grant, thence east to point of beginning.

Said tract contains fifty-four (54) acres, more or less, and is known as Lot No. One (1) of the division of the Estate of Adelle Cook alias Adelle Shultz.

To have and to hold to the said Sidney J. Blankenbaker and his heirs and assigns forever.

Given under my hand and seal this 5th day of November, 1917.

Executed in the presence of Cecelia Burns (seal)
F.D.Roley,
E.C.Tonsmeire.

State of Mississippi)
County of Harrison,)
City of Biloxi.)

Personally appeared before me, the undersigned authority in and for the said State, County and City, Cecelia Burns, who acknowledged that she signed and delivered the foregoing instrument on the day and year therein mentioned as her act and deed.

Witness my hand and official seal, this 5th day of November, 1917. (seal)

E.C.Tonsmeire, Notary Public,
My commission expires Apr. 24,
1918.

Filed for record January 17th, 1918 at 2 P M
Recorded January 17th, 1918.

Jas. M. Voltz, Judge of Probate.

rs date.

iss. (13) ✓

21725 482

STATE OF ALABAMA, !
BALDWIN COUNTY. !

Know all men by these presents, that for and in consideration of the sum of one dollar and other considerations to me in hand paid by Sidney J. Blankenbaker, the receipt of which is hereby acknowledged, I, Esther Shultz, widow of Alexander Shultz, deceased, do grant, bargain, sell and convey unto the said Sidney J. Blankenbaker the following described lands situated in the County of Baldwin and State of Alabama, to-wit:

Lot number two (2) as per plat recorded in Deed Book No. 11, N.S., pages 198-199 of the Baldwin County records described as follows: Begin at the southwest corner of the Southeast quarter of the Southeast quarter of Section Nineteen (19), thence north eight and 51/100 chains to a stake on Boggy Branch, thence up Boggy Branch with its meanderings to the Northwest corner of lot number one (1), thence South along the West boundary line of lot number one (1) fourteen and 80/100 chains to a stake on the North boundary line of lot number three (3), thence west along said line forty-one chains to Bon Secour River, thence up said River one and 58/100 chains to the Section line, thence East along said line eleven and 49/100 chains to the place of beginning, situated in Section thirty-seven (37) township eight (8) south of Range four (4) East, and containing thirty-seven and 54/100 acres, more or less.

To have and to hold to the said Sidney J. Blankenbaker, his heirs and assigns forever. This deed is given to correct a former deed made and executed by Alexander Shultz and Esther Shultz, his wife, to G. H. Swift on the 3rd day of June, 1908 and recorded in Record Book No. 13, N.S. pages 206-207 in the office of the Probate Judge of Baldwin County, Alabama, said former deed being in error as to description.

Witness my hand and seal this 19th day of July, 1917.

Esther Shultz

(seal)

State of Texas, !
Harris County. !

I, Phil H. Reed, a Notary Public in and for said State and County, hereby certify that Esther Shultz, a widow, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the

conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 19th day of July, 1917.

(seal)

Phil H. Reed, Notary Public for
Harris Co., Texas.

Filed for record August 11th, 1917 at 8 A.M.,

Recorded August 11th, 1917,

Jas. M. Voltz, Judge of Probate.

(B)

76 MS 284

STATE OF ALABAMA, |
BALDWIN COUNTY. |

Know all men by these presents, That for and in consideration of the sum of One dollar and other valuable consideration to me in hand paid by Sidney J. Blankenbaker the receipt whereof is hereby acknowledged I, Jacob Schultz (widower), do grant, bargain, sell and convey unto the said Sidney J. Blankenbaker the following described lands situated in Baldwin County, Alabama, towit:

Beginning at a stake on the $\frac{1}{4}$ section line of Section 29, T 8 S, R 4 E, 1.98 chains from the north line of said section, running south 1.98 chains to a stake from beginning, thence west 69.58 chains to Bon Secour river, thence down said river with its meanderings 4.50 chains to a stake, thence East 68.50 chains to a stake, thence north to place of beginning, being lot No. 3 of the division of the estate of the Adelle Shultz claim in the Francis Collins grant, also Thomas Johnson grant, containing thirty two (32) acres, more or less, all lying & being in Section 37 T 8 S, R 4 E.

To have and to hold to the said Sidney J. Blankenbaker, his heirs and assigns forever.

And I do covenant with the said Sidney J. Blankenbaker that I am seized in fee of the above described premises; that I have the right to sell and convey the same; that the said premises are free from all incumbrances; and that I will, and my heirs, executors and administrators shall forever warrant and defend the same to the said Sidney J. Blankenbaker, his heirs and assigns, against the lawful claims of all persons whomsoever. ✓

Witness my hand and seal this 4th day of April, 1914. (13)

Witness:
Thos. A. Steele,
T.J. Moore.

Jacob Schultz (IS)

STATE OF ALABAMA, |
Baldwin County. |

I, B.F. Patterson, a notary public in and for said State and County, hereby certify that Jacob Schultz, (widower) whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me,

acknowledged before me, on this day that being informed of the contents of the said conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand this 4th day of April, 1914.

(seal)

B.F.Patterson, Notary Public,

Baldwin Co., Ala.

Filed for record April 20th, 1914.

Recorded April 22nd, 1914.

J.H.H.Smith, Judge of Probate, per J.M.S. (B)

22nd 1914
5

STATE OF ALABAMA, :
BALDWIN COUNTY. :

Know all men by these presents, That for and in consideration of the sum of one dollar and other valuable considerations to me in hand paid by Sidney J. Blankenbaker the receipt whereof is hereby acknowledged, I Jacob Shultz, a widower, do grant, bargain, sell and convey unto the said Sidney J. Blankenbaker the following described lands situated in Baldwin County, Alabama, to-wit:

From the half mile post on the north boundary of Section Twenty-nine (29) Township Eight (8) South, Range Four (4) East, of the Dinsmoor Survey of Baldwin County, which post is also on the east boundary of the Thomas Johnson Grant known as Section Thirty seven (37), thence South one and 53/100 (1.53) chains for a point of beginning; thence South five and a half (5.50) chains; thence West sixty eight and a half (68.50) chains, to the Bon Secour River; thence northerly along the river and following its meanderings until the northings amount to five and a half (5.50) chains; thence East sixty nine and 58/100 (69.58) chains to the point of beginning.

The above described tract contains thirty eight acres, more or less and is known as Lot Number Three (3) of the subdivision of the estate of Adelle Shultz or Cook. This deed is given for the purpose of correcting the errors of a deed given April 4th, 1914 and recorded on page 193 Book 22 N.S., Baldwin County records.

Given under my hand and seal this 2nd day of April, 1917.

Executed in the presence of
Thos. A. Steele,
L.E. Patterson.

Jacob Shultz

(seal)

STATE OF ALABAMA, :
BALDWIN COUNTY. :

I, B.F. Patterson a Notary Public in and for said

(Seal)

B.F.Patterson,

Notary Public for Baldwin County,
Alabama.

Filed for record May 14th, 1917 at 8 A .M.

Recorded May 14th, 1917.

Jas. M. Voltz, Judge of Probate.

(13)

25725 621

STATE OF ALABAMA, !
:
BALDWIN COUNTY. !

Know all men by these presents, that for and in consideration of the sum of One dollar and other valuable considerations to us in hand paid by Sidney J. Blankenbaker the receipt whereof is hereby acknowledged we S.D.Gaar and Emma E. Gaar, his wife, do grant, bargain, sell and convey unto the said Sidney J. Blankenbaker the following described lands situated in Baldwin County, Alabama, to-wit:

Begin at the Jake Shultz Southwest corner on the east side of Bon Secour River, thence follow eastward the South Boundary line of Jake Shultz 38.97 chains to a stake, thence South $4\frac{1}{2}$ degrees east 2.81 chains South to a corner; thence West $4\frac{1}{2}$ degrees South 39.92 chains to Bon Secour river, thence along said river with its meandering to the place of beginning, containing 11.37^2 acres more or less.

TO HAVE AND TO HOLD to the said Sidney J. Blankenbaker, his heirs and assigns forever.

And we do covenant with the said Sidney J. Blankenbaker 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 Sidney J. Blankenbaker, his heirs and assigns, against the lawful claims of all persons whomsoever.

Witness our hands and seals this 5th day of March, 1914.

Witness:

S.D.Gaar, (LS)

Ben N. Patterson
B.F.Patterson.

Emma. E. Gaar (LS)

State of Alabama, !

bears date.

Given under my hand this 5th day of March, 1914.

(Seal)

B.F.Patterson, Notary Public,
Baldwin Co., Ala.

STATE OF ALABAMA, :
BALDWIN COUNTY. :

I, B.F.Patterson, a notary public in and for said State and County, do hereby certify, that on the 5th day of March, 1914, came before me the within named Emma E. Gaar, known to me to be the wife of the within named S.D.Gaar, who being examined separate and apart from her husband in reference to her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats, on the part of the husband.

In Witness Whereof, I hereunto set my hand, this 5th day of March, 1914.

(Seal)

B.F.Patterson, Notary Public,
Baldwin Co., Ala.

Filed for record April 18th, 1914.

Recorded April 20th, 1914.

J.H.H.Smith, Judge of Probate, per L.

7175
479-80

STATE OF ALABAMA, !
:
BALDWIN COUNTY. !

Know all men by these presents, That for and in consideration of the sum of One Dollar and other valuable considerations to us in hand paid by J.N.Halladay, the receipt whereof is hereby acknowledged, we, Celina A. Fulford, and R.L.Fulford, her husband, do grant, bargain, sell and convey unto the said J.N.Halladay, the following described lands, situated in Baldwin County, Alabama, to-wit:

Beginning at a stake on the quarter Section line of Section Twenty-nine (29) Township Eight (8) South, Range Four (4) East, 1.98 chains from the north line of said Section, running South, 11.38 chains to a stake, thence West 71 chains to BonSecour River, thence down said River with its meanderings 1.59 chains to a stake, thence East 33 chains to a stake, thence South 4.50 chains to Emanuels creek, thence up said creek with its meanderings to a stake on the quarter Section line of Section twenty-nine (29), thence North along said line to place of beginning, containing forty-five (45) acres, more or less, and known as lot #5 of the division of the estate of Adele Schultz claim in Francis Collins Grant in Section 37 Township 8 South Range Four (4) east.

Also that certain piece or parcel of land described as follows:

Beginning on the East bank of Bonsecour river, 12.67 chains South of a point where the prolongation West of the South line of Section Twenty (20) would intersect said river, from thence running East along the Durant survey (Recorded in Book 11 N.S. Page 199) Thirty three chains to the center of the causeway road, thence down the center of said Road South thirty three degrees East 4.50 chains to Emanuel Bayou, thence down the Bayou with its meanders to Bonsecour River, thence up the bank of said River to the place of beginning, containing, containing thirty-four acres, more or less, and being a part of the Thomas Johnson Grant in Section Thirty-seven (37) Township Eight (8) South, Range Four (4) East. (B3)

Also that certain piece or parcel of land, described as follows, to-wit:

Beginning at the northeast corner of the land known as the Joe Schultz lot, running West to a stake, 28.50 chains; thence North to line

Ranger.

2375 261-2x

5.62 chains known as Jake Schultz South line; thence East 28.50 chains, thence South 5.52 chains to a stake or place of beginning; containing 16 acres, more or less, being a part of Lot #4 according to plat, in Section 37, Township eight (8) South Range Four (4) East.

TO HAVE AND TO HOLD to the said J.N.Halladay, his heirs and assigns forever.

And we do covenant with the said J.N.Halladay, 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 J.N.Halladay his heirs and assigns against the lawful claims of all persons whomsoever.

Witness our hands and seals this 31st day of May, 1915.

(U.S.I.R. Stamp \$1.00)
(Can. by C.A.F. 5-31-15)

Celina A. Fulford

(LS)

R.L.Fulford

(LS)

State of Alabama,)

Baldwin County.)

I, P.J.Cooney, a Notary Public in and for said State and County, hereby certify that Celina A. Fulford, and R.L.Fulford, wife and 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 the said conveyance they executed the same voluntarily on the day the same bears date.

And I do further certify that on the 31st day of May, 1915, came before me the within named Celina^{A.}/Fulford, known to me to be the wife of the within named R.L.Fulford, who being examined separate and apart from her husband in reference to her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear constraint or threats on the part of the husband.

STATE OF ALABAMA,)
:
BALDWIN COUNTY.)

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

From a post on the eastern boundary of the Thomas Johnson Grant known as Section Thirty seven (37) which post is also the half mile post on the line between Sections Twenty (20) and twenty nine (29) of the Dinsmoor Survey of Township Eight (8) South, Range Four (4) East, thence south seven and 3/100 (7.03) chains for a point of beginning; thence west twenty nine and 46/100 (29.46) chains; thence South five and one half (5.50) chains; thence South eighty five and a half ($85\frac{1}{2}$) degrees West forty four and 87/100 (44.87) chains to the Bon Secour River; thence southerly along the Bon Secour River and following its meanderings until the Southing amounts to three (300) hundred feet; thence North eighty five and a half ($85\frac{1}{2}$) degrees East thirty-nine and 63/100 (39.63) chains to a point north of the ford on Brights Creek; thence South forty two (42) links to the ford; thence easterly along Bright's Creek and following its meanderings to the east line of the Thomas Johnson Grant; thence north to point of beginning, containing eighty five (85) acres, more or less.

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

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

Witness:
B.F.Patterson,

J.N.Halladay

(seal)

Carrie M. Halladay

(seal)

(B)

on the day the same bears date.

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

(seal)

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

STATE OF ALABAMA,)

BALDWIN COUNTY.)

I. B.F.Patterson, a Notary Public in and for said State and County, do hereby certify that on the 29th day of October, 1917 came before me the within named Carrie M. Halladay known to me to be the wife of the within named J.N.Halladay, who being examined separate and apart from her husband in reference to her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of her husband.

In Witness Whereof, I hereunto set my hand, this 29th day of October, 1917.


(seal)

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

Filed for record Jan. 17th, 1918 2 P.M.

Recorded Jan. 17th, 1918.

Jas. M. Voltz, Judge of Probate.



STATE OF ALABAMA,)
BALDWIN COUNTY.)

QUIT CLAIM DEED.

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

From a post on the eastern boundary of the Thomas Johnson Grant known as Section Thirty seven (37) which post is also the half mile post on the line between Sections Twenty (20) and Twenty nine (29) of the Dinsmoor Survey of Township Eight (8) South, Range Four (4) East, thence South seven and 3/100 (7.03) chains for a point of beginning: Thence west twenty nine and 46/100 (29.46) chains; thence south five and one-half (5.50) chains; thence South eighty five and a half (85½) degrees West forty-four and 76/100 (44.87) chains to the Bon Secour river - thence southerly along the Bon Secour River and following its meanderings until the southing amounts to four hundred ninty eight (498) feet more or less or to stakes of P.A.Parkers survey; Two cement monuments will be placed in position now occupied by two white stakes of said Parkers survey; thence north eighty five and a half (85½) degrees east thirty nine and 63/100 (39.63) chains to a point north of the ford on Brights Creek; thence South forty two (42) links to the ford; thence easterly along Brights Creek and following its meanderings to the East line of the Thomas Johnson Grant; thence north to point of begining. Containing eighty five (85) acres, more or less.

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

To have and to hold to the said Sidney J. Blankenbaker and his

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THE STATE OF ALABAMA,)
:
BALDWIN COUNTY.)

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

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

(seal)

George Holk, Notary Public for
Baldwin Co., Ala.

Commission expires Aug 31/21

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

Recorded Mar. 17th, 1920.

Jas. M. Voltz, Judge of Probate

CERTIFICATE.

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

I, G.W.Humphries, Judge of Probate, and custodian of the records and files of the same, in and for Baldwin County, State of Alabama, do hereby certify that the above and foregoing pages 1, 2 & 3, contain a true, correct and complete copy of an instrument of writing and Plat of Division of Estate of Cora La Coste, as the same appears of record in Deed Book 11 N.S. at pages 198 and 199, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify that the above and foregoing page 4, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book 26 N.S. at page 610, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing page 5, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book 21 N.S. at page 482, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing pages 6 and 7, contains a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Book No. 26 N.S. at page 284, now on file in the office of Judge of Probate of Baldwin County, Alabama; ✓

And I further certify, that the above and foregoing pages 8 and 9, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book No. 22 N.S. at page 193, now on file in the office of Judge of Probate of Baldwin County, Alabama;


And I further certify, that the above and foregoing pages 10 and 11, ✓ contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book No. 25 N.S. at page 621, now

And I further certify, that the above and foregoing pages 14 & 15, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book No. 23 N.S. at pages 261 & 262, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify that the above and foregoing pages 16 & 17, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book No. 26 N.S. at page 609, now on file in the office of Judge of Probate of Baldwin County, Alabama;

And I further certify, that the above and foregoing pages 18 and 19, contains a true, correct and complete copy of an instrument of writing, as the same appears of record in Deed Book No. 29 N.S. at page 341, now on file in the office of Judge of Probate of Baldwin County, Alabama.

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


Judge of Probate.

41 - 8.85

Filed Oct 23/928
T. W. Hickman
Register

Tax Book, 1918, No. 2, Baldwin County.

Assessment of Taxes on Real Estate and Personal Property in the County
Baldwin, State of Alabama, for the year 1918, Page 204,
Bon Secour and Shellbanks Beat No. 15.

Names of Parties Assessed:

Blankenbaker, Sidney J., Line No. 1, Assessment No. 25.

Lands, -Description:

Begn at a Live oak tree on W bank of Bonsecour River marked with one blaze and one X below on W side of the tree, run W 5 degrees S 2.66 chs, thence S 4 degrees W 22 chs., thence N 29 degrees E 12 chs. thence W 11 degrees S 2.28 chs to a cor. being the W boundary line of S.D.Cooks land, thence S on said line 5 degrees E to Bonsecour River, thence up said River with its meanders to begn., being part lot 1, Sec 38, Township 8 S, Range 4 E.

Begn at $\frac{1}{2}$ mi. post on line between Secs 20 & 29 of Dinsmore Survey of Tp. 8 S, 4 E, run S 1.98 chs. for begn cor. thence W 69.58 chs. to Bonsecour River, thence down said River with its meanders 4.50 chs. E 68.50 chs., thence N to begn. being Lot 3 of Adele Schultz, Section 37, Township 8 S, Range 4 E;

Begn at SW cor. of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19, thence N 8.50 chs. to a stake on Boggy Branch, thence up Boggy Branch with its meanderings to N W cor. of Lot 1, thence S along the W boundary line of Lot #1, 14.80 chs. to a stake on the N boundary line of Lot #3, thence W along said line 41 chs. to Bonsecour River, thence up said River 1.58 chs. to Sec. line thence E along said line 11.49 chs. to begn. Imp. 150, Section 37, township 8 S, Range 4 E;

Begn at Jake Shultz S W cor. on the E side of Bonsecour River, thence follow Eastward the S boundary line of Jake Shultz 38.97 chs. thence S 4 $\frac{1}{2}$ degrees S 39.92 chs. to Bonsecour River, thence along said River with its meanders to begn Township 8 S, Range 4 E;

Begn at the SE cor. of Augustine Lacoste Grant, Sec. 39-8S-4E, run E 3.23 chs, more or less to the SW cor. of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 19-8S, 4E, run N 8.50 chs to Boggy Branch, thence down said Branch with the meanders to point directly N of place of begn., thence S 10.22 chs. to begn, Section 39, Township 8 S, range 4 E;

Begn. at the NE cor. of the Thos. Johnson Grant, known as Sec. 37-8S-4E, thence S along the E boundary of said Grant 21.53 chs. thence W 30 chs., thence N 14.75 chs to Boggy Branch, thence easterly along said Branch and following its meanders to N boundary of above Grant, thence E to place of begn. Being Lot #1 of Subdivision of Estate of Adele Cook, Alias Adele Shultz Section 37, Township 8 S, Range 4 E;

From a post on the Eastern Boundary of the Thomas Johnson Grant, known as Sec. 37, which post is also the $\frac{1}{2}$ mi. post on line between Secs 20 & 29 of the Dinsmoor Survey of Tp 8 S-4E, thence S 7.03 chs. for Pt. of begn, thence W 29.46 chs. thence S 5.50 chs., thence S 85 $\frac{1}{2}$ degrees W 44.87 chs. to Bonsecour River, thence southerly along the Bonsecour River and following its meanderings until the southing amounts to 300 ft. thence N 85 $\frac{1}{2}$ degrees E 39.63 chs. to a point N of ford on Bright creek, thence S 42 links to the ford, thence easterly along Brights creek and following its meanderings to the E line of Thos. Johnson Grant, thence N to begn, Section 37, Township 8 S, Range 4 E.

No. of Acres Improved, 15

No. of Acres Unimproved, 233.

Total No. of Acres, 248,

Total Assessed Value of Land and Improvements, 2391,

Household furniture, sewing machines, etc. value of, 15,

Wagons and other vehicles, Value of, 15,

Horses, Number of 1, Value of, 50.

Clocks, watches, gold, silver and other safety chains, Value of, 5,

Typewriters, cash registers and machines of like character, Value of, 25,

Guns, Pistols, Value of, 2,

Total Assessed Value of Personal Property, 32;

Total Assessed Value of Real Estate and Personal Property, 2423,

Total State Tax on Real Estate and Personal Property 15.74⁹⁵

Total County Taxes on Real Estate and Personal Property, 27.86⁴⁵

Total State and County Taxes on Real Estate and Personal Property, 43.61⁴⁰

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Page 109,

Bon Secour and Shell Banks Beat, No. 15, for the year 1918.

Receipt No. 4496,

Assessment Book No. 2, page 204

Names of Parties:-

Blankenbaker, Sidney J.,

Assessment No. 25,

Total Assessed value Lands and Improvements 2391,

Total Assessed Value of Personal Property, 32,

State Tax on Real and Personal Property, 15.74⁹⁵

County Tax on Real and Personal Property, 27.86⁴⁵

Total State and County Taxes on Real and Personal Property, 43.61⁴⁰

Remarks-----

Tax Book, 1919, No 2, Baldwin County.

Assessment of Taxes on Real Estate and Personal Property in the County of Baldwin, State of Alabama, for the year 1919, Page 228, Bon Secour Beat No. 15.

Names of Parties Assessed:

Blankenbaker, Sidney J., Line No. 36, Assessment No. 332.

Lands, -Description:

Begn at N E cor. of Thos. Johnson Grant, known as Sec 37, 8S, 4 E, thence S along Eastern boundary of said Grant 21.53 chs., thence W 30 chs., thence N 14.75 chs. to Boggy branch, thence easterly along said branch and following meanders to the N boundary of Thos. Johnson Grant, thence E to pt. of Begn., known as Lot 1 Adele Cook Est., Section 37, Township 8 S Range 4 E.

From a post on Eastern boundary of Thomas Johnson Grant, known as Sec 37, which post is also the $\frac{1}{2}$ mi. post on line between Sec. 20 & 29 of the Dinsmoor Survey of Tp. 8 S, 4 E, thence S 7.03 chs. for pt. of begn, thence W 29.46 chs., thence S 5.50 chs., thence S $85\frac{1}{2}$ degrees W 44.87 chs to Bonsecour River, thence southerly along Bonsecour River and following its meanderings until the southing amounts to 300 ft., thence N $85\frac{1}{2}$ degrees E 39.60 chs to a pt. N of ford on Bright Creek, thence S 42 links to ford, thence easterly along Brights creek, and following its meanders to the E line of Thos. Johnson Grant, the N to pt. of begn. Contg 85.00 Township 8 S, Range 4 E,

Begn at a live oak tree on W bank of Bonsecour River marked with one blaze and one X below on W side of the tree, run W 5 degrees S 2.68 chs. thence S 4 degrees W 22 chs., thence W 29 degrees E 12 chs., thence W 11 degrees S 2.28 chs. to a cor. being the W bndry line of S.D.Coons land, thence S on said line 5 degrees E to Bonsecour River, thence up said River with its meanders to begn and being part of Lot 1 E Lamey Grant Contg. 25 a. Section 38, Township 8 S, Range 4 E,

Begn at $\frac{1}{2}$ mi. post on line between Sec 20-29 of Dinsoor Survey of Tp 8 S, R 4 E, run S 1.98 chs. for begn. cor., thence W.69.58 chs. to Bonsecour River, thence down said River with its meanders 4.50 chs. E 68.50 chs., thence to begn, being Lot 3 Adele Shultz Section 37, Township 8 S, Range 4 E,

Begn at the SW cor. of $SE\frac{1}{2}$ of $SE\frac{1}{2}$ Sec. 19, thence 28.51 chs. to a stake on Boggy Branch, with its meanders to the NW cor. of Lot 1, thence S along the W boundary line of Lot 1, 14.80 chs. to a stake on the N bndry line of Lot #3, thence W along saidline 41 chs to Bonsecour River, thence up said River 1.58 chs. to Sec line, thence E along said line 11.49 chs. to begn. Contg 37.54 acres, Imp \$150, Section 37, Township 8 S, Range 4 E,

Begn at Jake Shultz SW cor. on the E side of Bonsecour River, thence follow eastward the S boundary line of Jake Shultz

No. of Acres Improved, 15

No of Acres Unimproved, 233;

Total No. of Acres, 248,

Total Assessed Value of Land and Improvements, 2391,

Wagons and other Vehicles, Value of, 15,

Horses, Number of 1, Value of, 50,

Clocks, watches, gold, silver and other safety chains, Value of, 5,

Wagons and other vehicles, Value of, 25,

Guns, Pistols, Value of, 2,

Intangible property assessment made by the State Board of Equalization, 3,

Total Assessed Value of Personal Property, 32,

Total Assessed Value of Real Estate and Personal Property, 2665,

Total State Taxes on Real Estate and Personal Property, 17.32²⁵

Total County Taxes on Real Estate and Personal Property, 30.64⁷⁵

Total State and County Taxes on Real Estate and Personal Property, 47.97,

Special 3-Mill School Tax, 20--8,00,

Assessors Fee, 50.

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Page 116,

Bon Secour and Shellbanks Beat, No. 15, for the year, 1919.

Receipt No. 3132,

Assessment Nook No. 2, page 228,

Names of Parties:-

Blankenbaker, Sidney J.,.

Assessment No. 332,

10% Non-Assessment on Real Estate, 239,

Total Assessed value of Lands and Improvements 2391,

10% Non-Assessment on Personal Property, 3,

Total Assessed Value of Personal Property 32,

State Tax on Real and Personal Property, 17.32²⁵

County Tax on Real and Personal Property, 30.64⁷⁵

Total State and County Taxes on Real and Personal Property, 47.97

Special 3 Mill School Tax, 8.00²⁰

Assessor's Fee, 50.

Tax Book 1920, No. 3, Baldwin County.

Assessment of Taxes on Real Estate and Personal property in the County of Baldwin, State of Alabama for the year 1920. Page 133, Bon-Secour Beat No. 15.

Names of Parties Assessed:

Blankenbaker, Sidney J., Line 30, Assessment No. 22.

Lands, -Description:

Begn at the intersection of the N line of E Lamey Grant with BonSecour River on the W side run W 5 degrees S 2.66 chs., S 4 degrees W 22 chs. W 29 degrees E 12 chs., W 11 degrees S 2.28 chs to a cor. being the W bndry line of S.D.Cook's land thence S on said line 5 degrees E to Bonsecour River, thence up said River with its meanders to begn. Being a part of Lot 1 of E. Lamey Grant, Section 38, Township 8 S, Range 4 E.

Begn. at $\frac{1}{2}$ post on line bet. Secs. 28 & 29 of Densmore Survey of Tp 8 S, 4, run S 1.98 chs. for begn cor., thence W 69.58 chs. to BonSecour River, thence down said river with its meanders 4.50 chs. E 68.50 chs. N to begn. Being Lot 3 of Est. Adele Shultz, Section 37, Township 8 S, Range 4,

Begn. at SW cor. of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19, thence N 8.51 chs. to a stake on Boggy branch, thence up said branch with its meanders to NW cor. of Lot 1, thence S along W boundary line of Lot 1 14.80 chs. to a stake on N boundary line of Lot 3 thence W along said line 41 chs to Bon Secour River, thence up said River 1.58 chs. to sec. line, thence E along said line 11.49 chs. to begn. Section 37, Township 8 S, Range 4

Begn at the Jake Shultz SW cor. on the E side of BonSecour River thence follow eastward the S boundary line of Jake Shultz 38.99 chs. thence S 4 $\frac{1}{2}$ degrees 39.92 chs. to BonSecour River, thence along said River to begn, Township 8 S, Range 4,

Begn. at SE cor. of A LaCoste Grant Sec 39, 8S,4, run E 3.23 chs, more or less, to SW cor. of SE $\frac{1}{4}$ of SE Sec. 19-8S-4, run N 8.51 chs. to Boggy branch thence down said branch with its meanders to a point directly N of the place of begn, thence S 10.22 chs. to begn, Section 39, Township 8 S, Range 4,

Begn at the NE cor. of the Thomas Johnson Grant Sec 37, 8S,4, thence run S along easterly boundary of said Grant 21.53 chs. thence W 30 chs., thence N 14.75 chs. to Boggy Branch thence easterly along said branch and following its meanderings to the N boundary of the Thomas Johnson Grant, thence E to the point of begn. Being Lot 1 of Div'd of Est. of Adele Cook Section 37, Township 8 S, Range 4,

From a post on the eastern boundary of the Thomas Johnson Grant known as Sec. 37, which post is also the $\frac{1}{2}$ mile on the line bet Secs 20 & 29 of the Dinsmore Survey of Tp 8S, 4, thence S 7.03 chs for a point of begn. thence W 29.46 chs. thence S

No. of Acres Improved, 90,
No of Acres Unimproved, 158,
Total No. of Acres, 248,
Assessed value of Improvements, 350,
Assessed Value of Lands, 2470,
Total Assessed Value of Real Estate, 2820.
Poultry, No. of, 40; Value of 20,
Steamboats, vessels and water craft of every name or kind, Value of, 5,
Wagons and other vehicles, Bicycles, value of, 40,
Horses, Number of, 1, Value of, 50,
Total Assessed value of Personal Property, 95,
Total Assessed value of Real Estate and Personal Property, 2915.
Total State Taxes, 18.94⁷⁵
- Total County Taxes, 33.52²⁵
Total State and County Taxes, 52.47,
Number of District 20,
District School Tax, 8.74⁵⁰
Assessor's Fee, 50,
Citation Fee, 25.
Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Page 70,

Bon Secour Beat, No. 15, for the year 1920.

Receipt No. 2961,

Assessment Book No. 3, Page 133,

Names of Parties:-

Blankenbaker, Sidney J.,

Assessment No. 22,

Total Assessed Value of Real Estate, 2820,

Total Assessed value of Personal property, 95

State Tax on Real and Personal Property 18.94⁷⁵

County Tax on Real and Personal Property, 33.52²⁵

Total State and County Taxes on Real and Personal Property, 52.47

District School Tax ^{#20}8.74⁵⁰

Assessor's Fee, 50

Citation fee, 25.

Tax Book, No. 3, Baldwin County.

Assessment of Taxes on Real Estate and Personal Property in the County of Baldwin, State of Alabama for the year 1921. Page 154, Bon Secour Beat No. 15.

Names of Parties Assessed:

Blankenbaker, Sidney J., Line 38, Assessment No. 303.

Lands, -Description:

Begn. at the intersection on N line of E Lamey Grant, with BonSecour River on the w side run W 5 degrees S 2.66 chs., S 4 Degrees W 22 chs. w 29 degrees E 12 chs W 11 degrees S 2.28 chs. to a cor. being the W boundary line of S D Cook land, thence S on said line 5 degrees E to Bon Secour river, thence up said river with its meanders to begn. Being part of Lot 1 of E Lamey Grant, Section 38, Township 8 S, Range 4,

Begn at $\frac{1}{2}$ mi. pt. on line bet. Secs 20 & 29 of Densmore survey of Tp 8 S 4, run S 1.98 chs. for a begn cor. thence W 69.58 chs to Bon Secour river, thence down with its meanders 4.50 chs. E 68.50 chs N to begn Being Lot 3 of the Est. Adele Shultz, Section 37, Township 8 S, Range 4,

Begn at SW cor. of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 39, thence N 8.51 chs to a stake on Boggy branch, thence up said branch with its meanders to NW cor. of Lot 1, thence S along W boundary line of Lot 1, 14.80 chs to stake on W boundary line of Lot 3, thence W along said line 41 chs. to BonSecour river, thence up said river 1p58 chs. to Sec. line thence E along said line 11.49 chs. to begn, Section 37, Township 8 S, Range 4,

Begn at the Jake Shultz SW cor, on E side of Bon Secour river thence follow eastward the S boundary line of Jake Shultz 38.77 chs, thence S 4 $\frac{1}{2}$ degrees 39.92 chs to Bon Secour river thence along said river to begn, Township 8 S, Range 4,

Begn at SE cor. of A La Coste Grant Sec 39, 8S,4, run E 3.23 chs, more or less to SW cor. to SW cor, of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19, 8S-4 run N 8.51 chs. to Boggy branch, thence down said branch with its meanders to a pt. directly N of place of begn, thence S 10.22 chs to begn, Section 39, Township 8 S, Range 4,

Begn at NE cor. of the Thos. Johnson Grant known as Sec. 37, 8S-4, thence S along Eastern boundary of said Grant 21.53 chs. thence W 30 chs., thence N 14.75 chs to Boggy branch, thence easterly along said branch and following its meanders to N boundary of Thos Johnson Grant, thence E to the pt. of begn, known as Lot 1 of subd of Est. Adele Cook Section 37, Township 8 S, Range 4.

From at pt. on the Eastern boundary of the Thos Johnson Grant, known as Sec 37, which pt. is also $\frac{1}{2}$ mi. pt. on line bet. Secs 20 & 29, Dinsmore survey of Tp 8S-4, thence S 57.03 chs. for a pt. of begn, thence W 29.50 chs., thence S 85 $\frac{1}{2}$ degrees W 44.87 chs to Bon Secour river, thence southerly along

No. of Acres Improved-----

No. of Acres Unimproved, 249,

Total No. of Acres, 249

Total Assessed Value of Lands, 2470,

Total Assessed Value of Improvements, Lands, 350,

10% Penalty, 282,

Total Assessed Value of Real Estate and Improvements, 2820

Poultry, Number of, 40, Value of 12,

Steamboats, vessels and watercrafts of every name or kind, value of, 5

Wagons, buggies, bicycles and all other vehicles except motor vehicles, Value of, 40

Horses and Mares, Number of, 1, Value of, 50,

10% Penalty, 10,

Total Assessed value of Personal Property, 95,

Total Assessed value of Real Estate and Personal Property, 3207,

Total State Taxes, 20.84⁵⁵

Total County Taxes, 36.88⁰⁵

Total State and County Taxes, 57.72⁶⁰

Number of District, 20,

Special District School Tax, 9.62,

Assessor's Fee, 50.

Assessment not marked Pd.

Tax Collector's Abstract Book for the year, 1921, Bon Secour Beat,

No. 15, Baldwin County, Alabama, Page 85,

Receipt No.-----

Assessment Book No. 3, page 154,

Names of Taxpayers:-

Blankenbaker, Sidney J.,

Assessment No. 303,

10% Non-Assessment on Real Estate, 282,

Total Assessed value of Real Estate 2820,

10% Non-Assessment on Personal property, 10,

Total Assessed value of Personal Property, 95,

State Tax on Real and Personal Property, 20.84⁵⁵

County Tax on Real and Personal Property, 36.88⁰⁵

Total State and County Taxes on Real and Personal Property, 57.72⁶⁴

District School Tax, ²⁰9.62,

Assessor's Fee, 50,

Remarks: No Assessment #304.

Tax Book, No. 3, Baldwin County.

Assessment of Taxes on Real Estate and Personal Property in the County of Baldwin, State of Alabama, for the year 1922, page 150, Bon Secour Beat, No. 15.

Names of Parties Assessed:

Blankenbaker, Sidney J., Line 6, Assessment No. 291,

Lands, -Description:

Begn. at the intersection on the N line of E Lamey Grant, with the Bon Secour river on the W side, run W 5 degrees S 2.66 chs. S 4 degrees W 22 chs W 29 degrees E 12 chs W 11.05 52.28 chs, to a cor. being the W boundary line of S.D. Cooks land, thence S on said line 15 degrees E to Bon Secour river with its meanders to begn. Being part of lot 1 of E Lamey Grant, Section 38, Township 8 S, Range 4 E.
Begn at $\frac{1}{2}$ mi. pt. on line between Secs 20 & 29 of Densmore survey of Tp. 8S, 4 run S 1.98 chs to a beg cor. thence W 69.58 chs to Bon Secour river, thence down with its meanders 4. 50 chs., E 68.50 chs N to begn. Being Lot 3 of the Est. Adele Shultz, Sec 37, Township 8 S, Range 4.

Begn at SW cor. of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19, thence N 8.59 chs to a stake on Boggy Branch, thence up said branch with its meanders to NW cor. of Lot 1, thence S along W boundary line of Lot 1 14.85 chs to a stake on N bndry line of Lot 3, thence W along said line 41 chs to Bon Secour river, thence up said river 1.58 chs. to Sec line, thence E along said line 11.48 chs to begn, Section 37, Township 8 S, Range 4,

Begn at the Jake Shultz SW cor. on the E line of Bon Secour river, thence follow eastward the S boundary line of Jack Shultz 38.97 chs. thence S 4 $\frac{1}{2}$ degrees 39.92 chs to Bon Secour river, thence along said river to begn, Township 8 S, Range 4,

Begn. at SE cor. of A. La Coste Grant Sec 39, 8S, 4 run E 3.23 chs, more or less to SW cor. of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19, 8s 4, run N 8.51 chs to Boggy branch, thence down said branch with its meanders to a pt. directly N of place of begn, thence S 10.22 chs to begn, Section 39, Township 8 S, Range 4/e.

Begn at NE cor. of the Johnson Grant, known as Sec 39, 8S, 4, thence S along eastern boundry of said Grant 21.53 chs, thence W 30 chs, thence W 30 chs, thence W 14.75 chs to Boggy branch, thence easterly along said branch and following its meanderings to the N bndry of the Thos. Johnson Grant, thence E to the pt. of begn. Being Lot 1 in subd of Est of A Cook, Section 37, Township 8 S, Range 4,

From a pt. on the eastern boundary of the Thos. Johnson Grant known as Sec 37, which pt is also the $\frac{1}{2}$ mi. pt. on line between Secs 20 & 29 of the Densmore survey of Tp 8S, 4, thence

No. of Acres Improved,-----

No. of Acres Unimproved, 139,

Total No. of Acres, 139,

Total Assessed value of lands, 2470,

10% Penalty, 247,

Total Assessed value of real estate and improvements, 2470,

Total Assessed value of real estate and personal property, 2717,

Total State and County Taxes, 48.90⁶⁰

Number of District, 20,

Special District School Tax, 8.15,

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

Beat, No. 15, for the year 1922, Page 87,

Receipt No.-----

Assessment Book No. 3, Page 150.

Names of Parties:-

Blankenbaker, Sidley, J.,
Assessment Book No. 3, Page 150,
Assessment No. 291,

10% Non-Assessment on Real Estate 247,

Total Assessed Value of Real Estate, 2470,

Total State & County Taxes on Real and Personal Property 48.90⁶⁰

District No. 20

District School Tax, 8.15

Assessors Fee 50,

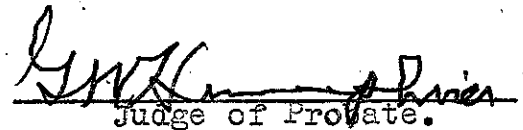
Remarks-----

STATE OF ALABAMA

BALDWIN COUNTY,

I, G. W. Humphries, Judge of Probate of Baldwin County, Alabama and Custodian of all the Books and Records on file in the office of the Judge of Probate of said county, do hereby certify that the foregoing and annexed pages numbered from One(1) to Fifteen(15) both inclusive contain a full, true correct and complete copy and transcript of the Tax Assessment Books and Tax Collector's Abstract Books of Baldwin County, Alabama for the years 1918 to 1922, both inclusive, and which are on file in my office and in my custody insofar as the same relates to or covers the lands described in the foregoing pages.

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


Judge of Probate.

Filed Oct 23/928,
J. McKeen
Regist

115

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED,
ET AL.,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

BALDWIN COUNTY.

No. 681.

REQUEST FOR DECREE:

In this cause the evidence having been taken and the cause being ready for submission for Final Decree, and no defense having been interposed, the complainants, by Norborne Stone as their Solicitor of record, file this their written request that the cause be submitted for Final Decree.

Dated this ~~October~~ ^{Dec} 3/rd, 1928.


Solicitor for Complainants.

The above Request and Motion is hereby granted and it is ordered that the complainants make out Their Note of Testimony and that, upon the same being filed, all papers in the cause be delivered to the Judge.

Dated this ~~October~~ ^{Dec} 3/rd, 1928.


Register.

681
REQUEST FOR DECREE.

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,

Complainants

-VS-

THE LANDS HEREIN DESCRIBED,
ET AL.,

Respondents

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

RECORDED

Dec
Filed 31 day of ~~October~~, 1928.

of No. 112-1000000
Granted 31 day of ~~October~~, 1928.

of No. 112-1000000
Register
Boyd

LAW OFFICES
NORBORNE STONE
BAYMINETTE, ALABAMA

THE STATE OF ALABAMA, Baldwin COUNTY
Chancery
PROBATE COURT

No. _____ October 2nd., 19 29

In the Matter of F. W. BRUCH VS CERTAIN LANDS IN BALDWIN COUNTY,

ALABAMA, ET AL.,

To Carlton J. Hurt, 994 Union Trust Building, Cleveland,
Ohio.

residing in Cleveland, Cuyahoga County, in the State of Ohio

or to such one or more of you as shall act herein:

Know ye, That we, reposing confidence in your integrity, skill and ability, have appointed you
Commissioner.... to take the answers to the Interrogatories and Cross-Interrogatories, hereunto
attached, of F. W. Bruch, a

material witness for Complainant

in the Matter of F. W. Bruch Vs Certain Lands in Baldwin County,
Alabama, et al.,
Chancery
now pending in the Probate Court of said County.

And we hereby authorize you to call and cause to come before you the said witness.... at
such time and place as you shall appoint, after giving..... days' notice to him
or..... attorney...., and

deposition.... on oath take, touching his knowledge of the matter in controversy; and the
said deposition...., when so taken by you, shall be subscribed by said witness.... and certified under
your hands and seals, and with this Commission you shall return to me.

Witness my hand, this 2nd., day of October, 19 29

T. W. Richardson

Judge of Probate.
Register

DIRECTIONS FOR EXAMINATION OF WITNESSES UPON INTERROGATORIES

1. If the time and place of executing the Commission are named therein, or in a notice appended thereto, the testimony must be taken at the time and place designated; if no time and place are designated, the Commissioners will call the witness before them at such time and place as they may appoint, and administer to him an oath to speak the truth, the whole truth and nothing but the truth in answer to the interrogatories to be propounded to him. The time and place for examining witnesses should be stated in the caption of the deposition.
2. Either the Commissioners, witness, or some impartial person must reduce the answer of witness to writing, as near as may be in the language of the witness.
3. Use the following form for heading Deposition:

THE STATE OF ALABAMA, _____ County

PROBATE COURT

No. _____ 19 _____

In the matter of _____

DEPOSITION OF _____

By virtue of the Commission hereto annexed, issued by the Judge of Probate of _____ County, Alabama, in the Matter of _____ the Commissioner

therein named, have called and caused to come before _____ the said _____

the witness named in said Commission, on the _____ day of _____ 19 _____, at _____

and having first sworn the said witness to speak the truth, the whole truth, and nothing but the truth _____

_____ the said witness, deposeth and saith as follows:
4. To the first interrogatory, he saith: (Here and elsewhere write the answer of the witness as nearly as may be in the language of the witness, using the first person where he uses it.)

To the second direct interrogatory, he saith:

To the first cross-interrogatory, he saith:

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

6. The testimony may be written down by any Commissioner, by the witness himself, or by some impartial person, in the presence of the Commissioner _____, and be read over to the witness, if he desires it, and must be subscribed by him.

7. The Commissioner _____ must then add _____ certificate as follows: _____ the Commissioner _____ named in the annexed Commission do hereby certify that the foregoing testimony and answers taken down in writing by _____

_____ in the words of the witness _____ were read over to _____; that _____ assented, swore to and subscribed the same in _____ presence at the time and place herein mentioned; that _____ have personal knowledge of the personal identity of said witness, or had proof made before _____ of the identity of said witness, that _____ not of counsel or of kin to any of the parties to said cause, or in any manner interested in the result thereof. And _____ enclose the said deposition, together with said Commission and interrogatories, direct and cross, to the office of the Judge of Probate whence the same emanated.

Given under _____ hand and seal _____, this _____ day of _____ 19 _____

Commissioner. (L. S.)

Commissioner. (L. S.)

Commissioner. (L. S.)

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

9. If the witness claims for his attendance, the Commissioner _____ should state in _____ certificate the number of days the witness attended, the number of miles traveled and ferrriage necessary.

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

11. If the testimony cannot be taken in one day, the Commissioner _____ (noting the same) may continue from day to day until completed.

12. The Commissioner _____ must return the Commission folded with the depositions, interrogatories and exhibits in a package sealed with three seals. They will write their name or names across each seal, and direct thus:

vs.

Deposition of _____ Witnesses

Sent by mail _____ 19 _____

Sent by _____ 19 _____

For _____ Judge of Probate

_____ County,

_____ Alabama.

13. If sent by private conveyance, should be endorsed: "Forwarded by _____ this _____ 19 _____"

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

No. _____ Page _____

The State of Alabama

County _____

PROBATE COURT

IN THE MATTER OF

Commission to Take Deposition

Issued _____ 19 _____

COMMISSIONERS

WITNESSES

The testimony in this cause is published
by order of Court on motion of

this _____ 19 _____

Judge of Probate

ROBERTS & SON, PRINTERS, BIRMINGHAM

STATE OF OHIO :
: SS.
CUYAHOGA COUNTY :

By virtue of a commission duly issued to me on the 7th day of October, 1929, by T. W. Richerson, as Register in Chancery of the Circuit Court, Equity Side, of Baldwin County, Alabama, and hereto annexed in that certain cause pending in said Court wherein F. W. Bruch is Complainant and certain lands described therein et al., are Respondents, said Cause being numbered _____, the undersigned acting as Commissioner has caused F. W. Bruch, a witness in said cause, to come before me, who, being duly sworn true answers to make to the annexed interrogatories, deposes and says as follows:

To the first interrogatory he answers:

My name is F. W. Bruch and I am the Complainant in that certain cause now pending in the Circuit Court-Equity Side, of Baldwin County, Alabama, styled, "F. W. Bruch, Complainant; vs. The following described lands in Baldwin County, Alabama, vix:- Beginning at the mouth of Bayou Saline on the East bank of the Tensaw River; thence up said Bayou to its intersection with a line drawn from the Southwest corner of Government Section Thirty (30), and the Northeast corner of Government Section Thirty-one (31), Township Three (3) South of Range Two (2) East, due West to the range line dividing Ranges One (1) East from Range Two (2) East; thence East along said line 20 chains to a stake; thence in a Southerly course following the meanders of the river to the point of beginning and being a part of the William Fisher Grant or Claim, Section Forty-two (42), and Joshua Kennedy Grant or Claim, Section Forty-four (44), Township Three (3) South of Range One (1) and Two (2) East and William Fisher, Genevieve Fisher, Marcilette Krebs,

Company, a Corporation, Standard Fullers Earth Company, a Corporation, C. C. Ruprecht, as Receiver of and for Standard Fullers Earth Company and E. J. Bagnall, Respondents, and any and all persons claiming any title to, interest in, lien or encumbrance on said lands or any part thereof". The Bill of Complaint in said cause was filed on June 2nd, 1928. I am the same person as the F. W. Bruch named as the Grantee in that certain Deed from The Fullers Earth Company, dated August 4th, 1926 and recorded in Deed Book 40 N. S., pages 418-9 in the office of the Judge of Probate of Baldwin County, Alabama, *the original of which I have lost or mislaid.*

To the second interrogatory he answers:

On June 2nd, 1928, the date that I filed the Bill of Complaint in this cause I was over the age of twenty-one years. On June 2nd, 1928, I owned and claimed and was in the actual, peaceable possession of the lands above described and claimed the title in fee simple.

To the third interrogatory he answers:

My title to said lands was derived from the persons and sources as set out in the paragraph of said Bill of Complaint, designated as "Second". On June 2nd, 1928, no suit was pending and at this time no suit is pending to test my title to, interest in or right to possession of said lands.

To the fourth interrogatory he answers:

I and those through whom I claim title as set forth in second paragraph of said Bill of Complaint, have held color of title to, claimed and have been in the actual adverse possession of all of said lands, during the whole period of ten or more consecutive years next immediately preceding June 2nd, 1928, and without interruption. No other person has paid any taxes thereon or had any possession of said

To the fifth interrogatory he answers:

The parties named therein as Defendant, if living, are over the age of twenty-one years, but I am informed and believe and upon such information and belief state that of the said Defendants named herein, William Fisher, Geneveive Fisher, Marcilette Krebs, Joseph Grelot, William Grelot, Aypolite Fisher, William Fisher, Mary Ellen David, Charles LeBaron, William A. LeBaron, as Trustee, and William A. LeBaron, Trustee, are dead; the names, residences and addresses of the heirs, devisees, personal representatives and next of kin of such Defendants who are dead are unknown to me and could not be ascertained after diligent inquiry made by me but as to the other Defendants named herein I do not know whether the individuals are dead nor whether the firms or corporations are still in existence nor do I know or could I ascertain after diligent inquiry on my part made, the residences and addresses of such other Defendants; if any of such other Defendants are dead or do not continue to exist, I do not know nor could I after diligent inquiry made, ascertain the names, residences and addresses of their heirs, devisees, personal representatives, next of kin and successors; I have made diligent inquiry to ascertain the said facts, all as set out in the Third paragraph of my Bill of Complaint.

To the sixth interrogatory he answers:

None of the Defendants named in the Bill of Complaint have asserted any title to said lands or assessed and paid taxes thereon or claimed any interest therein during said ten year period immediately preceding June 2nd, 1928.

To the seventh interrogatory he answers:

record searches made covering the records of Baldwin County, Alabama, as are on file in the office of the Tax Collector, Tax Assessor, Clerk of the Circuit Court and Judge of Probate of said County, and an abstract of title prepared covering all of said property, said record searches and said abstract of title being prepared by J. A. Ertzinger & Son, duly licensed abstractors; that I also had an additional record search and additional or supplemental abstract of title prepared by Norborne Stone, an Attorney at Law and licensed abstractor of Baldwin County, Alabama; that upon the completion of said abstract and record search the services of norborne Stone, a practicing attorney, were secured with reference to ascertaining further facts from the records of or persons in Baldwin County, Alabama, and that his efforts were made over a period of about two (2) years; that in addition to these searches and investigations, R. C. Heard, an experienced abstractor, made additional independent record searches, inquiries and investigations of the records and of persons; that all of the said record searches, investigations and inquiries as made by me and those employed by me have extended over a period of three years during all of which time, and those employed by me, have diligently examined the records, made record searches, inquiries and investigations to ascertain all of the facts and matters alleged, covered, set-out or referred to herein.


To the eighth interrogatory he naswers:

I was in the actual peaceable possession of said lands during the ten year period next immediately preceding the filing of the Bill of Complaint on June 2nd, 1928, paying taxes thereon, claiming said land and no other person has paid taxes thereon or had any possession of said lands, or any part thereof or is known to me to have claimed

STATE OF OHIO :
: SS.
CUYAHOGA COUNTY :

I, Carlton J. Hurt, the Commissioner named in the annexed Commission, do hereby certify that the foregoing testimony and answers were taken down in writing by Louise McShane in the words of the witness, F. W. Bruch and were read over to him; that F. W. Bruch assented, swore to and subscribed the same in my presence at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness; that I am not of Counsel or of kin to any of the parties to said cause or in any manner interested in the result thereof. I herewith inclose the said deposition, together with said Commission and Interrogatories to the Register in Chancery of the Circuit Court, Equity Side, State of Alabama, Baldwin County, when the same emanated.

Given under my hand and seal this the 14th day of October, 1929, at my office in the City of Cleveland, Ohio.


As Commissioner.

SEAL

F. W. BRUCH,

Complainant,

-VS-

THE LANDS HEREIN DESCRIBED AND WILLIAM FISHER, GENEVEIVE FISHER, MARCILETTE KREBS, JOSEPH KREBS, JOSEPH GRELOT, WILLIAM GRELOT, APOLITE FISHER, WILLIAM FISHER, MARY ELLEN DAVID, CHARLES LEBARON, WILLIAM A. LEBARON, AS TRUSTEE, WILLIAM A. LEBARON, TRUSTEE, SARAH HAMMON, JOHN HAMMON, WILLIAM C. RAYNOR, MARTHA H. RAYNOR, HERMAN JOSEPH LERS, AND SOUTHERN COMMERCIAL COMPANY, A CORPORATION, STANDARD FULLERS EARTH COMPANY, A CORPORATION, C. C. RUPRECHT AS RECEIVER OF AND FOR STANDARD FULLERS EARTH COMPANY AND E. J. BAGNALL,

IN THE CIRCUIT COURT

EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY

NO _____.

Respondents.

INTERROGATORIES PROPOUNDED TO F. W. BRUCH, THE COMPLAINANT, AND A MATERIAL WITNESS FOR COMPLAINANT

FIRST INTERROGATORY.

Please state your name and whether or not you are Complainant in the above styled cause. Are you the same person as the F. W. Bruch named as the Grantee in that certain Deed from The Fullers Earth Company, dated August 4th., 1926 and recorded in Deed Book 40 N. S., pages 418-9, in the office of the Judge of Probate of Baldwin County, Alabama?

SECOND INTERROGATORY.

Please state whether or not you were over the age of 21 years on June 2nd., 1928. State who, on June 2d., 1928, owned and claimed and was in the actual, peaceable possession of the following described lands in Baldwin County, Alabama, viz:-

Beginning at the mouth of Bayou Saline on the East bank of the Tensaw River; thence up said Bayou to its intersection with a line drawn from the Southwest corner of Government Section thirty (30), and the Northeast corner of Government Section (31), Township Three (3) South of Range Two (2)

East, due West to the range line dividing Ranges One (1) East from Range Two (2) East; thence East along said line 20 chains to a stake; thence North 60 chains to a stake; thence North 20° East 10 chains across a deep ravine to a stake on Bluff; thence West to Tensaw River; thence is a Southerly course following the meanders of the river to the point of beginning and being a part of the William Fisher Grant or Claim, Section Forty-two (42), and Josua Kennedy Grant or Claim, Section Forty-four (44), Township Three (3) South of Range One (1) and Two (2) East.

State the nature and extent of such claim to the above described lands ~~by~~ such person.

THIRD INTERROGATORY.

If you state that on June 2nd., 1928, you were in possession of said lands, claiming to own the same, please state how and from what source your title to said lands was derived and whether or not on June 2nd., 1928, the date of the filing of the Bill of Complaint in this Cause, any suit was pending to test your title to, interest in or right to possession of said lands.

FOURTH INTERROGATORY.

Please state who held color of title to, claimed and was in actual adverse possession of all of the said lands during the period of ten years next immediately preceeding June 2nd., 1928. Has this claim or possession been interrupted? Has any person other than the person just named, claimed or had any possession of any of said lands or was on June 2nd., 1928 known to claim said lands or any part thereof during said period at any time?

FIFTH INTERROGATORY.

Please state what information you had or could obtain up to and including June 2, 1928, as to the age, residence, whereabouts or other status or condition of the Repondents above named.

SIXTH INTERROGATORY.

Please state whether or not you have, or had on June 2nd., 1928 any knowledge of any persons, firms or corporations, other than yourself and those through whom you claim ever having claimed said lands or any part thereof or any interest therein.

SEVENTH INTERROGATORY.

Please state what, if anything, you did or caused to be done prior to the filing of the Bill of Complaint in this cause with respect to ascertaining facts relating to the status of the above named Respondents, their residences and addresses and the names, ages and addresses of their heirs, devisees, personal representatives and next of kin. If you state that searches and investigations and inquiries were made, please state how, when and by whom same were made.

EIGHTH INTERROGATORY.

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


Solicitor for Complainant.

Carlton J. Hurt, 994 Union Trust Building, Cleveland, Ohio, is suggested as a suitable person to act as Commissioner.


Solicitor for Complainant.

INTERROGATORIES PROPOUNDED
TO F. W. BRUCH, A MATERIAL
WITNESS FOR COMPLAINANT

F. W. BRUCH,

Complainant.

-VS-

LANDS HEREIN DESCRIBED,
ET AL.,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA,

BAWDWIN COUNTY.

Filed October 22, 1929.

J. W. Hester
Register.

LAW OFFICES
NORBORNE STONE
BAY MINETTE, ALABAMA

Proceed to
Filed Oct 17/1905
J. W. Higgins
Agent

BAY MINETTE, ALA.

19

IN ACCOUNT WITH

G. W. HUMPHRIES

JUDGE OF PROBATE

BALDWIN COUNTY

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

Deed
Rec. Mort. from

*Deed
1/1/29
G. W. Humphries
by J. H. Smith*

2.00

The United States of America, To all to whom these presents
shall come, Greeting:-

WHEREAS, there has been deposited in the General Land Office a Certificate numbered One of the Register and Receiver of the Land Office at St. Stephens, and a plat of survey of the tract of land therein mentioned under the provisions of the Act of Congress approved on the Eighth day of May one thousand eight hundred and twenty-two, entitled, "An Act supplementary to the several Acts for adjusting the claims to land, and established Land Offices, in the districts east of the Island of New Orleans", as the claim of Joshua Kennedy in right of Francis Fisher, numbered, One in Abstract number Two of the Register and Receiver, as being section Forty-four, in Township Three South of Range One and Two East, containing six hundred and thirty-three acres and eighty-three hundredths of an acre, in the District of land subject to sale at St. Stephens in the State of Alabama.

Now know ye, that the United States of America in consideration of the premises and in conformity with the said Act of Congress, have remises, released, and forever quit-claimed, and by these presents do remise, release and forever quit-claim unto the said Joshua Kennedy, and to his heirs the said land above described, subject to any just claim or claims to all and every part thereof, of all and every person or persons, bodies politic or corporate derived from the United States or from either the British, French or Spanish authorities.

To have and to hold the same, together with all the rights, privileges, immunities and appurtenances of whatsoever nature there unto belonging subject to any such just claim or claims as aforesaid, unto him the said Joshua Kennedy and to his heirs and assigns forever, so that neither the United States or any other person claiming under the same except as is provided in said Act and the reservations aforesaid may or can set up any right or title thereto.

In testimony whereof, I, Martin Van Buren, 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 thirtieth day of May in the year of our Lord one thousand eight hundred and thirty-seven and of the Independence of the United States the sixty first.

(LS)

By the President, Martin Van Buren
By A. Van Buren, Sec'y
Hudson M. Garland Recorder of the
General Land Office.

Filed for record January 25th, 1913.

Recorded January 30th, 1913.

J.H.H. Smith, Judge of Probate.

The 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 is a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 19 N.S. at page 622, now on file in the office of Judge of Probate of Baldwin County, Alabama.

Witness my hand and the seal of said Court, this 11th day of December, A.D., 1929.


Judge of Probate Court.

one

Filed 12/16/29
D W. Beeson
Register

B. Department of the Interior, General Land Office,
S.M.

Washington, D.C., Oct. 17, 1901.

I, Binger Hermann, Commissioner of the General Land Office, do hereby certify that the annexed copy of Patent issued May 30, 1837, to William Fisher for Section 42, Township 3 south of range 1 and 2 East St. Stephens Meridian in Alabama, containing 1259.80 acres, is a true and literal exemplification from the record in this office.

In Testimony Whereof, I have hereunto subscribed my name, and caused the Seal of this Office to be affixed, at the City of Washington, on the day and year above written.

(Great Seal)

Binger Hermann, Commissioner of
General Land Office.

The United States of America,

To all to whom these presents shall come, Greeting:

Whereas, there has been deposited in the General Land Office a certificate numbered nineteen of the Register and Receiver of the Land Office at St. Stephens, and a plat of survey of the tract of land therein mentioned, under the provisions of the Act of Congress approved on the third day of March, one thousand eight hundred and nineteen, entitled "An Act for adjusting the claims to land and establishing Land Offices in the District East of the Island of New Orleans", as the claim of William Fisher in right of Montlimar numbered six, in abstract number Ten, of the Commissioner as being Section Forty-two in township three south, of range one and two east, containing twelve hundred and fifty nine acres, and eighty hundredths of an acre in the District of lands subject to sale at St. Stephens. in the State of Alabama:

of all and every person or persons, bodies politic or corporate, derived from the United States, or from either the British, French, or Spanish authorities: To have and to hold the same together with all the rights, privileges, immunities and appurtenances, of whatsoever nature thereunto belonging, subject to any such just claim or claims as aforesaid, unto him the said William Fisher and to his heirs and assigns forever, so that neither the United States or any other person claiming under them except as is provided in said Act and the reservations aforesaid, may or can set up any right or title thereto.

In testimony whereof, I, Martin Van Buren, 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 thirtieth day of May, in the year of our Lord one thousand eight hundred and thirty-seven, and of the Independence of the United States the sixty-first.

By the President: Martin Van Buren,
By A. Van Buren Sec'y.
Hudson M. Garland, Recorder of the
General Land Office.

Filed for record January 25th, 1913,

Recorded January 30th, 1913.

J.H.H.Smith, 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 Record 19 N.S. at page 622, now on file in the office of Judge of Probate of Baldwin County, Alabama.

Filed 12/16/29
D. W. Richardson
Register

State of Alabama, !
 :
County of Baldwin ! SS.

This Indenture, made the 28th day of May, A.D., 1915, between E.J.Bagnall of Cleveland, Ohio, and Anna M. Bagnall, his wife, parties of the first part and The Fullers Earth Company, a corporation organized under the laws of the State of Ohio, party of the second part, Witnesseth:-

That the parties of the first part in consideration of the sum of Three Thousand (\$3000.00) dollars cash to them in hand paid this day by the said party of the second part, the receipt of which is hereby acknowledged, do grant, bargain, sell and convey unto the said party of the second part, its successors and assigns forever the following described property located near Blakeley, in the County of Baldwin, State of Alabama, and described as follows:

Beginning at the mouth of Bayou Saline on East Bank of Tensas River; thence up said bayou to its intersection with the Section line dividing Sections 30 and 31; thence East along said line 20 chains to a stake; thence north, 45 degrees East, 28.30 chains to a stake; thence north 60 chains to a stake; thence north 20 degrees east, 10 chains across a deep ravine to a stake on bluff; thence west to Tensas River, containing 200 acres, more or less, and being a part of Wm. Fisher Claim a Spanish Grant-Section 42, T 3 S, Range 1 and 2 East, being the same land described in the conveyance from Southern Commercial Company to Standard Reduction Company recorded in Deed Record 12 N.S. Pages 346 and 347 of Baldwin County Records.

together with all the personal property, machinery, tools and equipment, buildings, wharves, docks, engines, etc., at present located on the property hereinbefore described and belonging to the party of the first part.

In Testimony Whereof, the parties of the first part have hereunto subscribed their names the day and year first above written.

(The Fullers Earth Co.)
(Corporate Seal.)

E.J.Bagnall,

Anna M. Bagnall

(\$3.00 U.S.I.R. Stamp attached.)

State of Ohio. !
 : SS.
County of Cuyahoga, !

I, Harry A. Auer, a notary public in and for said county and State, hereby certify that E.J.Bagnall whose name is signed to the foregoing conveyance has executed the same and acknowledged the same to be his free act and deed, and Anna M. Bagnall, wife of E.J.Bagnall being examined before me separately from her husband executed and signed the foregoing conveyance in my presence and acknowledged the same to be her free act and deed without compulsion, constraint, apprehension or fear of or from her said husband.

In Witness Whereof, I have hereunto set my hand and notarial seal this 28 day of May, A.D., 1915.

(Seal)

H.H.Auer, Notary Public.

The State of Ohio. !
 : SS.
Cuyahoga County. !

I, Harry H. Auer, a notary public in and for said State and county, hereby certify that E.J.Bagnall and Anna M. Bagnall, 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 28th day of May A.D., 1915.

(Seal)

Harry H. Auer, Notary Public,
Cuyahoga County, Ohio.

The State of Ohio, !
 : SS.
Cuyahoga County. !

I, Harry H. Auer, a notary public in and for said State and County do hereby certify that on the 28th day of May, 1915, came before me the within named Anna M. Bagnall, known to me to be the wife of the within named E.J.Bagnall 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, constraints, or threats on the part of the husband.

In witness whereof, I hereto set my hand and official seal, this 28th day of May, 1915.

(Seal)

Harry H. Auer, Notary Public,
Cuyahoga County, Ohio.

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: \$3 cts. 00.

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

Filed for record Nov. 27th, 1925 at 9:25 A.M.

Recorded December 19th, 1925.

W.D.Stapleton, Judge of Probate.

The State of Alabama, :

County of Baldwin. :

Probate Court.

I, G.W.Humphries, Judge of Probate in and for said State and County, hereby certify that the above and foregoing is a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 37 N.S. at page 534, now on file in the office of Judge of Probate of Baldwin County, Alabama.

Witness my hand and the seal of said Court, this 10th day of December, A.D., 1929.


Judge of Probate Court.

Filed 12/16/29

T W Richardson

Register

Tax Book, 1918, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1918,
Page 161,

Stapleton, Beat No, 6,

Names of Parties Assessed:-

E.J.Bagnall; Line 27; No. of Assessment 178,

Lands--Description:-

$E\frac{1}{2}$ of $W\frac{1}{2}$, except 20 A. off S E cor. of $SW\frac{1}{4}$ Section 30,
Township 3 S, Range 2 E; $SW\frac{1}{4}$ of $SW\frac{1}{4}$ Section 30, Township
3 S, Range 2 E; Also a piece of land in NE cor. of $NE\frac{1}{4}$
Sec. 36, lying between Tensaw River on W and Bay Minette
Creek on S and Sec. line dividing Secs. 31 & 36 on E,
Section 36, Township 3 S, Range 1 E;

No. of Acres improved-----

No. of Acres unimproved, 200,
Total No. of Acres, 200,

10% penalty for Non-assessment, 100,

Total assessed value of land and improvements, 1000,

Total assessed value of real estate and personal property, 1100,

Total State taxes on real and personal property, 7.15,

Total County taxes on Real and Personal property, 12.65,

Total State and County Taxes on Real and Personal property, 19.80

Assessors Fee, 50.

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Stapleton
Beat, No. 6, for the year, 1918, Page 72.

Receipt No. 2888,

Assessment Book No. 1, page 161,

Names of Parties,

Bagnall, E.J.,

Assessment No. 178,

10% Non-Assessment, 100,

Total assessed value of Land and Improvement, 1000, 100

State Tax on Real and Personal Property, 7.15,

County Tax on Real and Personal Property, 12.65,

Total State and County Taxes on Real and Personal Property, 19.80.

Assessor's Fee, 50.

Tax Book, 1919, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
county of Baldwin, State of Alabama, for the year 1919,
Page 161,

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J. Bagnall, -Line 7, No. of Assessment 176.

Lands--Description:-

E $\frac{1}{2}$ of SW $\frac{1}{4}$, except 20 A off SE cor. of SW $\frac{1}{4}$; SW $\frac{1}{4}$ of SW $\frac{1}{4}$
Section 30, township 3 S, Range 2 E; Also a piece of land
in NE cor. of NE $\frac{1}{4}$ Section 36, lying between Tensaw River
on W and Bay Minette Creek on S and Sec line dividing Secs,
31 & 36 on East, Section 36, township 3 S, Range 1 E.

No. of Acres improved,

No. of Acres Unimproved, 200,

Total No. of Acres, 200,

10% Penalty for non-assessment, 100,

Total assessed value of land and improvements, 1000,

Total assessed value of real estate and Personal Property, 1100,

Total State Taxes on Real Estate and Personal Property, 7.15,

Total County Taxes on Real and Personal Property, 12.65,

Total State and County taxes on real and personal property, 19.80,

Assessor's Fee, 50.

Assessment Marked, Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Stapleton
Beat No. 6, for the year 1919, Page 74.

Receipt No. 2710,

Assessment Book No. 1 Page 161,

Names of Parties:

Bagnall, E.J.

Assessment No. 176,

10% non-assessment, 100,

Total assessed value of lands and improvements, 1000

State tax on real and personal property 71⁵

County tax on real and personal property, 12.65,

Total state and county taxes on real and personal property, 19.80,

Assessor's fee 50.

Tax Book, 1920, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
county of Baldwin, State of Alabama, for the year 1920,
page 181.

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J.Bagnall,-Line 38,-No of Assessment 188.

Lands--Description:-

$E\frac{1}{2}$ of $SW\frac{1}{4}$, except 20 A off S E cor. of $SW\frac{1}{4}$ & $SW\frac{1}{4}$ of $SW\frac{1}{4}$
section 30, township 3 S, Range 2 ; Also a piece of land in
N E cor. of $NE\frac{1}{4}$ Sec. 36, lying between Tensaw River on W &
Bay Minette Creek on S & Sec. line dividing Secs 31 & 36
on E in Sec. 36, Township 3 S, Range 1 .

No. of Acres improved-----

No. of Acres unimproved, 200

Total No. of Acres, 200,

Assessed Value of lands, 1000,

10% Penalty, 100,

Total Assessed value of Real Estate, 1000,

Total assessed value of Real Estate and Personal Property, 1100,

Total State taxes, 7.15,

Total County Taxes, 12.65,

Total State and County Taxes, 19.80,

Number of District 12,

District School Tax, 3.30,

Assessor's Fee, 50.

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Stapleton
Beat No. 6, for the year, 1920, Page 70.

Receipt No. 2579,

Assessment Book No. 1, Page 181,

Names of Parties:

Bagnall, E.J.,

Assessment No. 188,

10% Non-Assessment on Real Estate, 100,

Total Assessed value of real estate, 1000,

State tax on real and personal property, 7.15,

County tax on real and personal property, 12.65,

Total State and county taxes on real and personal property, 19.80

District School Tax #12,-3.30,

Assessors Fee, 50.

Tax Book, 1921, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1921,
Page 178.

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J.Bagnall; Line 22,- No. of Assessment 172.

Land Description:

E $\frac{1}{2}$ of SW $\frac{1}{4}$, except 20 A.. off S E cor. of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of
SW $\frac{1}{4}$ of Section 30, T 3 S, R 2 E; Also a piece of land in
N E cor. of NE $\frac{1}{4}$ Sec. 36, lying between Tensaw River on W
and Bay Minette creek on S., and Sec line dividing secs
31 & 36 on E, in Section 36, T 3 S, R 1 E.

No. of acres improved-----

No. of acres unimproved, 200,

Total No. of Acres, 200,

Total assessed value of lands, 1000.

Total assessed value of land and Improvements-----

10% Penalty, 100,

Total assessed value of real estate and improvements, 1000.

Total assessed value of real estate and personal property, 1100,

Total State taxes, 7.15,

Total County Taxes, 12.65,

Total State and County taxes, 19.80,

Number of District, 12,

Special district school tax, 3.30,

Assessors fee, 50.

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin county, Alabama, Stapleton
Beat No. 6, for the year, 1921, Page 77.

Receipt No. 36,

Assessment Book No. 1, Page 178,

Names of Parties:-

Bagnall, E.J. . .

Assessment No. 172,

10% Non-Assessment, 100,

Total Assessed value of real estate, 1000,

State tax on real and Personal Property, 7.15,

County tax on Real and Personal Property, 12.65,

Total state and county taxes on real and Personal Property, 19.80.

— Special District tax, 12--3.30,

Assessor's fee, 50.

Tax Book, 1922, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1922,
Page 169,

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J.Bagnall,-Line 21, No. of Assessment 175,

Lands--Description:-

E $\frac{1}{2}$ of SW $\frac{1}{4}$ (except 20 A off S E cor, of SW $\frac{1}{4}$ and SW $\frac{1}{2}$ of SW $\frac{1}{4}$
Section 30, Township 3 S, Range 2; Also a piece of land
in NE cor. of NE $\frac{1}{4}$ Sec 36, lying between Tensaw River on W
and Bay Minette creek on S and Sec line dividing Secs 31 &
36 on E line, Sec Section 36, Township 3 S, Range 1.

No. of Acres Improved-----

No. of Acres Unimproved, 200

Total No. of Acres, 200,

Total Assessed value of lands, 1000,

10% Penalty, 100,

Total assessed value of Real Estate and Improvements, 1000,

Total assessed value of Real Estate and Personal Property, 1100,

Total State and County Taxes, 19.80,

Number of District, 12,

Special District School Tax, 3.30,

Assessor's Fee, 50.

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Stapleton,
Beat No. 6, for the year, 1922, Page 76,

Receipt No. 2195,

Assessment Book No. 1, page 168,

Names of Parties:-

Bagnall, E.J.,

Assessment No. 175,

10% Non assessment on real estate, 100,

Total assessed value of real estate, 1000

Total State & County taxes on real and personal property, 19.80

District No. 12,

District School Tax, 3.30,

Assessor's fee, 50.

Tax Book, 1923, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1923,
Page 159.

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J. Bagnall, - Line 9, - No of Assessment 172,

Lands--Description:-

E $\frac{1}{2}$ of SW $\frac{1}{4}$ (except 20 A off SE cor. of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$
Section 30, Township 3 S, Range 2 East; Also piece of land
in NE cor. of NE $\frac{1}{4}$ 36, lying between Tensaw River on W and
Bay Minette creek on S and Sec line dividing Secs 31 &
36 on E in Sec. Section 36, Township 3 S, Range 1 E.

No. of Acres improved-----

No of Acres unimproved, 200,

Total No. of Acres, 200.

Total assessed value of land and improvements, 1000. 100

10% penalty for non-assessment, 100,

Total Assessed value of real estate and improvements, 1000,

Total value of Real Estate and Personal Property, 1100.

Total State and County Taxes, 19280,

Number of District, 12,

Special District School Tax, 3.30,

Assessor's Fee, 50.

Assessment Marked, Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Stapleton,
Beat No. 6, for the year, 1923, Page 76,

Receipt No. 1566,

Assessment Book No. 1, Page 159,

Names of Parties:-

Bagnall, E.J.,

Assessment No. 172,

10% Non Assessment on real estate, 100,

Total assessed value of real estate, 1000

Total State & County Taxes on real and personal property, 19.80

District No. 12,

District School tax, 3.30,

Assessor's fee, 50.

Tax Book, 1924, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1924,
Page 159.

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J.Bagnall,-Line 9, No. of Assessment 167.

Lands--Description:-

E $\frac{1}{2}$ of SW $\frac{1}{4}$ (Except 20 A off SE cor. of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$
Section 30, township 3 S, Range 2; Also piece of land in
NE Cor of NE $\frac{1}{4}$ Sec. 36, lying between Tensaw River on W &
B.M.Creek on S and Sec. line dividing Secs 31 & 36 on E
in Sec. Section 36, township 3 S, Range 1.

No. of Acres improved-----

No. of Acres Unimproved, 200,

Total No. of Acres, 200,

Total assessed value of lands, 1000,

10% Penalty, 100,

Total assessed value of real estate and personal property 1000,

Total assessed value of real and personal property, 1100,

Total State and County Taxes, 19.80,

Number of District, 12,

Special District School Tax, 3.30,

Assessor's Fee, 50,

Assessment Marked, Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Stapleton,
Beat No. 6, for the year, 1924, Page 76

Receipt No. 3218,

Assessment Book No. 1, Page 159,

Names of Parties:-

Bagnall, E.J.,

Assessment No. 167,

Total assessed value of real estate, 1100,

Total State & County Taxes on Real and Personal Property, 19.80

District No. 12,

District School Tax, 3.30,

Assessor's fee, 50

Tax Book, 1925, Baldwin county.

Assessment of taxes on real estate and personal property in the
county of Baldwin, State of Alabama, for the year, 1925,
Page 158,

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J.Bagnall, -Line 30, Assessment No. 165,

Land---Description:-

E $\frac{1}{2}$ of SW $\frac{1}{4}$, except 20 A off SE cor. of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$
Section 30, township 3 S, Range 2 E; Also a piece of land
in NE cor. of NE $\frac{1}{4}$ Sec 36, lying between Tensaw River on
W and B.M.Creek on S and Sec line dividing Secs 31 and 36
on E in Sec Section 36, township 3 s, Range 1 E,

No. of Acres improved-----

No. of Acres unimproved, 200, ---

Total No. of Acres, 200,

Total assessed value of lands, 1000,

10% Penalty, 100,

Total assessed value of real estate and improvements, 1000,

Total Assessed value of real estate and Personal property, 1100,

Total State and County Taxes, 19.80,

District No. 12,

Special District School Tax 3.30,

Assessor's fee, 50,

Assessment marked, Pd.

Tax Collector's Abstract Book, Baldwin County, Alabama, Stapleton,
Beat, No. 6, for the year, 1925, Page 74,

Receipt No. 48,

Assessment Book No. 1, Page 158,

Names of Parties:-

Bagnall, E.J.,

Assessment No. 165,

10% Non-Assessment on real estate, 100

Total Assessment value of real estate, 1000,

Total State & County Taxes on real and Personal Property, 19.80

District No. 12,

District School Tax, 3.30,

Assessor's fee, 50.

Tax Book, 1926, Baldwin county.

Assessment of taxes on real estate and personal property in the
County of Baldwin, State of Alabama, for the year 1926,
Page 159,

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J.Bagnall,-Line 3, Assessment No. 168,

Land---Description:-

$E\frac{1}{2}$ of $SW\frac{1}{4}$ (except 20 A off Sth cor of $SW\frac{1}{4}$) $SW\frac{1}{4}$ of $SW\frac{1}{4}$

Also a piece of land in NE cor. of $NE\frac{1}{4}$ Sec 36, lying between Tensaw River on W & B.M. Creek on S, and Sec line dividing Secs 31 & 36 on E in Section 36, township 3 S, Range 1.

No. of acres improved-----

No. of acres unimproved, 200,

Total No. of Acres, 200,

Total assessed value of lands, 1000,

10% Penalty, 100,

Total assessed value of real estate and improvements, 1000,

Total Assessed value of real and personal property, 1100,

Total State and county taxes, 19.80,

Number of District 12,

Special District School Tax 3.30,

Assessor's fee, 50,

Assessment Marked Pd.

Tax Collector's Abstract Book, Baldwin county, Alabama, Stapleton,
Beat No. 6, for the year, 1926, Page 77.

Receipt No. 18

Assessment Book No. 1 Page 159,

Names of Parties:

Bagnall, E.J.,-

Assessment No. 168,

Total Assessed value of real estate, 1100,

Total State & County Taxes on real and personal Property, 19.80,

District, 12,

District School tax, 3.30,

Assessor's fee, 50

Tax Book, 1927, Baldwin County.

Assessment of taxes on Real Estate and Personal Property in the
County of Baldwin, State of Alabama, for the year 1927,
Page 160,

Stapleton, Beat No. 6,

Names of Parties Assessed:-

E.J.Bagnall,- Line 24, Assessment No. 160

Lands--Description:-

$E\frac{1}{2}$ of $SW\frac{1}{4}$ (except 20 A off SE cor. of $SW\frac{1}{4}$) $SW\frac{1}{2}$ of $SW\frac{1}{2}$ Sec-
tion 31, township 3 S, Range 2; Also a piece of land in
N E cor. of $NE\frac{1}{2}$ Sec 36, lying between Tensaw River on W &
B.M.Creek on S, Sec. line dividing Secs 31 & 36, on E in
Section 36, township 3 S, Range 1.

No. of acres improved-----

No. of acres Unimproved, 200,

Total No. of Acres, 200,

Total assessed value of lands, 1000,

10% Penalty, 100,

Total assessed value of real estate and improvements, 1000,

Total assessed value of real estate and personal property, 1100,

Total State and County taxes, 19.80,

Number of District No. 1.

Special District School tax, 3.30,

Assessor's fee, 50,

Assessment Marked Pd.

1
Tax Collector's Abstract Book, Baldwin county, Alabama, Stapleton,
Beat, No. 6, for the year, 1927, Page 75.

Receipt No. 1767,

Assessment Book, No. 1, page 160,

Names of Parties:

Bagnall, E.J.,

Assessment No. 160,

Total Assessment value of real estate, 1100,

Total State & County Taxes on Real and Personal Property, 19.80,

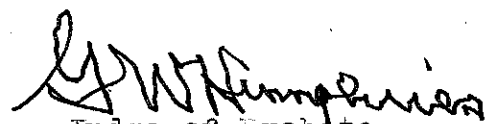
District No. 1, District School Tax, 3.30,

Assessor's fee, 50.

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

I, G.W.Humphries, Judge of Probate of Baldwin County, Alabama and Custodian of all the Books and Records on file in the office of the Judge of Probate of said county, do hereby certify that the foregoing and annexed pages numbered from One (1) to Twenty (20), both inclusive, contain a full, true, correct and complete copy and transcript of the Tax Assessment Books and Tax Collector's Abstract Books of Baldwin County, Alabama, for the years 1918 to 1927, both inclusive, and which are on file in my office and in my custody, insofar as the same relates to or covers the lands described in the foregoing pages. 100

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at Bay Minette, in said county on this the 22nd day of October, 1928.


Judge of Probate.

State of Alabama, |
Baldwin county. |

Know all men by these presents, That The Fullers Earth Company, a corporation organized under the laws of Ohio, for and in consideration of the sum of Three Thousand Dollars (\$3000.00) to it in hand paid by F.W.Bruch, the receipt of which is hereby acknowledged, do grant, bargain, sell and convey unto the said F.E.Bruch and to his heirs and assigns forever; all that real property located in Baldwin County, Alabama, described as follows:

"Beginning at the mouth of Bayou Saline on east bank of Tensas River, thence up said Bayou to its intersection with the section line dividing sections 30 and 31, thence east along said line 20 chains to a stake, thence north 45 degrees east, 28.30 chains to a stake, thence north 60 chains to a stake, thence north 20 degrees east, 10 chains across a deep ravine, to a stake on bluff, thence west to Tensas River, containing 200 acres, more or less, and being a part of Wm. Fisher claim- a Spanish Grant- Section 42, T 3 S, Range 1 & 2 East, and being the same land conveyed by E.J.Bagnall to grantor herein under deed recorded Nov. 27, 1925, in Probate Court of Baldwin County, Alabama."

To have and to hold the above described property unto the said F.W.Bruch and to his heirs and assigns forever, together with all the rights, powers and privileges thereunto belonging or in anywise appertaining.

In Witness Whereof, The Fullers Earth Company, a corporation has caused this instrument to be executed in its corporate name by its vice president, and the signature attested by the secretary and treasurer, who affixes the corporate seal, on this the fourth day of August, 1926.

(Corporate Seal)
Attest:
Olive G. Pelkey,
Sec'y & Treas.

The Fullers Earth Co., Inc.
By J.B.Wilberding, Vice President.

State of Ohio !
 :
County of Cuyahoga !

I, G.M.Murphy, a notary public in and for said State and County hereby certify that J.B.Wilberding, whose name as Vice President, and O.C.Pelkey, whose name as Secretary and Treasurer of the Mullers Earth Company, a corporation, 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, as such officers and with full authority, executed the same voluntarily, for and as the act of said corporation.

Given under my hand on this the fourth day of August, 1926.

(Seal)

G.M. Murphy, Notary Public,
Cuyahoga County, Ohio.

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: \$ 3, cts 00.

W.D.Stapleton, Judge of Probate,

By J.L.Kessler, Clerk.

Filed for record Aug 12th, 1926 at 8 A.M.

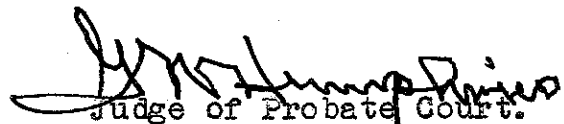
Recorded Aug 13th, 1926.

W.D.Stapleton, Judge of Probate.

The State of Alabama, !
County of Baldwin. ! Probate Court.

I, G.W.Humphries, Judge of Probate in and for said State and County, hereby certify that the above and foregoing is a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 40 N.S. at pages 418 and 419, now on file in the office of Judge of Probate of Baldwin County, Alabama.

Witness my hand and the seal of said Court, this 10th day of December, A.D., 1929.


Judge of Probate Court.

FRANK W. BEWERSDORF
and JULIA BEWERSDORF,

Complainants,

-vs-

IN THE CIRCUIT COURT-EQUITY SIDE

The following described lands
in Baldwin County, Alabama:-
LOT NUMBERED 8 IN OAK RIVER VIEW,
FIRST ADDITION, BEING A SUB-
DIVISION OF PARTS OF SECTIONS
TWENTY (20), TWENTY NINE (29),
THIRTY SEVEN (37), AND THIRTY
EIGHT (38) IN TOWNSHIP EIGHT
(8) SOUTH OF RANGE FOUR (4) EAST
OF ST. STEPHENS MERIDIAN, EX-
CEPTING 20 FEET FROM EAST END
FOR PUBLIC ROAD; THOMAS JOHNSON
AND W. L. THOMPSON, ET AL.

STATE OF ALABAMA

BALDWIN COUNTY.

No. 681.

Respondents.

APPLICATION FOR ORAL EXAMINATION.

Comes Frank W. Bewersdorf and Julia Bewersdorf, the Complainants by Norborne Stone, as their Solicitor of record, and make this their application to the Register of this Court for an Oral Examination of the following named witness for Complainants, whom resides within the state of Alabama, viz:-

NAMES OF WITNESSES:

RESIDENCE.

Lewis Cooper,

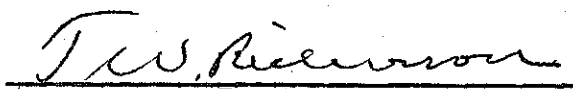
Foley, Alabama.

Such examination to be taken before T. W. Richerson, the Register of this Court.


Solicitor for Complainants

The foregoing application coming on to be heard is granted and is ordered that the oral examination of said witness be had at the office of the Register at the Court House at Bay Minette, Alabama on the 23 day of October, 1928, at 10 o'clock A. M., that Notice thereof be given for ten days by an entry on the Order Book of the Register.

Dated this 15 day of October, 1928.


Register.

APPLICATION FOR ORAL
EXAMINATION.

FRANK W. BEWERSDORF, ET AL.
Complainants

-vs-

THE LANDS HEREIN DESCRIBED,
ET AL.
Respondents.

RECORDED

Filed 1st day of October,
1928.

*T. W. Riccannon
Register*

*Granted Oct 1st 1928,
T. W. Riccannon
Register*

LAW OFFICES •

NORBORNE STONE
BAY MINETTE, ALABAMA

Foley, Ala., Oct. 4, 1928

Mr. Norborne Stone, Attorney

Bay Minette, Ala.

IN ACCOUNT WITH

BARCHARD PUBLISHING CO.

PUBLISHERS OF

The Foley Onlooker

Robertsdale American

HIGH QUALITY JOB PRINTING

Balance as shown in last statement

For — H. W. Bowersdorf
July 2/27 Legal 4-t 5940

Please return statement with remittance

FRANK W. BEWERSDORF,
and JULIA BEWERSDORF,

Complainants,

-VS-

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

Respondents.

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

no 681

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

Come your Orators, Frank W. Bewersdorf and Julia
Bewersdorf, and bring this their Bill of Complaint against the
following described lands in the county of Baldwin, State of Ala-
bama, described as follows, viz:- Lot Numbered 8 in Oak River View
First Addition, being a sub-division of parts of section Twenty,
Twenty-nine, Thirty-seven and thirty-nine in township eight south
of range four east of St. Stephens Meridian, except 20 feet from
the east end for public road and against Thomas Johnson and W. L.
Thompson, and the unknown heirs, devisees, personal representatives
and next of kin of the said Thomas Johnson and W. L. Thompson and
against any and all persons, firms or corporations claiming any
title to, interest in, lien or encumbrance on the above described
lands or any part thereof and show:-

FIRST:

That your Orators are each over the age of 21 years,
are bona fide residents of Baldwin County, Alabama and claim in
their own right and are in the actual, peaceable, possession of
the following described land in Baldwin County, Alabama, viz:-

(page two)

Lot Numbered 8 in Oak River View First Addition, being a subdivision of parts of sections Twenty, Twenty-nine, Thirty-seven and thirty-nine in township eight south of range four east of St. Stephens Meridian, except 20 feet from the east end for public road and orators claim title to the land and every part thereof absolutely and in fee simple, their title thereto being derived from the persons and sources as set out in the next following paragraph hereof, said paragraph being designated "SECOND"; that no suit is pending to test your Orator's title to, interestⁱⁿ/or right to the possession of said lands; that your Orators and those through whom they claim title as stated in the next following paragraph hereof have held color of title, claimed and paid taxes on all of the said lands during the whole period of ten or more consecutive years next preceding the filing of this Bill of Complaint and without interruption; that no other person has paid any taxes thereon or had any possession of said lands or any part thereof or is known to orators to have claimed said lands or any part thereof at any time during said period. The individuals named herein as defendants, if living, are over the age of 21 years and your Orators are informed and believe and upon such information and beliefs state that if the said Thomas Johnson and W. L. Thompson are dead, their heirs, devisees, personal representatives and next of kin are over the age of 21 years and are non-residents of the State of Alabama, or their whereabouts are unknown and cannot be ascertained after diligent inquiry made by your Orators. Your Orators do not know the residences and addresses of the individual defendants named and do not know whether they are dead or not; if dead, your Orators do not know the names, residences and addresses of their heirs, devisees, personal representatives and next of kin of such defendants, nor can these

(page four)

orded in Deed Book 13 N. S. pages 206-7 conveying a portion of said lands; deed from Geo. R. Swift, unmarried, to Sidney J. Blankenbaker, dated Apr. 6, 1914 and recorded in Deed Book 21 N. S. page 482 conveying a part of said lands; deed from Esther Schultz widow, to Sidney J. Blankenbaker of date July 19, 1917 and recorded in Deed Book 26 N. S. page 284 conveying a portion of said lands; deed from Alexander Schultz and Esther Schultz, his wife, Gecelia Burns, a widow, Joe Schultz, and Netta, his wife, Henry Schultz, widower, and Cora LaCoste, unmarried to Jacob Schultz of date Mar. 29, 1909 and of recorded in Deed Book 22 N. S. pages 192-3 and conveying a portion of said lands; deed from Jacob Schultz, widower to Sidney J. Blankenbaker of date Apr. 4, 1914 of record in Deed Book 22 N. S. page 193 and conveying a portion of said lands; deed from Jacob Schultz, a widow, to Sidney J. Blankenbaker of date Apr. 2, 1917 of record in Deed Book 25 N. S. page 621 conveying a portion of said lands; deed from W. H. W. Harding Commissioner to Robert Fulford of date Nov. 19, 1913 recorded in Deed Book 21 N. S. pages 327-8 conveying a portion of said lands; deed from R. L. Fulford and wife Selina to S. D. Gaar dated January 31, 1914 of record in Deed Book 22 N. S. pages 60-1 conveying a portion of said lands; deed from S. D. Gaar and Emma E., his wife to Sidney J. Blankenbaker of date Mar. 5th., 1914, recorded in Deed Book 21 N. S. pages 479-80 conveying a portion of said lands; deed from S. D. Gaar and Emma E., Gaar, his wife to S. J. Blankenbaker of date May 23, 1914 and of record in Deed Book 21 N. S. page 613, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Luttie H., his wife to S. D. Gaar of date May 23, 1914 of record in Deed Book 24 N. S. page 448 conveying a portion of said land; deed from Simeon D. Gaar and Emma E. Gaar, his wife, to Sidney J. Blankenbaker of date Mar. 23, 1917 of record

(page three)

facts be ascertained by the exercise of diligence although your Orators have exercised diligence to ascertain the said facts, all as shown in paragraph hereof designaged "FOURTH". ✓

SECOND:

Your Orators further show that their record title to the said lands is as shown by the following instruments of writing all being duly recorded on the proper records in the office of the Judge of Probate of Baldwin County, Alabama, viz:-~~*~~ Will of Donat LaCoste devising all property owned by testator at the time of his death to John Cook, Adolph C. Evans and Joaquine Eslava in trust for the sole use and benefit of Adelle Cook and John LaCoste, dated June 1st., 1841 duly probated and recorded in Will Book "A", pages 74-5; deeds from Clara McCormick and Dan, her husband, Kate Reny and John H., her husband, Adele LaCoste, John LaCoste and Bertha, his wife, Joseph LaCoste, Donat LaCoste and Clotilde, his wife, being all the children of John D. LaCoste, deceased and Catherine, widow of John D. LaCoste and Ada LaCoste and Ida LaCoste, conveying said property to Cora LaCoste, said deeds being dated Mar. 27, 1905 and Oct. 19th., 1905 and recorded in Deed Book 8 N. S. page 558 and deed book 9 N. S. pages 492-3, respectively; Report of Commissioners and decree of the Court in the matter of Cora LaCoste, Complainant versus Alexander Schultz, et al, Defendants, in the Chancery Court at Mobile, Alabama, decree dated Oct. 24, 1906 and Report of Commissioners filed Sept. 5, 1906, both recorded in Deed Book 11 N. S. pages 198-9 under which lands above described were set apart in a division to Alexander Schultz as to a part thereof, Jacob Schultz as to a part thereof and Cora LaCoste as to a part thereof; deed from Alexander Schultz and Esther, his wife, to G. R. Swift, of date June 3, 1908 and rec-

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in Deed Book 29 N. S. page 370, conveying a portion of said land; deed from Sidney J. Blankenbaker and Lutie H., his wife, to S. D. Gaar of date Mar. 22, 1917 of record in Deed Book 26 N. S. page 457 conveying a portion of said lands; decree of the Chancery Court for the 13th. District Southwestern Division of Alabama at Mobile quieting title in favor of Sidney J. Blankenbaker against Thomas Johnson, if living and his unknown heirs, if any, devisees, next of kin, alienees, donees or personal representatives, if he be dead of date April 13, 1915 of record in Deed Book 23 N. S., pages 212-13 and covering a portion of said lands; deed from Robert L. Fulford to Celina Fulford of date Mar. 2, 1914 of record in Deed Book 21 N. S. page 569 and conveying a portion of said lands; deed from Celina A. Fulford and R. L., her husband, to J. M. Halladay of date May 31, 1915 recorded in Deed Book 23 N. S. pages 261-2 and conveying a portion of said lands; deed from J. N. Halladay and Carrie M. Halladay, his wife to Sidney J. Blankenbaker, of date Oct. 29, 1917 of record in Deed Book 26 N. S. page 609 and conveying a portion of said lands; deed from J. N. Halladay and Carrie M. Halladay, his wife to Sidney J. Blankenbaker of date Mar. 16, 1920 of record in Deed Book 29 N. S. page 341 and conveying a portion of said lands; deed from Sidney J. Blankenbaker and Lutie H. Blankenbaker, his wife to Herman Frese of date Apr. 2, 1921 recorded in Deed Book 32 N. S. page 363 and conveying said lands; deed from Herman D. Frese and Emma Frese, his wife, to Sunny South Developing Company, Inc., of date June 2, 1922 of record in Deed Book 32 N. S. pages 363-4 and conveying said lands, and deed from Sunny South Developing Company Inc., to your orators of date October 2, 1922 of record in Deed Book 32 N. S. pages 511-12 and conveying said lands; and orators show that they and those under whom they claim by the

(page six)

aforesaid deeds and instruments of writing have had absolute, exclusive, continuous and actual adverse possession of said land and every part thereof for more than 10 years next preceding the filing of this Bill of Complaint.

THIRD:

✓ Your Orators allege that the said land was patented by the United States to one Thomas Johnson on Mar. 21, 1912 which patent is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 19 N. S. page 82 and there is no deed of record from the said Thomas Johnson conveying the said land. Orators further allege that on Apr. 3, 1902 John D. LaCoste executed a mineral lease to W. L. Thompson who is one of the respondents above named, which lease is of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5 N. S. pages 131-2; that said mineral lease has been forfeited and has expired by reason of the non-compliance on the part of the said W. L. Thompson or his assignees, if any, with the terms and conditions of said lease but that the same is of record and constitutes a cloud on the title of your Orators and the said W. L. Thompson is made party respondent for the purpose of quieting Orator's title as against said mineral lease; that neither the said Thomas Johnson nor W. L. Thompson have for more than 10 consecutive years asserted any title to said lands nor have they assessed or paid the taxes thereon or claimed any interest therein and insofar as your Orators know, no other persons, firms or corporations, other than Orators, claim the said land or any part thereof, or any interest therein except Nicholas Sshreiber as the assignee of a mortgage executed by the Sunny South Developing Company, Inc., to the Powder River County Bank, of Broadns, Montana, which mortgage is dated May 8th., 1922 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in

(page seven)

Mortgage Book No. 27, pages 247-8 and covering the lands described herein.

FOURTH:

Orators further allege that they have made and have caused to be made diligent searches and investigations both in person and through agents, attorneys, and abstracters to ascertain whether the said Thomas Johnson and W. L. Thompson are living or dead and, if living, their residences and addresses, and if dead the names and addresses of their heirs, devisees, personal representatives and next of kin; that in making such investigations and searches your Orators have inquired of persons who have lived in the vicinity of this land for years and who would probably have information concerning the above inquiries, have employed attorneys to examine the title, have procured the services of abstracters and had abstracts of title made to said property and the records searched in connection with the above inquiries and have otherwise and on numerous occasions made inquiries of persons who might know of any facts pertaining to such inquiries and that no one could be found who knew or had any information nor do the records disclose any facts or information as to such matters other than as are herein set out. Orators further show that they are informed and believe and upon such information and belief state that if any such persons, firms or corporations are living they are non-residents of Alabama.

And Orators bring this Bill of Complaint against the land hereinabove described and against any and all persons hereinabove named, mentioned or referred to and against any and all persons, firms or corporations claiming the said land, or any part thereof, or any interest therein or any lien or encumbrance thereon and against the heirs, devisees, personal representatives and next of kin of any and all of them for the purpose of establishing Orator's title to and interest in said land and clearing up all doubts and disputes concerning same.

(page eight)

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED, Your Orators pray that the land hereinabove described, the defendants herein named, and the unknown heirs, devisees, personal representatives and next of kin of each of the defendants hereinabove named and all persons, firms or corporations claiming any title to, interest in, lien or encumbrances on said land or any part thereof ^{other than the said Robert Huggins} be made parties defendant to this bill of complaint and be brought into this court by publication or other usual or proper process and be required to appear, plead, answer or demur to this Bill of Complaint within the time prescribed by law and under the rules of this Honorable Court and that notice of the pendency of this bill of complaint be published and a certified copy thereof be filed in the Probate Court of Baldwin County, Alabama; that such other notices of pendency of this bill of complaint be given as may be required by law or the rules of this Honorable Court.

PRAYER FOR RELIEF.

Orators pray that if any of the defendants or any other person, firm or corporation ^{other than the said Robert Huggins} claim said land or any part thereof, or any interest therein, or lien or encumbrance thereon, he, or they, be required to set forth and specify such claim, title, interest, lien, or encumbrance, and set forth how, and by what instrument ^{or instruments} the same was derived or created. Orators further pray that upon the final hearing of this cause, it will be ordered, adjudged and decreed that Orators at the time of the filing of ^{the original} this bill of complaint had the legal title to ^{all of} the above described land, and that none of the defendants, or any other person, have or own the same or any part thereof, or have any right, title or interest therein or thereto, or any lien or encumbrance thereon, and Orators pray for such other, further, different and general relief as in equity and good conscience they may be entitled to receive in the premises. And Orators will ever pray, etc.

Robert Huggins
Solicitor for Complainants.

(page nine)

Norborn Stone
Solicitor for Complainants.

FOOT NOTE:-

The respondents and each of them are required to answer each and every allegation of the foregoing Bill of Complaint but answer under oath is hereby expressly waived.

Norborn Stone
Solicitor for Complainants.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority in and for said county in said state, personally appeared Norborne Stone, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath:-

That his name is Norborne Stone and that he is the Solicitor of record for Orators and Complainants in the foregoing cause and as such is fully empowered, instructed and authorized to make this affidavit for and as the agent, attorney and solicitor for Frank W. Bewersdorf and Julia Bewersdorf, the Complainants; that he is fully acquainted with all matters and facts set forth in the foregoing Bill of Complaint and that the same are true.

Norborn Stone

Sworn to and subscribed before me

this 3 day of March, 1927.

A. W. Thompson
Notary Public, Baldwin County,
State of Alabama.

ORIGINAL. (7)

BILL OF COMPLAINT.

FRANK W. BEWERSDORF and JULIA
BEWERSDORF,
Complainants.

-vs-

Lot 8, Oak River View, Baldwin
County, Alabama, et al.
Respondents.

Filed 3 Mar, 1927.

T. W. Rice
Register.

RECORDED

LAW OFFICES
NORBORNE STONE
BAY MINETTE, ALA.

FRANK W. BEWERSDORF
and JULIA BEWERSDORF,

Complainants,

-VS-

THE LANDS HEREIN DESCRIBED,
et. al.,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE,

STATE OF ALABAMA.

BALDWIN COUNTY.

No. 681.

NOTICE OF FILING OF AMENDED BILL OF COMPLAINT.

Notice is hereby given to the following described lands in the County of Baldwin, State of Alabama, viz:- Lot numbered Eight (8) in Oak River View, First Addition, being a subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South of Range 4 East of St. Stephens Meridian, except 20 feet from the East end for Public Road, Thomas Johnson, W. L. Thompson, The unknown heirs, devisees, personal representatives and next of kin of the said Thomas Johnson and W. L. Thompson and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on said lands, that the Original Bill of Complaint as filed in this cause on March 3d., 1927 has been amended by the Complainants Frank W. Bewersdorf and Julia Bewersdorf, their Amended Bill of Complaint being filed in this cause on October 1st., 1928, and was on said day allowed by the Register who directed that notice thereof be entered on the Order Book for ten days.

Entered this 1st. day of October, 1928.


Register.

STATE OF ALABAMA.
BALDWIN COUNTY.

I, T. W. Richerson, Register of the Circuit Court-Equity Side in and for Baldwin County, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Notice of Amendment to Original Bill of Complaint as entered by me on the Order Book of said Court; that said Notice was entered on the 1st. day of October, 1928

IN WITNESS WHEREOF, I hereunto set my hand as Register and affix the Seal of the Circuit Court of Baldwin County, Alabama, on this the 13th. day of October, 1928.

(affix court seal)


Register.

CERTIFICATE BY REGISTER AS TO
NOTICE OF AMENDMENT TO BILL
OF COMPLAINT.

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED
et. al.,

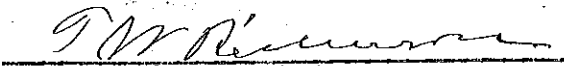
RESPONDENTS.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

BALDWIN COUNTY.

Issued 18 day October, 1928.


Register.

Filed 18 day of October, 1928,


LAW OFFICES
Register.
NORBORNE STONE
BAY MINETTE, ALABAMA

Legal Advertisements

LEGAL NOTICE

Frank W. Bewersdorf
and
Julia Bewersdorf,
Complainants,

-vs-

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

Respondents.

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

Notice is hereby given to Thomas Johnson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to W. L. Thompson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to the heirs, devisees, personal representatives and next of kin of Thomas Johnson and W. L. Thompson and to any and all persons, firms or corporations who claim any title to, interest in, lien or encumbrance on the land hereinafter described, that on the 3rd day of March, 1927, Frank W. Bewersdorf and Julia Bewersdorf filed in the Equity side of the Circuit Court of Baldwin County, Alabama, their Bill of Complaint against the following described land in Baldwin County, Alabama, viz: Lot Numbered 8 in Oak River View, First Addition, being a sub-division of parts of sections twenty, twenty-nine, thirty-seven and thirty-nine in township eight south of range four east of St. Stephens Meridian, except 20 feet from the east end for public road. That said Bill of Complaint was and is filed for the purpose of establishing the title of said complainants to said land and for the purpose of quieting their title thereto and clearing up all doubts and disputes concerning same.

That the complaints allege in their Bill of Complaint that the legal title to said lands stands in the records of the Probate Court of Baldwin County, Alabama in the name of complainants and that they claim title to said land by and through the following deed and instruments, viz: Will of Donat LaCoste devising all property owned by testator at the time of his death to John Cook, Adolph C. Evans and Joaquine Eslava in trust for the sole use and benefit of Adelle Cook and John Lacoste, dated June 1st, 1841 duly probated and recorded in Will Book "A", pages 74-5; deeds from Clara McCormick and Dan, her husband, Kate Remy and John H., her husband, Adele Lacoste and Bertha, his

bile quieting title in favor of Sidney J. Blankenbaker against Thomas Johnson, if living and his unknown heirs, if any, devisees, next of kin, alienees, donees or personal representatives, if he be dead, of date Apr. 13, 1915 of record in Deed Book 23 N. S., pages 212-13 and covering a portion of said lands; deed from Robert L. Fulford to Celina Fulford of date March 2, 1914 of record in Deed Book 21 N. S. page 569 and conveying a portion of said lands; deed from Celina A. Fulford and R. L. her husband, to J. N. Halladay of date May 31, 1915 recorded in Deed Book 23 N. S. pages 261-2 and conveying a portion of said lands; deed from J. N. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker, of date Oct. 29, 1917 of record in Deed Book 26 N. S. page 609 and conveying a portion of said lands; deed from J. N. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker of date March 16, 1920 of record in Deed Book 29 N. S. page 341 and conveying a portion of said lands; deed from Sidney J. Blankenbaker and Lutie H. Blankenbaker, his wife, to Herman Frese of date April 2, 1921 recorded in Deed Book 32 N. S. page 363 and conveying said lands; deed from H. D. Frese and Emma Frese, his wife, to Sunny South Developing Company, Inc., of date June 2, 1922 of record in Deed Book 32 N. S. pages 363-4 and conveying said lands and deed from Sunny South Developing Company, Inc. to your Orators of date October 2, 1922 of record in Deed Book 32 N. S. pages 511-12 and conveying said lands.

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

Witness my hand this 20th day of June, 1927.

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

Norborne Stone,
Solicitor for Complaints.

7-2-4t

d authority in and for said
appeared T. W. Richerson
to me and who, after being by
ording to law doth depose and

Richerson, that he is
Rtsdale American, a newspaper
of general circulation in
where published, and as such
ldavit; that the annexed "Legal
paper once a week for four con-
ing in the issues of said paper

date July 2, 1927.

date July 9, 1927.

date July 16, 1927.

date July 23, 1927.

T. W. Richerson, Mgr.

and Dan, her husband, Kate Remy and John H., her husband, Adele LaCoste, John LaCoste and Bertha, his wife, Joseph LaCoste, Donat LaCoste and Clotilde, his wife, being all the children of John D. LaCoste, deceased and Catherine, widow of John D. LaCoste and Ada LaCoste and Ida LaCoste, conveying said property to Cora LaCoste, said deeds being dated Mar. 27, 1905 and October 19, 1905 recorded in Deed Book 8 N. S. page 558 and Deed Book 9 N. S. pages 492-3, respectively; Report of Commissioners and decree of the Court in the matter of Cora LaCoste, Complainant, versus Alexander Schultz, et al, Defendants, in the Chancery Court at Mobile, Alabama, decree dated Oct. 24, 1906 and Report of Commissioners filed Sept. 5, 1906, both recorded in Deed Book 11 N. S. pages 198-9 under which lands above described were set apart in a division to Alexander Schultz as to a part thereof, Jacob Schultz as to a part thereof and Cora LaCoste as to a part thereof; deed from Alexander Schultz and Esther, his wife, to G. R. Swift, of date June 3, 1908 and recorded in Deed Book 13 N. S. pages 206-7 conveying a portion of said lands; deed from Geo. R. Swift, unmarried, to Sidney J. Blankenbaker, dated April 6, 1914 and recorded in Deed Book 21 N. S. page 482 conveying a part of said lands; deed from Esther Schultz widow, to Sidney J. Blankenbaker of date July 19, 1917 and recorded in Deed Book 26 N. S., page 284 conveying a portion of said lands; deed from Alexander Schultz and Esther Schultz, his wife, Cecelia Burns, a widow, Joe Schultz, and Netta, his wife, Henry Schultz, widower, and Cora LaCoste, unmarried to Jacob Schultz of date Mar. 29, 1909 and of record in Deed Book 22 N. S. pages 192-3 and conveying a portion of said lands; deed from Jacob Schultz, widower, to Sidney J. Blankenbaker of date April 4, 1914 of record in Deed Book 22 N. S. page 193 and conveying a portion of said lands; deed from Jacob Schlutz, a widow, to Sidney J. Blankenbaker of date April 2, 1917 of record in Deed Book 25 N. S. page 621 conveying a portion of said lands; deed from W. H. W. Harding Commissioner to Robert Fulford of date Nov. 19, 1913 recorded in Deed Book 21 N. S. pages 327-8 conveying a portion of said lands; deed from R. L. Fulford and wife Celina to S. D. Gaar dated January 31, 1914 of record in Deed Book 22 N. S. pages 60-1 conveying a portion of said lands; deed from S. D. Gaar and Emma E., his wife, to Sidney J. Blankenbaker of date March 5th, 1914, recorded in Deed Book 21 N. S. pages 479-80 conveying a portion of said lands; deed from S. D. Gaar and Emma E. Gaar, his wife, to S. J. Blankenbaker of date May 23, 1914 and of record in Deed Book 21 N. S. page 613, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Luttie H., his wife to S. D. Gaar of date May 23, 1914 of record in Deed Book 24 N. S. page 448 conveying a portion of said lands; deed from Simeon D. Gaar and Emma E. Gaar, his wife, to Sidney J. Blankenbaker of date March 23, 1917 of record in Deed Book 29 N. S. page 370, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Luttie H. his wife, to S. D. Gaar of date March 22, 1914 of record in Deed Book 26 N. S. page 457 conveying a portion of

STATE OF ALABAMA.

BALDWIN COUNTY.

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

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

Volume 6th ^{of} 43 of date July 2, 1927.

Volume ", No. 44 of date July 9, 1927.

Volume ", No. 45 of date July 16, 1927.

Volume ", No. 46 of date July 23, 1927.

T. T. Barchard, Mr.

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

Notary Public

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,
Complainants.

-vs-

THE FOLLOWING DESCRIBED LANDS IN BALDWIN COUNTY, ALABAMA:- LOT NUMBERED 8 IN OAK RIVER VIEW, FIRST ADDITION, BEING A SUBDIVISION OF PARTS TO SECTIONS TWENTY (20), TWENTY NINE (29), THIRTY SEVEN (37), AND THIRTY EIGHT (38) IN TOWNSHIP EIGHT SOUTH OF RANGE FOUR EAST OF ST. STEPHENS MERIDIAN, EXCEPTING 20 FEET FROM EAST END FOR PUBLIC ROAD, THOMAS JOHNSON AND W. L. THOMPSON, ET AL.
Respondents.

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

No. 681.

I, T. W. Richerson, Register of the Circuit Court, Equity side, State of Alabama, Baldwin County, do hereby certify that in the above styled cause Notice of the Pendency of the Bill of Complaint was by me on June 20th., 1927, duly drawn and signed and was by me published once a week for four consecutive weeks in the Robert Dale American, a newspaper having general circulation and published in the County where the lands covered by this suit lie and being the paper prescribed by the Court by an order made in this cause on June 20th., 1927, said notice being published in the issues of July 9th., July 16th., ^{and} July 23d., ~~and July 30th.~~, 1927. *July 2nd*

I further certify that a copy of the said Notice, certified by me as such Register as being correct was by me filed for record on June 30th., 1927 in the office of the Judge of Probate of Baldwin County, Alabama, the county where said lands lie, said notice being recorded in Lis Pendens Record No. 1. pages 60-1.

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

-page 2-

IN WITNESS WHEREOF, I hereunto set my hand as Register
and affix the seal of the Circuit Court- Equity Side of Baldwin
County, Alabama, this 1st day of Oct, 1928.

Tarkenton
Register

CERTIFICATE BY REGISTER AS TO
ISSUANCE, PUBLICATION AND REC-
ORDING OF NOTICE OF PENDENCY OF
BILL OF COMPLAINT.

FRANK W. BEWERSDORF, ET AL.

Complainants.

-vs-

THE LANDS HEREIN DESCRIBED,
ET AL.

Respondents.

RECORDED

Issued 15th day of October,
1928.

J. W. Bowersdorf
Register

Filed Oct 1, 1928
J. W. Bowersdorf
LAW OFFICE Register

NORBORNE STONE
BAY MINETTE, ALABAMA

STATE OF ALABAMA.

PURCHASE MONEY MORTGAGE.

BALDWIN COUNTY.

THIS MORTGAGE, made and entered into on this the 27th. day of June, 1927, by and between ROBERT HUGGER and KATE L. HUGGER, his wife, as "Mortgagors" and Frank W. Bewersdorf and Julia Bewersdorf, as "Mortgagees", WITNESSETH:-

THAT WHEREAS, the mortgagors have this day become justly indebted to the mortgagees in the sum of Nine Thousand Five Hundred Dollars (\$9500.00) as the balance due on the purchase price of the property hereinafter described and covered, together with interest thereon at the rate of 5% per annum from date, interest payable annually, as evidenced by one promissory note of even date herewith in the sum of \$9500.00 executed by Robert Hugger and payable to the order of the mortgagees on or before five years from date at Badger State Bank, Milwaukee, Wisconsin, with right and privilege in the mortgagors to pay on said note the sum of One Thousand Dollars (\$1,000.00) or any multiple thereof at any time upon his giving thirty days notice of such intention by registered mail addressed to mortgagees in care of said bank and on all payments so made interest shall cease from date of payment.

NOW THEREFORE, in order to secure the prompt payment of said note, both principal and interest, as the same become due and payable and to secure the prompt payment of other amounts that may become due and the due performance of all things to be done hereunder, the said mortgagors have and by these presents do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said mortgagees the following described real property, viz:-

Lot Numbered Eight (8) in Oak Riverview First Addition being part of Sections twenty (20), twenty-nine (29), Thirty-seven (37) and thirty-nine (39) in township eight south of range four east of St. Stephens Meridian, EXCEPTING HOWEVER, 20 feet from the east end for public road.

Intending to describe and convey the same property as conveyed to Frank W. and Julia Bewersdorf by Sunny South Developing Company, Inc., by deed of date October 2nd., 1922 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N. S. pages 511-12.

To-gether with, all and singular, the rights, benefits, improvements, privileges, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD, unto the said mortgagees, their heirs and assigns, FOREVER. And the said mortgagors, for themselves and their heirs, executors and administrators, hereby covenant and warrant to and with the mortgagees, their heirs and assigns, that they are seized of an indefeasible estate in fee simple in and to said property; that they have a good right to sell and convey the same as herein contained; that they will guarantee the peaceable possession thereof; that said property is free from all liens and encumbrances and that they will and their heirs, executors and administrators shall forever warrant and defend the same unto the mortgagees, their heirs and assigns, against the lawful claims of all persons whomsoever.

(page two)

And the said mortgagors do, for themselves and their heirs, administrators and assigns, further covenant with the said mortgagees, their heirs and assigns, so long as said note, or the interest thereon shall remain unpaid in whole or in part, as follows:-

To pay all principal and interest hereinabove described promptly as the same become due according to the tenor hereof; to pay all taxes and assessments or other charges that may be levied or assessed upon or against said property and before the same become delinquent; to keep all improvements now or which may hereafter erected on said premises in good order and repair and not to commit nor permit waste thereof nor to do or permit to be done any act whereby the property covered hereby shall become less valuable and to keep the buildings now or that may hereafter erected on said property insured against loss or damage by fire to the extent of \$6300.00 in some company or companies acceptable to mortgagees to whom the policies shall be delivered with premiums paid and containing the New York Standard Form of Mortgagee clause, with loss payable to mortgagees as their interest may appear.

In event mortgagors fail to pay the taxes, assessments, and other legal charges above enumerated or to take out and pay the premiums on such insurance, mortgagees may, at their option, do so and all amounts so expended together with all costs and expenses incident to the assessing of said property, taking out of said insurance or payments of said amounts shall become a part of the debt secured hereby, shall bear interest at 8% from date of payment and shall be due and payable on the due date of the next interest installment.

It is further covenanted and agreed that should the mortgagors fail to pay said note, principal or interest, or any part thereof after the same becomes due, then the entire debt remaining secured hereby shall at once become due and payable and this without notice to mortgagors and this mortgage subject to foreclosure.

BUT THIS CONVEYANCE AND THE COVENANTS HEREIN CONTAINED ARE UPON THE FOLLOWING EXPRESS CONDITION: That if the said mortgagors shall well and truly pay or cause to be paid all amounts due hereunder or secured hereby, together with all interest thereon and shall keep and perform all the covenants and agreements herein contained, then this conveyance shall become null and void. But if they shall fail to pay all such amounts due hereunder promptly as the same become due, then the mortgagees, their heirs, assigns, agents or attorneys, are hereby authorized and empowered to declare the whole debt secured hereby at once due and payable and to sell the property covered hereby at auction, for cash, at the front door of the Court House of Baldwin County, Alabama, after first giving notice of the time and place of said sale by publication once a week for four consecutive weeks in some newspaper then published in Baldwin County, Alabama; at any such sale made hereunder, mortgagees, their heirs, assigns, agents or attorneys may bid for and purchase said property as if strangers to this instrument; all conveyances for property so sold hereunder, whether purchased by mortgagees, their heirs, assigns, agents or attorneys, or by other parties, shall be executed by the said mortgagees, their heirs or assigns, for, in the name of and as attorneys in fact for the mortgagors and the title so made by said conveyance mortgagors, their heirs, administrators and assigns, will warrant and defend the same as the title is

(page three)

herein warranted; from the proceeds of any such sale or sales hereunder, there shall first be paid all expenses incident thereto, including reasonable attorneys fees for foreclosure and sale, then there shall be paid all amounts due hereunder, together with all interest thereon and the balance, if any, shall be then paid over to the mortgagors, their heirs and assigns.

The property described in and conveyed by this instrument constitutes the real property covered by that certain contract and agreement between the mortgagees and Robert Hugger of date February 3rd., 1927 and it is understood and agreed and made a part of this instrument that mortgagees will complete the perfecting of the title to said property and the removal of all defects and objections as set out in the opinion of Norborne Stone, Attorney#, of date January 14th., 1927 and the payment of any and all amounts to be paid hereunder by mortgagors are and shall be conditioned upon the elimination of all such defects, in event mortgagors pay or cause to be paid any money or incur any expenses in connection with the perfecting of said title or eliminating any of said objections, then all amounts so paid, together with interest at 8% from date of payment shall be a credit on and deducted from any amounts then due hereunder. It is further understood that mortgagors shall have the right and privilege to change, remodel or dismantel the present barns, buildings and sheds, other than the dwelling, provided he construct in lieu thereof some suitable building to serve the purpose now served by the present structure.

IN WITNESS WHEREOF, the mortgagors hereunto set their hands and affix their seals on the day and year first above written.

WITNESSES

Norborne Stone
A. W. Thompson

Robert Hugger SEAL
Kate L. Hugger SEAL

STATE OF ALABAMA.
BALDWIN COUNTY.

I, Norborne Stone, a Notary Public in and for said state and county, hereby certify that Robert Hugger and Kate L. Hugger, his wife, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal this 27th. day of June, 1927.

(AFFIX SEAL)

Norborne Stone
Notary Public, Baldwin County, Alabama

STATE OF ALABAMA.
BALDWIN COUNTY.

I, Norborne Stone, a Notary Public in and for said state and county, hereby certify that on the 27th. day of June, 1927, came before me the within named Kate L. Hugger, known to me to be the wife of the within named Robert Hugger, who, being examined separate and apart from the husband touching her signature to the within instrument, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In witness whereof, I hereunder set my hand and notarial seal this 27th. day of June, 1927.

(AFFIX SEAL)

Norborne Stone
Notary Public, Baldwin County, Alabama.

PURCHASE MONEY MORTGAGE.

ROBERT HUGGER, et ux.

-to-

FRANK W. BEWERSDORF and
JULIA BEWERSDORF.

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 5
day of July 1927, at 3
o'clock P. M., and I further certify that the
same is duly recorded in Record Book No. 40 mty
Page 357-8, and duly examined.

Witness my hand this 6 day of July, 1927.
G. W. Humphries Judge of Probate Court
By W. C. Stone

W. C. Stone

Notary 14.25

Rec 2.40

1670

Filed Oct 23/1928

M. W. Ricemore Register

LAW OFFICES
NORBORNE STONE
BAY MINETTE, ALA.

I hereby certify that the Mortgage or Privi-
lege Tax on within instrument was paid by the
lender or creditor. (See General acts of the
Legislature of 1919, on page 420)

Frank M. Bewersdorf
by S. H. Hunter

STATE OF ALABAMA } I, G. W.
BALDWIN COUNTY } HUMPHRIES, Judge of Probate, for
said county, hereby certify that the fol-
lowing privilege tax has been paid on
the within instrument as required by
Acts 1902 and 1906, viz.: \$ 14
25
G. W. Humphries
by S. H. Hunter
Clerk.

FRANK W. BEWERSDORF AND JULIA
BEWERSDORF, Complainants.

-vs-

THE FOLLOWING DESCRIBED LANDS IN
BALDWIN COUNTY, ALABAMA, LOT 8 IN
OAK RIVER VIEW FIRST ADDITION, BEING
A SUBDIVISION OF PARTS OF SECTIONS
20, 29, 37 AND 38, IN TOWNSHIP 8
SOUTH OF RANGE 4 EAST OF ST. STE-
PHENS, EXCEPT 20 FEET FROM EAST END
FOR PUBLIC ROAD, ET AL.
Defendants.

IN THE CIRCUIT COURT.

EQUITY SIDE.

STATE OF ALABAMA.
BALDWIN COUNTY,

NO. 681.

ORDER OF REGISTER PRESCRIBING NOTICE AS TO AMENDMENT OF
BILL OF COMPLAINT:-

The Complainants, Frank W. Bewersdorf and Julia Bewersdorf
by Norborne Stone, as their Solicitor of Record, having this day
filed an amendment to the original Bill of Complaint as filed in this
cause on March 3d., 1927, said Amendment being duly verified the
same as the original Bill of Complaint, and it appearing that said
amendment introduces new facts occurring since the filing of said
original Bill of Complaint but does not seek or authorize additional
or further relief nor additional damages or compensation to that
sought or authorized by the original bill, and it appearing that all
parties defendant were at the time of the filing of said amendment
and are at this time in default, is therefore:-

ORDERED BY THE REGISTER, that 20 days notice of the filing
of said amendment and that the original Bill of Complaint has been
amended be given by an entry to that effect on the Order Book.

Done this October 18th, 1928.

Thos. Richardson
As Register.

FRANK W. BEWERSDORF AND
JULIA BEWERSDORF,
Complainants.

-VS-

THE FOLLOWING DESCRIBED LANDS
IN BALDWIN COUNTY, ALABAMA,
LOT 8 IN OAK RIVER VIEW, FIRST
ADDITION, BEING A SUBDIVISION
OF PARTS OF SECTION 20, 29,
37 and 38, IN TOWNSHIP 8 S.
R. 4 EAST OF ST. STEPHENS ME-
RIDIAN, EXCEPT 20 FEET FROM
EAST END FOR PUBLIC ROAD, ET
AL.

Defendants.

ORDER OF REGISTER PRESCRIBING
NOTICE ON AMENDMENT OF BILL OF
COMPLAINT.

ISSUED 15th OCT., 1928.

FILED 15th OCT., 1928.

T. W. Richmond
Register

RECORDED

LAW OFFICES
NORBORNE STONE
BAY MINETTE, ALABAMA

BAY MINETTE, ALA.

192

Handwritten signature

June 16 1929

IN ACCOUNT WITH

G. W. Humphries

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

Deed
Rec. Mort. from

*Release of Mortgage to Henry Johnson, et al.
Frank H. Johnson, et al.*

2.12

2.65

\$4.77

*Paid 1/17/29
G. W. Humphries
Judge of Probate*

|||||

|||||

||

Bewertung

2264
12

4528

2264

27168
6000

33168

2264
500

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12

33168
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15-

11056

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38696

15-

193486

38696

580440

2764

15-

13720

2764

41360

28680

66040

41360

15-

206800

41360

620400

Warranty Deed
**SUNNY SOUTH
DEVELOPING
COMPANY**
of
OAK, ALABAMA

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

- - - - Seven thousand - - - - - Dollars, the receipt whereof is

hereby acknowledged, does grant, bargain and sell unto Frank W. Bewersdorf and Julia

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

Lot eight (8) in Oak Riverview, First addition being a
subdivision of parts of sections 20, 29, 37 and 39, all
in township eight (8) south, range four (4) East of St.
Stephens Meridian.

excepting 20 feet from the East end and 20 feet from the West end for a public road. Together with all rights and appurtenances, to said described premises in any wise belonging, TO HAVE AND TO HOLD the same forever.

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

IN WITNESS whereof the grantor has caused this conveyance to be signed by its president and attested by its secretary and its corporate seal this 2nd of October A. D. 1922.

SUNNY SOUTH DEVELOPING COMPANY, INC.

By John W. Bewersdorf
President.

ATTEST: Albert W. Bewersdorf
Secretary.



STATE OF ALABAMA, }
BALDWIN COUNTY. } ss.

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

GIVEN under my hand and notarial this 22nd of November A. D. 1922.

Ernest Duesterberg
Notary Public.

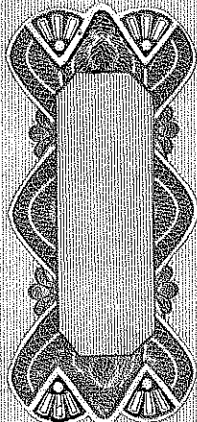
*Filed Oct. 20/1928.
J. W. Richardson
Register*

Warranty Deed

SUNNY SOUTH
DEVELOPING
COMPANY

of
OAK, ALABAMA

To



STATE OF ALABAMA, } ss.

BALDWIN COUNTY, } ss.

Office of the Judge of the Probate Court

do hereby certify that the within instrument

was filed in this office for record on the

22nd day of November 1922

at 1 o'clock P. M. and I further

certify that the same is duly recorded in record

book No. 321756 dated on

5-1-12 and duly examined.

Witness my hand this 22nd day of November 1922

Ernest Duesterberg

Judge of Probate Court by

Deputy.

Ernest Duesterberg - 1000

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED,
ET AL.,

Respondents.

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

BALDWIN COUNTY.

No. 681.

AMENDED BILL OF COMPLAINT.

Comes your Complainants, Frank W. Bewersdorf and Julia Bewersdorf and amend the Original Bill of Complaint as filed in this cause on March 3d., 1927, so that the same shall be in words and figures as follows:-

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

Comes your Orators, Frank W. Bewersdorf and Julia Bewersdorf, and bring this their Amended Bill of Complaint against the following described lands in the County of Baldwin State of Alabama, viz: Lot numbered Eight (8) in Oak River View, First Addition, being a subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South, Range 4 East of St. Stephens Meridian, except 20 feet from the East end for Public Road, and against Thomas Johnson and W. L. Thompson, and the unknown heirs, devisees, personal representatives and next of kin of the said Thomas Johnson and W. L. Thompson and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the above described lands or any part thereof, other than the said Robert Hugger hereinafter named and show:

FIRST:

That your Orators are each over the age of 21 years, are bona fide residents of Baldwin County, Alabama, and claim in their own right to own an interest in and are in the actual peaceable possession of the following described lands in Baldwin County, Alabama, viz:- Lot numbered 8 in Oak River View, First Addition, being a subdivision of parts of sections 20, 29, 37 and 38 in Township 8 South, Range 4 East of St. Stephens Meridian, except 20 feet from the East end for Public Road, Orators' interest which they claim to have and do own in and to said lands and every part thereof is as Mortgagees

(Page two)

under and by virtue of that certain Purchase Money Mortgage executed by Robert Hugger and Kate L. Hugger, his wife, to your Orators of date June 27th., 1927 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Record Book No. 40 of Mortgages, pages 357-8, a copy of said Mortgage being hereto attached, marked Exhibit "A" and made a part of this Complaint with leave of reference thereto as often as may be necessary; the fee simple title to said lands and every part thereof being in the said Robert Hugger under and by virtue of that certain Deed from your Orators to Robert Hugger, of date June 27th., 1927, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 43 N.S., pages 59-60, a copy of said deed being hereto attached, marked Exhibit "B", and made a part of this Bill of Complaint with leave of reference thereto as often as may be necessary; that the title of your Orators as such Mortgagees and the title of the said Robert Hugger as the grantee of your Orators is derived from the persons and sources as set out in the next following paragraph hereof, said paragraph being designated "SECOND";

That no suit is pending to test your Orators' and the said Robert Hugger's title to, interest in or right to the possession of said lands; that your orators and the said Robert Hugger and those through whom they claim title as stated in the next following paragraph hereof have held color of title to, claimed and paid taxes on all of said lands during the whole period of ten ~~promore~~ consecutive years next preceding the filing of this Bill of Complaint and without interruption; that no other person has paid any taxes thereon or had any possession of said lands or any part thereof or is known to orators to have claimed said lands or any part thereof at any time during said period. The individuals named herein as defendants, if living, are over the age of 21 years and your Orators are informed and believe and upon such information and belief state that if the said Thomas Johnson and W. L. Thompson are dead, their heirs, devisees, personal representatives and next of kin are over the age of 21 years and are non-residents of the State of Alabama, or their whereabouts are unknown and cannot be ascertained after diligent inquiry made by your orators. Your Orators do not know the residences and addresses of

the individual defendants named and do not know whether they are dead or not; if dead, your Orators do not know the names, residences and addresses of their heirs, devisees, personal representatives and next of kin of such defendants, nor can these facts be ascertained by the exercise of diligence although your Orators have exercised diligence to ascertain the said facts, all as shown in paragraph hereof designated "FOURTH".

SECOND:

Your Orators further show that their and the said Robert Hugger's record title to the said lands is as shown by the following instruments of writing all being duly recorded on the probate records in the Office of the Judge of Probate of Baldwin County, Alabama, viz: Will of Donat La Coste devising all property owned by testator at the time of his death to John Cook, Adolph C. Evans and Joaquine Eslava in trust for the sole use and benefit of Adelle Cook and John LaCoste, dated June 1st., 1841 duly probated and recorded in Will Book "A", pages 74-5; deeds from Clara McCormick and Dan, her husband, Kate Reny and John H., her husband, Adele LaCoste, John LaCoste and Bertha, his wife, Joseph LaCoste, Donat LaCoste and Clotilde, his wife, being all the children of John D. LaCoste deceased; and Catherine, widow of John D. LaCoste and Ada LaCoste and Ida LaCoste, conveying said property to Cora LaCoste, said deeds being dated March 27, 1905 and Oct. 19th., 1905 and recorded in Deed Book 8 N.S., page 558 and deed book 9 N.S., pages 492-3, respectively; Report of Commissioners and decree of the Court in the matter of Cora LaCoste, Complainant versus Alexander Schultz, et al, Defendants, in the Chancery Court at Mobile, Alabama, decree dated Oct. 24, 1906 and Report of Commissioners filed Sept. 5, 1906, both recorded in Deed Book 11 N.S., pages 198-9 under which lands above described were set apart in a division to Alexander Schultz as to a part thereof, Jacob Schultz as to a part thereof and Cora LaCoste as to a part thereof; deed from Alexander Schultz and Esther, his wife, to G. R. Swift, of date June 3, 1908 and recorded in Deed Book 13 N.S., pages 206-7 conveying a portion of said lands; deed from Geo. R. Swift, unmarried, to Sidney J. Blankenbaker, dated Apr. 6, 1914 and recorded in Deed Book 21 N.S., page 482 conveying a part of said lands; deed from Esther Schultz, widow, to Sidney J.

(Page four)

Blankenbaker of date July 19, 1917 and recorded in Deed Book 26 N.S. page 284 conveying a portion of said lands; deed from Alexander Schultz and Esther Schultz, his wife, Cecelia Burns, a widow, Joe Schultz, and Netta, his wife, Henry Schultz, widower and Cora LaCoste, unmarried to Jacob Schultz of date Mar. 29, 1909 and of record in Deed Book 22 N.S. pages 192-3 and conveying a portion of said lands; deed from Jacob Schultz, widower to Sidney J. Blankenbaker of date Apr. 4, 1914 of record in Deed Book 22 N.S., page 193 and conveying a portion of said lands; deed from Jacob Schultz, a widow, to Sidney J. Blankenbaker of date Apr. 2, 1917 of record in Deed Book 25 N.S., page 621 and conveying a portion of said lands; deed from W. H. W. Harding Commissioner to Robert Fulford of date November 19, 1913 recorded in Deed Book 21 N.S., pages 327-8 conveying a portion of said lands; deed from R. L. Fulford and wife Selina to S. D. Gaar dated January 31st., 1914 of record in Deed Book 22 N.S., pages 60-1 conveying a portion of said lands; deed from S. D. Gaar and Emma E., his wife to Sidney J. Blankenbaker of date Mar. 5th., 1914, recorded in Deed Book 21 N.S., pages 479-80 conveying a portion of said lands; deed from S. D. Gaar and Emma E. Gaar, his wife to S. J. Blankenbaker of date May 23, 1914 and of record in Deed Book 21 N.S., page 613, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Luttie H., his wife to S. D. Gaar of date May 23, 1914 of record in Deed Book 24 N.S., page 448 conveying a portion of said land; deed from Simeon D. Gaar and Emma E. Gaar, his wife, to Sidney J. Blankenbaker of date Mar. 23, 1917 of record in Deed Book 29 N.S., page 370, conveying a portion of said land; deed from Sidney J. Blankenbaker and Lutie H., his wife, to S. D. Gaar of date Mar. 22, 1917 of record in Deed Book 26 N.S., page 457 conveying a portion of said lands; decree of the Chancery Court for the 13th. District Southwestern Division of Alabama at Mobile quieting title in favor of Sidney J. Blankenbaker against Thomas Johnson, if living and his unknown heirs, if any, devisees, next of kin, alienees, donees or personal representatives, if he be dead of date April 13, 1915 of record in Deed Book 23 N.S., pages 212-13 and covering a portion of said lands; deed from Robert L. Fulford to Celina Fulford of date Mar. 2, 1914 of record in Deed Book 21 N.S., pages 569 and conveying a portion of said

(Page five)

lands; deed from Celina A. Fulford and R. L., her husband, to J. N. Halladay of date May 31, 1915 recorded in Deed Book 23 N.S., pages 261-2 and conveying a portion of said lands; deed from J. N. Halladay and Carrie M. Halladay, his wife to Sidney J. Blankenbaker, of date Oct. 29, 1917 of record in Deed Book 26 N.S., page 609 and conveying a portion of said lands; deed from J. N. Halladay and Carrie M. Halladay, his wife to Sidney J. Blankenbaker of date Mar. 16, 1920 of record in Deed Book 29 N.S., page 341 and conveying a portion of said lands; deed from Sidney J. Blankenbaker and Lutie H. Blankenbaker, his wife to Herman Frese of date Apr .2, 1921 recorded in Deed Book 32 N.S., page 363 and conveying said lands; deed from Herman D. Frese and Emma Frese, his wife, to Sunny South Developing Company, Inc., of date June 2, 1922 of record in Deed Book 32 N.S., pages 363-4 and conveying said lands, deed from Sunny South Developing Company Inc., to your Orators of date October 2, 1922 and of record in Deed Book 32 N.S., pages 511-12 and conveying said lands; deed from your Orators to Robert Hugger of date June 27, 1927, of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 43 N.S., pages 59-60 and conveying said lands, and Mortgage Deed from Robert Hugger and Kate L. Hugger, his wife, to Orators of date June 27, 1927 of record in the Office of the Judge of Probate of Baldwin County, Alabama, in record book No. 40 of Mortgages, pages 357-8 and conveying said lands; and Orators show that they and those under whom they claim be the aforesaid deed s and instruments of writing have had absolute, exclusive, continuous and actual adverse possession of said lands and every part thereof for more than ten years next preceding the filing of this Bill of Complaint.

THIRD:

Your Orators allege that the said land was patented by the United States to one Thomas Johnson on Mar. 21, 1912 which patent is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 19 N.S., page 82 and there is no deed of record from the said Thomas Johnson conveying the said land. Orators further allege that on Apr. 3, 1902 John D. LaCoste executed a mineral lease to W.L. Thompson who is one of the respondents above named, which lease is of record in the office of the Judge of Probate of Baldwin

County, Alabama, in Deed Book 5 N.S., pages 131-2; that said mineral lease has been forfeited and has expired by reason of the non-compliance on the part of the said W. L. Thompson or his assignees, if any with the terms of and conditions of said lease but that the same is of record and constitutes a cloud on the title of your Orators and Robert Hugger and the said W. L. Thompson is made party Respondent for the purpose of quieting such title as against said mineral lease; that neither the said Thomas Johnson or W. L. Thompson have for more than ten consecutive years asserted any title to said lands nor have they assessed or paid the taxes thereon or claimed any interest therein and insofar as your Orators know, no other person, firm or corporation, other than Orators, claim the said lands or any part thereof, or any interest therein except the said Robert Hugger under the Deed hereinabove mentioned; that there did exist a claim of an interest by one Nicolas Schreiber as referred to in the original Bill of Complaint filed in this cause on March 3d., 1927, but said claim has been released, canceled and discharged.

FOURTH:

Orators further allege that they have made and have caused to be made diligent searches and investigations both in person and through agents, attorneys and abstractors to ascertain whether the said Thomas Johnson and W. L. Thompson are living or dead and, if living, their residences and addresses, and if dead the names and addresses of their heirs, devisees, personal representatives and next of kin; that in making such investigations and searches your Orators have inquired of persons who have lived in the vicinity of this land for years and who would probably have information concerning the above inquiries, have employed attorneys to examine the title, have procured the services of abstractors and had abstracts of title made to said lands and the records searched in connection with the above inquiries and have otherwise and on numerous occasions made inquiries of persons who might know of any facts pertaining to such inquiries and that no one could be found who knew or had any information nor do the records disclose any facts or information as to such matters other than as are herein set out. Orators further show that they are informed and believe and upon such information and belief state that if any such persons, firms or corporations are living they

are non-residents of Alabama.

FIFTH:

That the sale of said property by your complainants to Robert Hugger on June 27th., 1927 and the retention of a Purchase Money Mortgage thereon, all as shown by Exhibits A and B hereinabove referred to and hereto attached; constitute facts arising since the filing of the Original Bill of Complaint; that simultaneous with the sale of said property to Robert Hugger the Purchase Money Mortgage was executed in favor of your complainants so that they at all times have claimed and owned in their own right and interest in said lands and every part thereof; that as a part of the agreement whereunder said Deed and Purchase Money Mortgage were executed and delivered your complainants undertook and agreed and it has been and is now incumbent upon them to complete the perfecting the title to said property and the removal of all defects and objections thereto and the payment of any and all amounts to be paid under said mortgage is made conditioned upon the elimination of all such defects and your complainants further show that for the purpose of carrying out said undertakings and agreements on their part with respect to the maintaining of this Bill of Complaint that they did and do retain the possession of and still are in the actual peaceable possession of such lands claiming to own in their own right the interest therein as covered by said Purchase Money Mortgage.

WHEREFORE, your Orators bring this Bill of Complaint against the lands hereinabove described and against any and all persons hereinabove named, mentioned or referred to and against any and all persons, firms or corporations claiming the said lands or any part thereof or any interest therein or any lien or encumbrance thereon, other than the said Robert Hugger, and against the heirs, devisees, personal representatives and next of kin of any and all of them for the purpose of establishing Orators' title to and interest in said lands and clearing up all doubts and disputes concerning same.

PRAYER FOR PROCESS:

THE PREMISES CONSIDERED, Your Orators pray that the land hereinabove described, the defendants herein named, and the unknown heirs, devisees, personal representatives and next of kin of each of the defendants hereinabove named and all persons, firms or corporat-

ion claiming any title to, interest in, lien or encumbrances on said land or any part thereof, other than the said Robert Hugger, be made parties defendant to this Bill of Complaint and be brought into this court by publication or other usual or proper process and be required to appear, plead, answer or demur to this Bill of Complaint within the time prescribed by law and under the rules of this Honorable Court and that notice of the Pendency of this Bill of Complaint be published and a certified copy thereof be filed in the Probate Court of Baldwin County, Alabama; that such other notices of pendency of this Bill of Complaint be given as may be required by law or the rules of this Honorable Court.

PRAYER FOR RELIEF:

Orators pray that if any of the defendants or any other person, firm or corporation, other than the said Robert Hugger, claim said land or any part thereof, or any interest therein, or lien or encumbrance thereon, he, they or it be required to set forth and specify such claim, title, interest, lien or encumbrance, and set forth how, and by what instrument or instruments the same was derived or created. Orators further pray that upon the final hearing of this cause, it will be ordered, adjudged and decreed that Orators at the time of the filing of the Original Bill of Complaint had the legal title to all of the above described land, and that at the time of the filing of this Amended Bill of Complaint the said Robert Hugger, as grantee of your Orators, held the legal title to said lands and every part thereof subject to the Purchase Money Mortgage executed in favor of and held by your complainants as shown by Exhibit "B" hereto attached and that none of the defendants or any other person, firm or corporation had or has the title to said lands or owned the same or any part thereof or had any title or interest therein or thereto, or any lien or encumbrance thereon; that the title of your complainants which they had at the time of the filing of the Original Bill of Complaint be decreed to enure to the benefit of the said Robert Hugger subject only to said Mortgage held by your Orators and Orators pray for such other, further, different and general relief as in equity and good conscience they may be entitled to receive in the premises. And Orators will ever pray, etc.


Solicitor for Complainants.

FOOT NOTE:-

The respondents and each of them are required to answer each and every allegation of the foregoing Bill of Complaint but answer under oath is hereby expressly waived.


Solicitor for Complainants.

STATE OF ALABAMA.


BALDWIN COUNTY.

Before me, the undersigned authority in and for said County in said State, personally appeared Norborne Stone, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath:-

That his name is Norborne Stone and that he is the Solicitor of record for Orators and Complainants in the foregoing cause and as such is fully empowered, instructed and authorized to make this Affidavit for and as the agent, attorney and solicitor for Frank W. Bewersdorf and Julia Bewersdorf, the Complainants; that he is fully acquainted with all matters and facts set forth in the foregoing Bill of Complaint and that the same are true.



Sworn to and subscribed before
me this 15 day of October,
1928,


Notary Public, Baldwin County,
Alabama.

43 N.S. 57-01
Filed July 11-1927
Record " 12, " "

(Exhibit A)

STATE OF ALABAMA.

WARRANTY DEED.

BALDWIN COUNTY.

THIS INDENTURE, made and entered into on this the 27th. day of June, 1927, by and between FRANK W. BEWERSDORF and JULIA BEWERSDORF, husband and wife, of the first part and ROBERT HUGGER, of the second part, WITNESSETH:-

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid to parties of first part by party of second part, receipt of which is hereby acknowledged, parties of first part have and by these presents do hereby GRANT, BARGAIN, SELL AND CONVEY unto the party of the second part, the following described real property in Baldwin County, Alabama, viz:-

Lot Numbered Eight (8) in Oak Riverview First Addition being part of sections twenty (20) twenty-nine (29), Thirty-seven (37) and Thirty-nine (39) in township eight south of range four east of St. Stephens Meridian, EXCEPTING HOWEVER, 20 feet from the east end for public road.

Intending to describe and convey the same property as conveyed to parties of first part by Sunny South Developing Company, Inc. by deed of date October 2nd., 1922 and of record in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 32 N. S. pages 511-12.

To-gether with, all and singular, the rights, benefits, improvements, privileges, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

Also the parties of first part have and by these presents do hereby bargain, sell, transfer and deliver unto the party of the second part all that personal property as per schedule thereof hereto attached, marked Exhibit A and made a part of this instrument. Intending to convey all personal property located on the above described real property whether specifically set out in said schedule or not.

TO HAVE AND TO HOLD, unto the said party of the second part, his heirs and assigns, forever. And the parties of the first part, for themselves and their heirs, executors and administrators, hereby covenants and warrants to and with party of second part, his heirs and assigns, that they are seized of an indefeasible estate in fee simple in and to said property; that they have a good right to sell and convey the same as herein contained; that they will guarantee the peaceable possession thereof; that said property is free from all liens and encumbrances and that they will and their heirs, executors and administrators shall forever warrant and defend the same unto the party of the second part, his heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the parties of the first part hereunto set their hands and seals on the day and year first above written.

WITNESSES:

Marborie Stone

A. W. Thompson.

Frank W. Bewersdorf, SEAL

Julia Bewersdorf. SEAL

STATE OF ALABAMA

BALDWIN COUNTY.

I, Norborne Stone, a Notary Public in and for said state and county, hereby certify that Frank W. Bowersdorf, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal this 27th. day of June, 1927.

(SEAL)

Norborne Stone
Notary Public, Baldwin County, Alabama.

STATE OF WISCONSIN.

COUNTY OF MILWAUKEE.

I, Edward Ebert, a Notary Public in and for said state and county, hereby certify that Julia Bowersdorf, 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 notarial seal this 1st. day of July, 1927.

(SEAL)

Edward Ebert
Notary Public Milwaukee County, Wisconsin.

STATE OF WISCONSIN

COUNTY OF MILWAUKEE.

I, Edward Ebert, a Notary Public in and for said state and county, hereby certify that on the 1st. day of July, 1927, came before me the within named Julia Bowersdorf, known to me to be the wife of the within named Frank W. Bowersdorf, who, being examined separate and apart from the husband touching her signature to the within instrument, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In witness whereof, I hereunto set my hand and notarial seal this 1st. day of July, 1927.

(SEAL)

Edward Ebert
Notary Public, Milwaukee County, Wisconsin.

Exhibit A

Bed-Rooms.

- 4 Bedsteads
- 4 Springs.
- 4 Mattresses.
- 4 Pillows
- 4 Bed-sheets
- 2 Dressers
- 1 Commode
- 2 Bed-room-chairs
- 1 Mirror & Stand
- 1 Lamp-stand

13 New Window-shades.

Implements, etc.

- 1. Tractor.
- 1. Disc-Harrow.
- 1. Barrow.
- 1 Double-plow & all other farming implements & tools on premises.
- 1 Ford-Sedan.

Living- room.

- 1 Ratan set as follows:
- 1 Table.
- 1 Arm-chair.
- 1 Rocker.
- 1 Davenport
- 1 Funery
- 1 Leather set as follows:
- 1 Arm- chair
- 1 Rocker
- 1 Davenport
- 2 Leather Morris chairs.
- 1 Leather Rocker

SEAL

SEAL

1 Victrola & records.

Dining-room

- 1 Table
- 5 chairs
- 2 Arm-chairs
- 1 Buffett
- 2 China Cabinets
- 1 Bric-A-Brac stand
- 1 Music-cabinet
- 1 Music-rack
- 1 Piano
- 1 Piano-bench
- 1 Piano-stool

Kitchen

Kitchen-table

- 1 Kitchen-table
- 5 Chairs
- 1 Gasoline Cook-stove
- 1 Heating-stove
- Dishes & Cooking Utensils
- 1 Ice -box

Miscellaneous

- 2 Spring-cots(iron)
- 2 Mattresses
- 1 Couch
- 2. Oil-stoves
- 2 Old -Stoves
- 2 Tables
- 2 Chairs
- 1 Scale
- 2 Lamps
- All Rugs.
- All Jars, Cans, etc.

40m
357-8

July 5-1927
Rec'd - 6

(Exhibit B)

STATE OF ALABAMA.

PURCHASE MONEY MORTGAGE.

BALDWIN COUNTY.

THIS MORTGAGE, made and entered into on this the 27th. day of June, 1927, by and between ROBERT HUGGER and KATE L. HUGGERS his wife, as "Mortgagors" and Frank W. Bowersdorf and Julia Bowersdorf, as "Mortgagees", WITNESSETH:-

THAT WHEREAS, the mortgagors have this day become justly indebted to the mortgagees in the sum of Nine Thousand Five Hundred Dollars (\$9500.00) as the balance due on the purchase price of the property hereinafter described and covered, together with interest thereon at the rate of 5% per annum from date, interest payable annually, as evidenced by one promissory note of even date herewith in the sum of \$9500.00 executed by Robert Hugger and payable to the order of the mortgagees on or before five years from date at Badger State Bank, Milwaukee, Wisconsin, with right and privilege in the mortgagors to pay on said note the sum of One Thousand Dollars (\$1,000.00) or any multiple thereof at any time upon his giving thirty days notice of such intention by registered mail addressed to mortgagees in care of said bank and on all payments so made interest shall cease from date of payment.

NOW THEREFORE, in order to secure the prompt payment of said note, both principal and interest, as the same become due and payable and to secure the prompt payment of other amounts that may become due and the due performance of all things to be done hereunder, the said mortgagors have and by these presents do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said mortgagees the following described real property, viz:-

Lot Numbered Eight (8) in Oak Riverview First Addition being part of Sections twenty (20), twenty-nine (29), Thirty seven (37) and thirty-nine (39) in township eight south of range four east of St. Stephens Meridian, EXCEPTING HOWEVER, 20 feet from the east end for public road.

Intending to describe and convey the same property as conveyed to parties of first part by Sunny South Developing Company, Inc., by deed of date October 2nd., 1922 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N. S. pages 511-12.

Together with, all and singular, the rights, benefits, improvements, privileges, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD, unto the said mortgagees, their heirs and assigns, FOREVER. And the said mortgagors, for themselves and their heirs, executors and administrators, hereby covenant and warrant to and with the mortgagees, their heirs and assigns, that they are seized of an indefeasible estate in fee simple in and to said property; that they have a good right to sell and convey the same as herein contained; that they will guarantee the peaceable possession thereof; that said property is free from all liens and encumbrances and that they will and their heirs executors and administrators shall forever warrant and defend the same unto the mortgagees, their heirs and assigns, against the law full claims of all persons whomsoever.

(page two)

And the said mortgagors do, for themselves and their heirs, administrators and assigns, further covenant with the said mortgagees, their heirs and assigns, so long as said note, or the interest thereon shall remain unpaid in whole or in part, as follows:-

To pay all principal and interest hereinabove described promptly as the same become due according to the tenor hereof; to pay all taxes and assessments or other charges that may be levied or assessed upon or against said property and before the same become delinquent; to keep all improvements now or which may hereafter erected on said premises in good order and repair and not to commit nor permit waste thereof nor to do or permit to be done any act whereby the property covered hereby shall become less valuable and to keep the buildings now or that may hereafter erected on said property insured against loss or damage by fire to the extent of \$6300.00 in some company or companies acceptable to mortgagees to whom the policies shall be delivered with premiums paid and containing the New York Standard Form of Mortgagee clause, with loss payable to mortgagees as their interest may appear.

In event mortgagors fail to pay the taxes, assessments, and other legal charges above enumerated or to take out and pay the premiums on such insurance, mortgagees may, at their option, do do and all amounts so expended together with all costs and expenses incident to the assessing of said property, taking out of said insurance or payments of said amounts shall become a part of the debt secured hereby, shall bear interest at 8% from date of payment and shall be due and payable on the due date of the next interest installment.

It is further covenanted and agreed that should the mortgagors fail to pay said note, principal or interest, or any part thereof after the same becomes due, then the entire debt remaining secured hereby shall at once become due and payable and this without notice to mortgagors and this mortgage subject to foreclosure.

BUT THIS CONVEYANCE AND THE COVENANTS HEREIN CONTAINED ARE UPON THE FOLLOWING EXPRESS CONDITION: That if the said mortgagors shall well and truly pay or cause to be paid all amounts due hereunder or secured hereby, together with all interest thereon and shall keep and perform all the covenants and agreements herein contained, then this conveyance shall become null and void. But if they shall fail to pay all such amounts due hereunder promptly as the same become due, then the mortgagees, their heirs, assigns, agents or attorneys, are hereby authorized and empowered to declare the whole debt secured hereby at once due and payable and to sell the property covered hereby at auction, for cash, at the front door of the Court House of Baldwin County, Alabama, after first giving notice of the time and place of said sale by publication once a week for four consecutive weeks in some newspaper then published in Baldwin County, Alabama; at any such sale made hereunder, mortgagees, their heirs, assigns, agents or attorneys may bid for and purchase said property as if strangers to this instrument; all conveyances for property so sold hereunder, whether purchased by mortgagees, their heirs, assigns, agents or attorneys, or by other parties, shall be executed by the said mortgagees, their heirs or assigns, for, in the name of and as attorneys in fact for the mortgagors and the title so made by said conveyance mortgagors, their heirs, administrators and assigns, will warrant and defend the same as the title is

(page three)

herein warranted; from the proceeds of any such sale or sales hereunder, there shall first be paid all expenses incident thereto, including reasonable attorneys fees for foreclosure and sale, then there shall be paid all amounts due hereunder, together with all interest thereon and the balance, if any, shall be then paid over to the mortgagors, their heirs and assigns.

The property described in and conveyed by this instrument constitutes the real property covered by that certain contract and agreement between the mortgagees and Robert Hugger of date February 3rd., 1927 and it is understood and agreed and made a part of this instrument that mortgagees will complete the perfecting of the title to said property and the removal of all defects and objections as set out in the opinion of Norborne Stone, Attorneys, of date January 14th., 1927 and the payment of any and all amounts to be paid hereunder by mortgagors are and shall be conditioned upon the elimination of all such defects, in event mortgagors pay or cause to be paid any money or incur any expenses in connection with the perfecting of said title or eliminating any of said objections, then all amounts so paid, together with the interest at 8% from date of payment shall be a credit on and deducted from any amounts then due hereunder. It is further understood that mortgagors shall have the right and privilege to change, remodel or dismantle the present barns, buildings and sheds, other than the dwelling, provided he construct in lieu thereof some suitable building to serve the purpose now served by the present structure.

IN WITNESS WHEREOF, the mortgagors hereunto set their hands and affix their seals on the day and year first above written.

WITNESSES:

Robert Hugger. SEAL

Norborne Stone.

Kate L. Hugger. SEAL

A. W. Thompson.

STATE OF ALABAMA.
BALDWIN COUNTY.

I, Norborne Stone, a Notary Public in and for said state and county, hereby certify that Robert Hugger and Kate L. Hugger, his wife, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal this 27th. day of June, 1927.

(SEAL)

Norborne Stone
Notary Public, Baldwin County, Alabama

STATE OF ALABAMA.
BALDWIN COUNTY.

I, Norborne Stone, a Notary Public in and for said state and county, hereby certify that on the 27th. day of June, 1927, came before me the within named Kate L. Hugger, known to me to be the wife of the within named Robert Hugger, who, being examined separate and apart from the husband touching her signature to the within instrument, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In witness whereof, I hereunder set my hand and notarial seal this 27th. day of June, 1927.

(SEAL)

Norborne Stone
Notary Public, Baldwin County, Alabama.

FRANK W. BEWERSDORT AND
JULIA BEWERSDORT,
Complainants.

-VS-

THE LANDS HEREIN DESCRIBED,
ET AL,
Respondents.

AMENDED BILL OF COMPLAINT

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

BALDWIN COUNTY

FILED 12 OCTOBER, 1928.

J. W. Richmond
REGISTER.

RECORDED

LAW OFFICES

NORBORNE STONE
BAY MINETTE, ALABAMA

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,
Complainants,
-vs-

THE LAND HEREIN DESCRIBED, THOMAS
JOHNSON, W. L. THOMPSON AND ALL PER-
SONS, FIRMS OR CORPORATIONS CLAIM-
ING TITLE TO, INTEREST IN, LIEN OR
ENCUMBRANCE ON SAID LAND OR ANY PART
THEREOF.

Respondents.

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

Notice is hereby given to Thomas Johnson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to W. L. Thompson, who is over the age of 21 years and whose whereabouts and place of residence is unknown and to the heirs, devisees, personal representatives and next of kin of Thomas Johnson and W. L. Thompson and to any and all persons, firms or corporations who claim any title to, interest in, lien or encumbrance on the land hereinafter described, that on the 3^d day of March, 1927, Frank W. Bewersdorf and Julia Bewersdorf filed in the Equity side of the Circuit Court of Baldwin County, Alabama, their Bill of Complaint against the following described land in Baldwin County, Alabama, viz:- Lot Numbered 8 in Oak River View, First Addition, being a sub-division of parts of sections twenty, twenty-nine, thirty-seven and thirty-nine in township eight south of range four east of St. Stephens Meridian, except 20 feet from the east end for public road. That said Bill of Complaint was and is filed for the purpose of establishing the title of said complainants to said land and for the purpose of quieting their title thereto and clearing up all doubts and disputes concerning same.

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

(page two)

Cora LaCoste as to a part thereof; deed from Alexander Schultz and Esther, his wife, to G. R. Swift, of date June 3, 1908 and recorded in Deed Book 13 N. S. pages 206-7 conveying a portion of said lands; deed from Geo. R. Swift, unmarried, to Sidney J. Blankenbaker, dated Apr. 6, 1914 and recorded in Deed Book 21 N. S. page 482 conveying a part of said lands; deed from Esther Schultz widow, to Sidney J. Blankenbaker of date July 19, 1917 and recorded in Deed Book 26 N. S., page 284 conveying a portion of said lands; deed from Alexander Schultz and Esther Schultz, his wife, Cecelia Burns, a widow, Joe Schultz, and Netta, his wife, Henry Schultz, widower, and Cora LaCoste, unmarried to Jacob Schultz of date Mar. 29, 1909 and of record in Deed Book 22 N. S. pages 192-3 and conveying a portion of said lands; deed from Jacob Schultz, widower, to Sidney J. Blankenbaker of date Apr. 4, 1914 of record in Deed Book 22 N. S. page 193 and conveying a portion of said lands; deed from Jacob Schultz, a widow, to Sidney J. Blankenbaker of date Apr. 2, 1917 of record in Deed Book 25 N. S. page 621 conveying a portion of said lands; deed from W. H. W. Harding Commissioner to Robert Fulford of date Nov. 19, 1913 recorded in Deed Book 21 N. S. pages 327-8 conveying a portion of said lands; deed from R. L. Fulford and wife Celina to S. D. Gaar dated January 31, 1914 of record in Deed Book 22 N. S. pages 60-1 conveying a portion of said lands; deed from S. D. Gaar and Emma E., his wife, to Sidney J. Blankenbaker of date Mar. 5th., 1914, recorded in Deed Book 21 N. S. pages 479-80 conveying a portion of said lands; deed from S. D. Gaar and Emma E. Gaar, his wife, to S. J. Blankenbaker of date May 23, 1914 and of record in Deed Book 21 N. S. page 613, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Luttie H., his wife to S. D. Gaar of date May 23, 1914 of record in Deed Book 24 N. S. page 443 conveying a portion of said lands; deed from Simeon D. Gaar and Emma E. Gaar, his wife, to Sidney J. Blankenbaker of date Mar. 23, 1917 of record in Deed Book 29 N. S. page 370, conveying a portion of said lands; deed from Sidney J. Blankenbaker and Luttie H., his wife, to S. D. Gaar of date Mar. 22, 1917 of record in Deed Book 26 N. S. page 457 conveying a portion of said lands; decree of the Chancery Court for the 13th. District Southwestern Division of Alabama at Mobile quieting title in favor of Sidney J. Blankenbaker against Thomas Johnson, if living and his unknown heirs, if any, devisees, next of kin, alienees, donees or personal representatives, if he be dead, of date April 13, 1915 of record in Deed Book 23 N. S., pages 212-13 and covering a portion of said lands; deed from Robert L. Fulford to Celina Fulford of date Mar. 2, 1914 of record in Deed Book 21 N. S. page 369 and conveying a portion of said lands; deed from Celina A. Fulford and R. L., her husband, to J. W. Halladay of date May 31, 1915 recorded in Deed Book 23 N. S. pages 261-2 and conveying a portion of said lands; deed from J. W. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker, of date Oct. 29, 1917 of record in Deed Book 26 N. S. page 609 and conveying a portion of said lands; deed from J. W. Halladay and Carrie M. Halladay, his wife, to Sidney J. Blankenbaker of date Mar. 16, 1920 of record in Deed Book 29 N. S. page 341 and conveying a portion of said lands; deed from Sidney J. Blankenbaker and Luttie H. Blankenbaker, his wife, to Herman Frese of date Apr. 2, 1921 recorded in Deed Book 32 N. S. page 363 and conveying said lands; deed from Herman D. Frese and Emma Frese, his wife, to Sunny South Developing Company, Inc., of date June 2, 1922 of record in Deed Book 32 N. S. pages 363-4 and conveying said lands and deed from Sunny South Developing Company, Inc., to your Orators of date October 2, 1922 of record in Deed Book 32 N. S.

(page three)

pages 511-12 and conveying said lands.

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

Witness my hand this 20 day of June, 1927

NORBORNE STONE,
Solicitor for Complainants.

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

Notice of Pendency
of Suit.

Bewersdorfs, et. al.,
vs
Certain Lands, et. al.

Issued June 20. 1927

J. W. McEnroe
Register

RECORDED

FRANK W. BEWERSDORF
and JULIA BEWERSDORF,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED,
ET. AL.,

Respondents.

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

No. 681.

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

This cause coming on to be heard, is submitted for Final Decree on the Original Bill of Complaint filed in this cause on the 3d., day of March, 1927, the order of the Judge of this Court of date June 20th., 1927, prescribing the paper in which the Notice of Pendency of Bill of Complaint be published, Original Notice of Pendency of Bill of Complaint as drawn and signed by the Register of this Court on June 20th., 1927, Proof of Publication of Notice of Pendency of Bill of Complaint in the Robertsdale American, Copy of Notice of Pendency of Bill of Complaint as certified by the Register and recorded as a Lis Pendens in the Office of the Judge of Probate of Baldwin County, Alabama, in Lis Pendens Record No., pages 60-1 with Certificate of Judge of Probate thereon, Certificate of Register as to issuance, publication and recording of the Notice of Pendency of Bill of Complaint, Amended Bill of Complaint as filed on October 1st, 1928, Order of Register Prescribing Notice as to filing of Amendment to Bill of Complaint, Notice of filing of Amended Bill of Complaint as given on Order Book of Register on October 1st, 1928, Request and Motion by Complainants for Oral Examination of certain witnesses as filed on October 1st, 1928, Order of Register as made on October 1st, 1928, granting Request and Motion for Oral Examination, Notice of Oral Examination as given on October 1st, 1928, the evidence offered by the Complainants in this cause as shown by the Note of Testimony herein and Request for Decree in Vacation, and thereupon the Court ascertains and decrees that this cause is at issue.

Upon consideration of said cause it is made to appear and the Court hereby ascertains that the Complainants who were at the time of the filing of the Original Bill of Complaint and at time of

filing of Amended Bill of Complaint, over the age of 21 years and bona fide residents of Baldwin County, Alabama, were on March 3d., 1927, in the actual, peaceable possession, claiming to own in their own right, the following described lands in Baldwin County, Alabama, viz:- Lot numbered Eight (8) in Oak River View, First Addition, being a subdivision of parts of Sections Twenty (20), Twenty Nine (29), Thirty Seven (37) and Thirty Eight (38) in Township Eight (8) South, Range Four (4) East of St. Stephens Meridian, except 20 feet from East end for Public Road; claiming title thereto absolutely and in fee simple, their title being derived from the persons and sources as set out in the paragraph of said Bill of Complaint designated "SECOND"; that at the time of the filing of said Original and Amended Bills of Complaint no suit was pending to test Complainants' title to, interest in or right to the possession of said lands and that Complainants and those through whom they claim title as stated in said Bills of Complaint have held color of title to, claimed and have been in the actual, adverse possession of all of the said lands during the whole period of ten or more consecutive years next preceding the filing of the Bills of Complaint and without interruption; that no other person has paid any taxes thereon or had any possession of said lands or any part thereof at any time during said period; that the Mineral Lease executed by Jong D. LaCoste on April 3d., 1902 to W. L. Thompson and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5 N.S., pages 131-2, has been forfeited and has expired by reason of non-compliance on the part of W. L. Thompson, or his assigns, if any, with the terms and conditions of said Lease; that Complainants have exercised due diligence to ascertain the facts with regard to the matters and things referred to in and covered by said Bill of Complaint which were not known to complainants.

It is further made to appear to the satisfaction of and it is hereby ascertained by the Court that following filing of the Original Bill of Complaint in this cause on March 3d., 1927, the

complainants conveyed said lands to Robert Hugger, by deed dated June 27th., 1927, but simultaneously with the execution and delivery of said deed received back from the said grantee a purchase money mortgage on all of said property so that the Complainants have at all times since the filing of the Original Bill of Complaint and do at this time claim and own an interest in said lands and every part thereof and were on the date of the filing of the Original Bill of Complaint and on the date of the filing of the Amended Bill of Complaint and are at this time in the actual, peaceable possession of said lands and every part thereof and as such were and are entitled to file and maintain this cause as persons claiming to own and owing an interest in said lands of which they were and are in the actual, peaceable possession; that these facts, which occurred since the filing of the Original Bill of Complaint, were duly introduced and shown by way of an Amendment to Original Bill of Complaint of which amendment due and legal notice has been given in all respects as required by law.

It is further made to appear to the satisfaction of and it is hereby ascertained by the Court that the interest claimed by Complainants in and to the property described in the Bill of Complaint has been by the Complainants duly proven to be in them and that the Complainants are entitled to the relief prayed for in said Bill.

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

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

That the Complainants and the said Robert Hugger have Judgment as prayed for in their Bill of Complaint and that they have and are hereby given Judgment against said lands and every part thereof and against any and all persons, firms or corporations claiming any title to, interest in or lien or encumbrance on said lands or any part thereof, and that the claims or liens of any other person, firm or corporation claiming any title to, interest in or lien or encumbrance on said lands or any part thereof, are hereby adjudged and decreed to be

invalid, groundless and no effect. Complainants' and the said Robert Hugger's title thereto being hereby quieted against all such persons firms or corporations.

That the title to said lands described in Bill of Complaint and every part thereof be and the same is hereby decreed to be in the said Robert Hugger, as the Grantee of the Complainants, and Complainants; that the said Robert Hugger has an indefeasible fee simple title to said lands and every part thereof, subject to the interest conveyed to and retained by the Complainants, Frank W. Bewersdorf and Julia Bewersdorf, under and by virtue of that certain Purchase Money Mortgage executed by Robert Hugger and Kate L. Hugger, his wife, to Frank W. Bewersdorf, and Julia Bewersdorf, of date June 27th., 1927, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Record Book No. 40 of Mortgages, pages 357-8; that the title to the said Robert Hugger and Complainants is in them free and clear of the claim or claims of any and all persons, firms or corporations claiming any title to, interest in or lien or encumbrance upon said lands or any part thereof.

That a certified copy of this Decree be by the Register, within thirty days from the rendition hereof, filed in the office of the Judge of Probate of Baldwin County, Alabama, and the expense thereof be taxed as part of the costs of this cause.

That the Judge of Probate of Baldwin County, Alabama, shall record such certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the names of Thomas Johnson and W. L. Thompson in the Direct Index and shall index the same in the names of Frank W. Bewersdorf, Julia Bewersdorf and Robert Hugger in the Indirect Index of the records thereof.

That the title hereby established in Frank W. Bewersdorf, Julia Bewersdorf and Robert Hugger shall enure to the benefit of all persons who derive title to said lands, or any interest, from or through the said Frank W. Bewersdorf, Julia Bewersdorf and Robert Hugger and such title or interest shall be at all times treated and considered as though it has been established in favor of the person so procuring or deriving title.

(Page five)

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

Done in term time this 12th day of January 1929
~~October, 1928.~~

John A. Leigh
Judge of the 21st., Judicial
Circuit of State of Alabama.

75
FINAL DECREE.

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED,
ET. AL.,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

BALDWIN COUNTY.

Filed 12 day of *Jan* ~~October~~, 1928.

T. W. Nicolson
Registrar

RECORDED

LAW OFFICES

NORBORNE STONE
BAY MINETTE, ALABAMA

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,
Complainants.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

-VS-

BALDWIN COUNTY

THE LANDS HEREIN DESCRIBED,
ET AL.

Respondents.

NO. 681.

NOTE OF TESTIMONY.

Complainant being called offers the following testimony and pray that the same be noted upon the Note of Testimony in this cause.

1. The Original Bill of Complaint as filed in this cause on March 3d., 1927.

2. Order of the Judge of this Court prescribing Newspaper in which publication of Notice of Pendency of Bill of Complaint in this cause be published.

3. Original Notice of Pendency of Bill of Complaint in this cause as drawn and signed by the Register of this Court on June 20th., 1927.

4. Copy of Notice of Pendency of Bill of Complaint certified by the Register as being correct and recorded as a Lis Pendens in the Office of the Judge of Probate of Baldwin County, Alabama, in Lis Pendens Record No. 1. pages 60-1.

5. Proof of Publication of the Notice of Pendency of Bill of Complaint in the Robertsdales American.

6. Certificate of Register as to the issuance, recording and publication of Notice of Pendency of Bill of Complaint.

6A. Amended Bill of Complaint as filed on October ____, 1928

6B. Order of Register as to Notice of Amendment to Bill of Complaint

6C. Certificate of Register as to Notice on Amendment as to Bill of Complaint.

7. Testimony of Lewis Cooper taken orally before the Register of this Court on the 23 day of October, 1928.

8. Testimony of Frank W. Bewersdorf and Julia Bewersdorf, the Complainants and witnesses for Complainants, taken before L. A. Zavitsky, Commissioner on the 29 day of ~~October~~, 1928.

9. Certified copies of Patents from the United States of America, by Wm. H. Taft, Pres., M. P. LeRoy, Sec'y, John O'Connell, Acting Recorder of the Gen. Land Office to Thomas Johnson of date March 21st., 1912 and of record in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 19 N.S. page 82.

10. Certified copy of Report of Commissioners appointed by Chancery Court at Mobile, Alabama in the matter of the division of the lands of the estate of Schultz and LaCoste in the cause of Cora LaCoste vs Alexander Schultz, et al, No. 8182, recorded in office of the Judge of Probate of Baldwin Co., Alabama in Deed Book 11 N.S. pages 198-9.

11. Certified copy of deed from Cecelia Burns, a widow to Sidney J. Blankenbaker, of date Nov., 5th., 1917 and of record in

the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 26 N.S., pages 610.

12. Certified copy of Deed from George R. Swift, unmarried, to Sidney J. Blankenbaker, of date April 6th., 1914, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 21 N.S., page 482.

13. Certified copy of Deed from Esther Shultz, widow of Alexander Shultz, deceased, to Sidney J. Blankenbaker, of date July 19th., 1917 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 26 N.S., page 284.

14. Certified copy of Deed from Jacob Schultz, widower, to Sidney J. Blankenbaker of date April 4th., 1914 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 22 N.S., page 193.

15. Certified copy of Deed from Jacob Schultz, widower, to Sidney J. Blankenbaker, of date April 2nd., 1917 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 25 N.S., page 621.

16. Certified copy of Deed from S. D. Gaar and Emma E. Gaar, his wife, to Sidney J. Blankenbaker of date March 5th., 1914 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 21 N.S., pages 479-80.

17. Certified copy of Deed from Celina A. Fulford and R. L. Fulford, her husband, to J. N. Halladay of date May 31st., 1915 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 23 N.S., pages 261-2.

18. Certified copy of Deed from J. N. Halladay and Carrie M. Halladay husband and wife, to Sidney J. Blankenbaker, of date October 29th., 1917 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 26 N.S., page 609.

19. Certified copy of Deed from J. N. Halladay and Carrie M. Halladay, husband and wife, to Sidney J. Blankenbaker of date March 16th., 1920 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 29 N.S., page 341.

20. Certified copy of Deed from Sidney J. Blankenbaker and Lutie H. Blankenbaker, husband and wife, to Herman Frese of date April 2nd., 1921, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N.S., page 363.

21. Certified copy of Deed from Herman D. Frese and Emma Frese his wife, to the Sunny South Developing Company, Inc., of date June 2nd., 1922 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N.S., pages 363-4.

22. Certified copy of Plat of Oak River View, First Addition, dated September 5th., 1922 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book No. 1, page 68.

23. Original Deed from Sunny South Developing Company, Inc., to Frank W. Bewersdorf and Julia Bewersdorf, husband and wife, of date October 2nd., 1922 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N.S., pages 511-12.

24. Certified copy of Lease from John D. LaCoste to W. L. Thompson of date April 3d, 1902 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5 N.S., pages 131-2.

25. Certified transcripts of Tax Books of Baldwin County, Alabama, for years 1918, 1919, 1920, 1921 and 1922 covering lands described in Bill of Complaint, as certified to by the Judge of Probate of Baldwin County, Alabama, on October 12th., 1928.

(Page three)

26. Transcript of Tax Records of Baldwin County, Alabama, for years 1923-1924-1925-1926 and 1927 covering the lands described in the Bill of Complaint as certified to by the Probate Judge of Baldwin County, Alabama, on October 12th., 1928.

27. Original of Purchase Money Mortgage from Robert Hugger and Kate L. Hugger, his wife to Frank W. Bewersdorf and Julia Bewersdorf of date June 27th., 1927 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in record Book No. 40 of Mortgages, pages 357-8.

28. Original of Deed from Frank W. Bewersdorf and Julia Bewersdorf, husband and wife to Robert Hugger, of date June 27th., 1927 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 43 N.S. pages 59-60.

29 Application for Oral Examination of Witnesses for Complainant as filed October 1st., 1928 and Order of Register thereon, fixing the time and prescribing the manner and length of notice.

30 Certificate by Register as to giving of Notice for Oral Examination.

31 Interrogatories propounded by Complainantsto Frank W. Bewersdorf and Julia Bewersdorf, Complainants and Witnesses for Complainants.

32. Commission to L. A. Zavitovsky to take deposition on Interrogatories.

33 Request for Decree in Vacation and Order thereon.


Solicitor for Complainants.

I, T. W. Richerson, as Register, hereby certify that the foregoing Note of Testimony is correct.

Dated this 31st., day of December, 1928.


Register.

NOTE OF TESTIMONY.

FRANK W. BEWERSDORF and
JULIA BEWERSDORF,

Complainants,

-VS-

THE LANDS HEREIN DESCRIBED,
ET AL.,

Respondents.

IN THE CIRCUIT COURT-EQUITY
SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

RECORDED

Filed 3/27 ^{December} day of ~~October~~,
1928.

T. W. Rice

Registrar

LAW OFFICES

NORBORNE STONE
BAY MINETTE, ALABAMA

FRANK W. BEWERSDORF AND JULIA
BEWERSDORF,
Complainants,

-VS-

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

IN THE CIRCUIT COURT-

EQUITY SIDE,

STATE OF ALABAMA,

BALDWIN COUNTY.

No. _____.

NOTICE OF REQUIREMENT OF ORAL EXAMINATION.

-to-

The following described lands in Baldwin County, Alabama,
viz:- Lot Numbered 8 in Oak River View, First Addition, being a
Sub-division of parts of Sections Twenty (20), Twenty-Nine (29),
Thirty-Seven (37) and Thirty-Nine (39) In Township Eight (8)
South of Range Four (4) East of St. Stephens Meridian, EXCEPTING
20 feet from East end for Public Road;

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

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

You are further notified that on the 23rd day of October,
1928, such Oral Examination of said witness will be had before T. W.
Richerson, Register of said Court, in his office at the Court House
in Bay Minette, Alabama, beginning at 10 o'clock, A.M..

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

T. W. Richerson
Register.

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

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

T. W. Richerson
Register.

CERTIFICATE BY REGISTER AS TO
NOTICE OF REQUIREMENT FOR AND
TAKING OF ORAL TESTIMONY.

FRANK W. BEWERSDORT and JULIA
BEWERSDORT,
Complainants,

-VS-

THE LANDS HEREIN DESCRIBED,
et. al.
Defendants.

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

Issued October 18th., 1928.

Th. W. Richardson
Register,

Filed October 18th., 1928.

Th. W. Richardson
Register.

LAW OFFICES
NORBORNE STONE
BAY MINETTE, ALABAMA

THE STATE OF ALABAMA
IN CIRCUIT COURT *** BALDWIN COUNTY.
NO. 679.

IN THE MATTER OF
FRANK W. BEWERSDORF, and JULIA BEWERSDORF,

Complainants

-vs-

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

Respondents.

DEPOSITIONS OF FRANK W. BEWERSDORF, and
JULIA BEWERSDORF, BEING ANSWERS TO INTERR-
OGATORIES PROPOUNDED TO SAID FRANK W. BEWERS-
DORF, and JULIA BEWERSDORF, COMPLAINANTS AND
MATERIAL WITNESSES FOR COMPLAINANTS.

By virtue of the Commission hereto annexed issued by the
Register of the Circuit Court of Baldwin County, Alabama, in the Matter
of FRANK W. BEWERSDORF, and JULIA BEWERSDORF, Complainants -vs- The
Lands Herein Described, et al, Respondents, I, L. A. ZAVITOVSKY, the
Commissioner therein named, have called and caused to come before me,
~~the said Commissioner~~, the said FRANK W. BEWERSDORF, and JULIA BEWERS-
DORF, the witnesses named in said Commission, on the 29th day of Decem-
ber, A. D. 1928, at twelve o'clock, Noon, at my office, Suite 430-433
Merchants and Manufacturers Bank Building, #216 West Water Street, Mil-
waukee, III Milwaukee County, Wisconsin, and having first sworn the said
witnesses and each of them to speak the truth, the whole truth, and
nothing but the truth and having propounded to each of the said

TESTIMONY OF FRANK W. BEWERSDORF:-

To the FIRST Interrogatory, he saith:-

"My name is FRANK W. BEWERSDORF and I am one of the Complainants in that certain cause now pending in the Circuit Court-Equity Side of Baldwin County, Alabama, wherein FRANK W. BEWERSDORF and JULIA BEWERSDORF are complainants and the following described lands in Baldwin County, Alabama:- Lot No. 8 in Oak River View, First Addition, being Subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South of Range 4 East, of St. Stephens Meridian, except 20 feet from East and for Public Road, Thomas Johnson and W. L. Thompson are the Respondents. The Original Bill of Complaint in said cause was filed on March 3rd, A.D. 1927, and the Amended Bill of Complaint was filed on October 1st, A.D. 1928, and I have read over the same and am fully acquainted with the facts and matters set forth therein. I am the same person as Frank W. Bewersdorf, one of the Grantees named in that certain Deed from the Sunny South Developing Company, Inc. dated October 2nd, A.D. 1922, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N. S. pages 511-12."

To the SECOND Interrogatory, he saith:-

"On March 3rd, A.D. 1927, the date of the filing of the Original Bill of Complaint, and on October 1st, A.D. 1928, the date of the filing of the Amended Bill of Complaint, both of the Complainants were over the age of 21 years and claimed in their own right to own and did own an interest in and were in the actual peaceable possession of the following described lands in Baldwin County, Alabama, viz: Lot numbered 8 in Oak River View, First Addition, being subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South, Range 4 East of St. Stephens Meridian, except 20 feet from the East end for Public Road, Orators interest which they claimed to have and did own in and to said lands and every part thereof was on the date of the filing of the Original Bill of Complaint the absolute fee simple title and on the date of the filing of the Amended Bill of Complaint was and at this time is as Mortgagees under and by virtue of that certain Purchase Money Mortgage executed by Robert Hugger and Kate L. Hugger, his wife, to the complainants on June 27th, A.D. 1927, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in record Book No. 40 of Mortgages, pages 357-8, a copy of said Mortgage being attached to the Amended Bill of Complaint marked Exhibit "A"; subject to said Purchase Money Mortgage in the complainants the fee simple title to said lands and every part thereof was on the date of the filing of the Amended Bill of Complaint and is at this time in Robert Hugger under that certain Deed from complainants to Robert Hugger, dated June 27th, A.D. 1927, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N. S. pages 511-12."

To the THIRD Interrogatory, he saith:-

"The title of the Complainants and the said Robert Hugger to said lands was derived from the persons and sources as set out in the paragraph of said Bill of Complaint designated "SECOND" and on March 3rd, A.D. 1927, October 1st, A.D. 1928, and at this time no suit was or is pending to test the complainants and Robert Hugger's title to, interest in or right to the possession of said lands."

To the FOURTH Interrogatory, he saith:-

The Complainants, Robert Hugger, and those through whom they claimed title as set forth in the second paragraph of the Bill of Complaint have held color of title to, claimed and have been in the actual adverse possession of all of said lands during the whole period of ten or more consecutive years next immediately preceding March 3rd, A.D. 1927, and October 1st, A.D. 1928, without interruption. No other person has paid any taxes thereon or had any possession of said lands or any part thereof during said period or were, on March 3rd, A.D. 1927, or October 1st, A.D. 1928, known to have claimed said lands or any part thereof at any time during said period."

To the FIFTH Interrogatory, he saith:-

"The individuals named in this suit as defendants, Thomas Johnson and W. L. Thompson, were on March 3rd, A.D. 1927, if living, over the age of 21 years, but I was informed and believed that at the time of the filing of said Bill of Complaint that the said Thomas Johnson and W. L. Thompson were dead, that their heirs, devisees, personal representatives and next of kin were, on said date, over the age of 21 years and were non-residents of the State of Alabama, or that their whereabouts were unknown of the State of Alabama, or that their whereabouts were unknown and could not be ascertained after diligent inquiries had been made by me. I did not on said date, nor do I now, know the residences and addresses of the individual defendants named and did not on said date and do not at this time know whether they are dead; if they were dead on said date, I did not on said date know now do I now know the names, residences and addresses of the heirs, devisees, personal representatives and next of kin of such defendants and these facts could not be ascertained by the exercise of diligence although I had, at the time of the filing of said Bill of Complaint, been diligent in my efforts to ascertain such facts as set forth in paragraph "FOURTH" of said Bill of Complaint."

To the SIXTH Interrogatory, he saith:-

"With respect to any mineral or oil operations I have personal knowledge that no person, firm or corporation at any time, to any extent, or in any manner has carried on any such operations on said lands or any part thereof since the date that I, along with the other complainant, purchased same and that at no time since said purchase on October 2nd, A.D. 1922, has W. L. Thompson or any other person dug, bored or mined for Petroleum Oils, gas Carbon Oil, fire clay, rock, coal, lead, gold, silver or any other minerals and oils nor have any of such substances been found in any quantity on said lands; no oil well has been drilled on said property at any time during said period and no rental of ten cents an acre or otherwise have been paid to me for said premises under the terms of said Thompson Mineral Lease and Oil Lease nor has the same been deposited to my credit at any bank in Mobile, Alabama. Neither the said W. L. Thompson nor any other person have ever furnished or offered to furnish gas for heating and lighting the dwelling house on said premises. I know that neither Thomas Johnson or W. L. Thompson have asserted any title to said lands nor have they assessed or paid the taxes thereon or claimed any interest therein for more than ten years prior to March 3rd, A.D. 1927."

To the SEVENTH Interrogatory, he saith:-

"I did not know nor had I ever heard up to the time of the filing of the Original Bill of Complaint and Amended Bill of Complaint in this cause of any other person, firm or corporation, other than myself, the other complainant and Robert Hugger, claiming the said lands or any part thereof or any interest therein."

To the EIGHTH Interrogatory, he saith:-

"Prior to the filing of the Original Bill of Complaint and Amended Bill of Complaint the complainants made and caused to be made, searches, inquiries and investigations as set out in the Fourth paragraph of the Bill of Complaint; that such searches and investigations were made by the complainants in person and through agents, attorneys and abstractors, your complainants having made inquiries of persons who had lived in the vicinity of this land for years and who would probably have information concerning such inquiry; your complainants employed attorneys to examine the title and procured the services of abstractors and had abstracts of title made covering said property and the records searched in connection with all of the matters and facts pertaining to the title of said lands and to the persons named in the Bill of Complaint; no one could be found who knew or had any information, nor

To the NINTH Interrogatory, he saith:-

"On March 3rd, A.D. 1927, October 1st, A.D. 1928, and at this time, the complainants were and are in the actual peaceable possession of said property and every part thereof, having a home thereon; it was and is all under fence and in their custody and under their control. Upon our purchasing this property on October 2nd, A.D. 1922, we immediately went into the actual possession thereof, building a home thereon and occupying the same as a residence and all of said property and every part thereof was under our personal active and actual control and possession and without interruption and without anybody else claiming or being in possession of said lands or any part thereof in any manner or for any length of time; this possession continued without interruption up to and existed on March 3rd, A.D. 1927, the date that we filed our Bill of Complaint and on October 1st, A.D. 1928, the date of filing Amended Bill of Complaint; our possession has been at all times open, notorious, hostile, adverse, continuous and peaceable possession and no other person, firm or corporation has ever been in possession of said lands or any part thereof during said period nor have I ever heard of any other firm, person or corporation claiming to own said lands or any part thereof or interest therein except the said Robert Hugger."

To the TENTH Interrogatory, he saith:-

"That when I and the other complainant sold this property to Robert Hugger on June 27th, A.D. 1927, we retained an interest therein through a Purchase Money Mortgage as shown by the Bill of Complaint all of this happened since the filing of the Original Bill of Complaint but we have at all times retained, claimed and owned an interest in said lands and every part thereof owning the same in our own right under and by virtue of said Purchase Money Mortgage; at the time that the Deed was executed to Robert Hugger and the mortgage retained on said property by us we understood, contracted, and agreed to and with the said Robert Hugger to complete this Chancery cause which was then pending and to perfect said title to establish his and our right and title to such lands and to clear up all doubts and disputes concerning the same and we have continued in and now hold the actual peaceable possession of said lands and every part thereof it being a part of the agreement and understanding with Mr. Hugger in connection with said Deed and Mortgage."

Frank W. Berensdorf

-page two-

TESTIMONY OF JULIA BEWERSDORF:-

To the FIRST Interrogatory, she saith:-

"My name is JULIA BEWERSDORF, and I am one of the complainants in that certain cause now pending in the Circuit Court-Equity Side of Baldwin County, Alabama, wherein Frank W. Bewersdorf, and Julia Bewersdorf are complainants and the following described lands in Baldwin County, Alabama:- Lot No. 8 in Oak River View, First Addition, being subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South of Range 4 East, of St. Stephens Meridian, except 20 feet from East end for Public Road, Thomas Johnson and W. L. Thompson are the Respondents. The Original Bill of Complaint in said cause was filed on March 3rd, A.D. 1927, and the Amended Bill of Complaint was filed on October 1st, A. D. 1928 and I have read over the same and am fully acquainted with the facts and matters set forth therein. I am the same person as FRANK W. BEWERSDORF, one of the Grantees named in that Certain Deed from the Sunny South Developing Company, Inc. dated October 2nd, A.D. 1922, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N. S., pages 511-12."

To the SECOND Interrogatory, she saith:-

"On March 3rd, A.D. 1927, the date of the filing of the Original Bill of Complaint, and on October 1st, A.D. 1928, the date of the filing of the Amended Bill of Complaint, both of the Complainants were over the age of 21 years and claimed in their own right to own and did own an interest in and were in the actual peaceable possession of the following described lands in Baldwin County, Alabama, viz: Lot numbered 8 in Oak River View, First Addition, being subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South, Range 4 East of St. Stephens Meridian except 20 feet from the East end for Public Road, Orators interest which they claimed to have and did own in and to said lands and every part thereof was on the date of the filing of the Original Bill of Complaint the absolute fee simple title and on the date of the filing of the Amended Bill of Complaint was and at this time is as Mortgage executed by Robert Hugger and Kate L. Hugger, his wife, to the complainants on June 27th, A.D. 1927, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in record Book No. 40 of Mortgages, pages 357-8, a copy of said Mortgage being attached to the Amended Bill of Complaint marked Exhibit "A"; subject to said Purchase Money Mortgage in the complainants the fee simple title to said lands and every part thereof was on the date of the filing of the Amended Bill of Complaint and is at this time in Robert Hugger under that certain Deed from complainants to Robert Hugger, dated June 27th, A.D. 1927, and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 43 N.S., pages 59-60, a copy of said Deed being attached to the Amended Bill of Complaint

To the THIRD Interrogatory, she saith:-

"The title of the Complainants and the said Robert Hugger to said lands was derived from the persons and sources as set out in the paragraph of said Bill of Complaint designated "SECOND" and on March 3rd, A.D. 1927, October 1st, A.D. 1928, and at this time no suit was or is pending to test the complaints and Robert Hugger's title to, interest in or right to the possession of said lands."

To the FOURTH Interrogatory, she saith:-

"The complainants, Robert Hugger and those through whom they claimed title as set forth in the second paragraph of the Bill of Complaint have held color of title to, claimed and have been in the actual adverse possession of all of said lands during the whole period of ten or more consecutive years next immediately preceding March 3rd, A.D. 1927, and October 1st, A.D. 1928, without interruption. No other person has paid any taxes thereon or had any possession of said lands or any part thereof during said period or were, on March 3rd, A.D. 1927, or October 1st, A.D. 1928, known to have claimed said lands or any part thereof at any time during said period."

To the FIFTH Interrogatory, she saith:-

"The individuals named in this suit as defendants, Thomas Johnson, and W. L. Thompson, were on March 3rd, A.D. 1927, if living, over the age of 21 years but I was informed and believed that at the time of the filing of said Bill of Complaint that the said Thomas Johnson and W. L. Thompson were dead, that their heirs, devisees, personal representatives and next of kin were, on said date, over the age of 21 years and non-residents of the State of Alabama, or that their whereabouts were unknown and could not be ascertained after diligent inquiries had been made by me. I did not on said date, nor do I now, know the residences and addresses of the individual defendants named and did not on said date and do not at this time know whether they are dead; if they were dead on said date, I did not on said date know nor do I know the names, residences and addresses of the heirs, devisees, personal representatives and next of kin of such defendants and these facts could not be ascertained by the exercise of diligence although I had, at the time of filing of said Bill of Complaint, been diligent in my efforts to ascertain such facts as set forth in paragraph "FOURTH" of said Bill of Complaint."

gas, Carbon Oil, fire clay, rock, coal, lead, gold, silver or any other minerals and oils nor have any of such substances been found in any quantity on said lands; no oil well has been drilled on said property at any time during said period and no rental of ten cents an acre or otherwise have been paid to me for said premises under the terms of said Thompson Mineral Lease and Oil Lease nor has the same been deposited to my credit at any bank in Mobile, Alabama. Neither the said W. L. Thompson nor any other person have ever furnished or offered to furnish gas for heating and lighting the dwelling house on said premises. I know that neither Thomas Johnson or W. L. Thompson have asserted any title to said lands nor have they assessed or paid the taxes thereon or claimed any interest therein for more than ten years peior to March 3rd, A.D. 1927."

To the SEVENTH Interrogatory, she saith:-

"I did not know nor had I ever heard up to the time of the filing of the Original Bill of Complaint and Amended Bill of Complaint in this cause of any other person, firm or corporation, other than myself, the other complainant and Robert Hugger, claiming the said lands or any part thereof or any interest therein.

To the EIGHTH Interrogatory, she saith:-

"Prior to the filing of the Original Bill of Complaint and Amended Bill of Complaint the complainants made and caused to be made, searches, inquiries and investigations as set out in the Fourth paragraph of the Bill of Complaint; that such searches and investigations were made by the complainants in person and through agents, attorneys and abstractors, your complainants having made inquiries of persons who had lived in the vicinity of this land for years and who would probably have information concerning such inquiry; your complainants employed attorneys to examine the title and procured the services of abstractors and had abstracts of title made covering said property and the records searched in connection with all of the matters and facts pertaining to the title of said lands and to the persons named in the Bill of Complaint; no one could be found who knew or had any information, nor did the records disclose any facts or information relating to such matters other than as are set out in the Bill of Complaint;

To the NINTH Interrogatory, she saith:-

"On March 3rd, A.D. 1927, October 1st, A.D. 1928, and at this time the complainants were and are in the actual peaceable possession of said property and every part thereof, having a home thereon; it was and is all under fence and in their

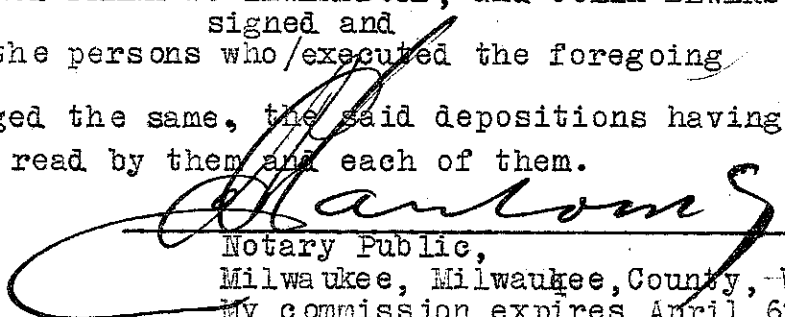
To the TENTH Interrogatory, she saith:-

"That when I and the other complainant sold this property to Robert Hugger on June 27th, A.D. 1927, we retained an interest, therein through a Purchase Money Mortgage as shown by the Bill of Complaint all of this happened since the filing of the Original Bill of Complaint but we have at all times retained, claimed and owned an interest in said lands and every part thereof owning the same in our own right under and by virtue of said Purchase Money Mortgage; at the time that the Deed was executed to Robert Hugger and the mortgage retained on said property by us we understood, contracted, and agreed to and with the said Robert Hugger to complete this Chancery cause which was then pending and to perfect said title, to establish his and our right and title to such lands and to clear up all doubts and disputes concerning the same, and we have continued in and now hold the actual peaceable possession of said lands and every part thereof it being a part of the agreement and understanding with Mr. Hugger in connection with said Deed and Mortgage."

Julia Benward

STATE OF WISCONSIN, ()
) SS.
COUNTY OF MILWAUKEE, ()

Personally came before me this 29th day of December,
A. D. 1928, the above named FRANK W. BEWERSDORF, and JULIA BEWERS-
signed and
DORF, to me known to be the persons who executed the foregoing
depositions and acknowledged the same, the said depositions having
first been read or heard read by them and each of them.


Notary Public,
Milwaukee, Milwaukee County, Wis.
My commission expires April 6th,
1930

S T A T E O F A L A B A M A
I N C I R C U I T C O U R T *** B A L D W I N C O U N T Y .
No. 679.

IN THE MATTER OF
FRANK W. BEWERSDORF, and

JULIA BEWERSDORF,

Complainants

-vs-

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

Respondents.

C E R T I F I C A T E O F C O M M I S S I O N E R .

I, L. A. ZAVITOVSKY, the Commissioner named in the annexed Com-
mission, do hereby certify that the above and foregoing Depositions, con-
sisting of answers to Interrogatories taken down in writing by ALICE
FLEISSNER, a Shorthand Reporter employed in my office in the words of
the witnesses, FRANK W. BEWERSDORF, and JULIA BEWERSDORF, were read over
to each of them; that they each assented, swore and subscribed to the same
in my presence, at the time and place herein mentioned.

That I have personal knowledge of the personal identities of each
of the said witnesses, or had proof made before me of the identity of each
of the said witnesses; that neither I, nor the said ALICE FLEISSNER, are
of counsel or of kin to any of the parties to said cause, or in any manner
interested in the result thereof; and I enclose the said deposition, togeth-

The State of Alabama, }

Baldwin County

CIRCUIT COURT.

To L. A. Zavitoysky,

216 West Water Street.

Milwaukee, Wisconsin.

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 Frank W. Bewersdorf and Julia Bewersdorf

as witnesses in behalf of Complainants in a cause pending in our Circuit

Court of Baldwin County, of said State, wherein

Frank W. Bewersdorf and Julia Bewersdorf are

Complainant

and the following described lands: Lot numbered Eight (8) in Oak River View, First Addition, being a subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South of Range 4 East of St. Stephens Meridian except 20 feet from East end for Public Road, and Thomas Johnson and W. L. Thompson are Defendant,

on oath to be by you administered, upon interrogatories

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

Witness 18th day of October, 1928.

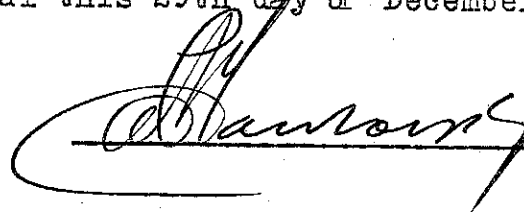
Commissioners Fee \$15.00

Witness Fee's \$

T. W. Peterson

Register.

Given under my hand and seal this 29th day of December, A.D.
1928.

 (L. S.)

FRANK W. BEWERSDORF
and JULIA BEWERSDORF,

Complainants,

-vs-

THE LANDS HEREIN DESCRIBED,
et. al.,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

No. 681.

INTERROGATORIES PROPOUNDED TO FRANK W. BEWERSDORF
AND JULIA BEWERSDORF, COMPLAINANTS AND MATERIAL
WITNESSES FOR COMPLAINANTS.

FIRST INTERROGATORY:

Please state your name and whether you are one of the Complainants in that certain cause now pending in the Circuit Court-Equity Side of Baldwin County, Alabama, wherein Frank W. Bewersdorf and Julia Bewersdorf are the Complainants and the following described lands in Baldwin County, Alabama; Lot 8 in Oak River View, First Addition, being a subdivision of parts of Sections 20, 29, 37, and 38 in Township 8 South, Range 4 East of St. Stephens Meridian, except 20 feet from East end for Public Road, and Thomas Johnson and W. L. Thompson are the Respondents, in which cause the Original Bill of Complaint was filed on March 3d., 1927 and the Amended Bill of Complaint was filed on October 1st, 1928. Please state whether or not you have read over the same and are fully acquainted with the matters and facts set forth in both the Original and Amended Bills of Complaint. Are you the same person as one of the grantees named in that certain Deed from the Sunny South Developing Company, Inc., dated October 2nd., 1922 and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 32 N.S., pages 511-12?

SECOND INTERROGATORY:

Please state whether on March 3d., 1927, and on October 1st, 1928, both of the Complainants in said cause were over the age of 21 years and whether or not they claimed to own and did own an interest and were in the actual peaceable possession of the above described lands. If you state that the Complainants did claim an interest in said lands please state the nature and extent of such claim

any part thereof or any interest therein.

EIGHTH INTERROGATORY:

Please state what, if anything, the Complainants did or caused to be done prior to the filing of the Bill of Complaint in this cause with respect to ascertaining facts relating to the status of Thomas Johnson and W. L. Thompson, their residences and addresses and names, ages and addresses of their heirs, devisees, personal representatives and next of kin. If you state that searches and investigations and inquiries were made please state how, when, by whom and of whom the same were made.

NINTH INTERROGATORY:

If you state that the Complainants were in the actual peaceable possession of said property upon the filing of said Original and Amended Bills of Complaint state how and in what manner they were in the possession thereof and how their claim of ownership and possession was evidenced.

TENTH INTERROGATORY:

Please state whether or not the Complainants at the time that said lands were sold to Robert Hugger retained and still own any interest therein. Explain fully this transaction with respect to Complainants retaining any interest in said lands.


Solicitor for Complainants.

L. A. Zavitovsky, whose address is 216 West Water Street, Milwaukee, Wisconsin, is suggested as a suitable person to act as Commissioner.


Solicitor for Complainants.

INTERROGATORIES PROPOUNDED BY
COMPLAINANTS TO FRANK W. BEW-
ERSDORF AND JULIA BEWERSDORF.

FRANK W. BEWERSDORF, and
JULIA BEWERSDORF,

Complainants

-VS-

THE LANDS HEREIN DESCRIBED,
ET AL.,

Respondents

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

Filed 18th day of October, 1928.

T. M. Rice
Register

LAW OFFICES

NORBORNE STONE
BAY MINETTE, ALABAMA

NO. 679.

STATE OF ALABAMA,
IN CIRCUIT COURT
BALDWIN COUNTY.

FRANK W. BEWERSDORF, and JULIA BEWERS-
DORF,

Complainants

-vs-

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

Respondents

INTERROGATORIES PROPOUNDED TO FRANK W. BEWERSDORF,
AND JULIA BEWERSDORF,
DEPOSITIONS OF FRANK W. BEWERSDORF, and JULIA BEWERS-
DORF,
CERTIFICATE OF COMMISSIONER.
AND COMMISSION TO TAKE DEPOSITION.

*Received & filed
Dec 31st 1928,
T. W. Rieunover
Register*

Tax Book 1923, No. 3, Baldwin County,

Assessment of Taxes on Real Estate and Personal Property in the County
of Baldwin, State of Alabama, for the year 1923, page 151,
Bon Secour Beat No. 15.

Names of Parties Assessed:

Bewersdorf, Frank W, Line 21, Assessment No. 299,

Lands, - Description:

Lot 8 Oak River View, 1st Add., Section 37, Township 8,
Range 4,

No. of Acres Improved, 35,

No. of Acres Unimproved 20,

Total No. of Acres, 55,

Total Assessed value of lands, 2750,

Total Assessed value of Improvements Lands, 200,

10% Penalty, 295,

Total Assessed value of Real Estate and Improvements, 2950,

Farming tools, mechanical tools, Value of, 100,

10% Penalty, 10,

Total Assessed value of Personal Property, 100,

Total Value of Real Estate and Personal Property, 3355,

Total State and County Taxes, 60.39,

Number of District, 20

Special District School Tax, 10.06,

Assessor's fee, 50,

Assessment Marked Pd.

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

Beat No. 15, for the year 1923, Page 88,

Receipt No. 5168,

Names of Parties:-

Bewersdorf, Frank W.,
Assessment Book No. 3, Page 151,
Assessment No. 300,

10% Non-Assessment on Real Estate 295,

Total Assessed Value of Real Estate 2950,

10% Non-Assessment on Personal Property, 10,

Total Assessed value of Personal Property, 100,

Total State and County Taxes on Real and Personal Property, 60.39,

- District School Tax, ²⁰⁻⁴10.06,

Assessor's Fee, 50.

Remarks-----

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

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

Names of Parties Assessed:

Bewersdorf, Frank W., -Line No. 19, Assessment No. 308.

Lands, - Description:

Lot 8 Oak River View, 1st Add., Section 37, Township 8 S,
Range 4,

No. of Acres Improved, 35,

No of Acres Unimproved, 20,

Total No. of Acres 55,

Total Assessed value of Lands, 2750,

Total Assessed value of Improvements, Lands, 200,

10% Penalty, 295,

Total Assessed value of Real Estate and Improvements, 2950,

Total Assessed value of Real Estate and Personal Property, 3245,

Total State and County Taxes, 58.41,

Number of District, 20,

Special District School Tax, 9.74,

Assessor's Fee, 50,

Assessment Marked Pd.

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

Beat No. 15, for the year 1924, page 87,

Receipt No. 2649,

Names of Parties:-

Bewersdorf, Frank W.

Assessment Book No. 3, Page 156,

Assessment No, 308,

Total Assessed value of Real Estate, 3245,

Total State & County Taxes on Real and Personal Property 58.41,

District Tax 20,

District School Tax, 9.74

Assessor's Fee, 50,

Remarks-----



4

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

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

Names of Parties Assessed:

Bewersdorf, Frank W, - Line No. 1, Assessment No. 17,

Lands, - Description:

Lot 8 Oak River View, 1st Add. Also back taxes for 1925.
Section 37, Township 8 S, Range 4,

No. of Acres Improved, 40,

No. of Acres unimproved, 29,

Total No. of Acres, 69,

Total Assessed value of lands, 3750,

Total Assessed value of Improvements, Lands, 3600,

Total Assessed Value of Real Estate and Improvements, 7350,

Household and Kitchen furniture, value of, 150, Exemption,

Household and Kitchen furniture, value of, 100,

Farming tools, mechanical tools, value of, 150,

Machinery and equipment of cotton gin, oil mills, cotton compresses,
grain elevators, flour and grist mills, saw mills and other
manufacturing establishments, not included in item 25, value
of, 40,

All other Property Real Personal and Mixed not hereinbefore speci-
fied, value of, 320,

Total Assessed value of Personal Property, 610,

Total Assessed value of Real Estate and Personal Property, 7960,

Total State and County Taxes, 143.28,

Number of District, 20,

Special District School Tax, 23.88,

Assessment Marked, Pd.

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

Beat No. 15, for the year 1926, page 83,

Receipt No. 44,

Names of Parties:-

Bewersdorf, Frank W.,

Assessment Book 3, Page 134,

Assessment No. 17,

Total Assessed value of Real Estate, 7350,

Total Assessed Value of Pers'l Property, 610,

Total State & County Taxes on Real and Personal Property, 143.28,

District No. 20,

District School Tax, 23.88,

Remarks-----

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

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

Names of Parties Assessed:

Bewersdorf, Frank W. - Line No. 13, Assessment No. 19,

Lands - Description:

Lot 8 Oak River View, 1st Add. Section 37, Township 8 S,
Range 4,

No. of Acres Improved, 40,

No. of Acres Unimproved, 29,

Total No. of Acres 69,

Total Assessed value of Lands, 1700,

Total Assessed value of Improvements, Lands, 1800,

Total Assessed value of Real Estate and Improvements, 3500,

Household and Kitchen furniture, value of--Exempt, 150,

Household and Kitchen furniture, value of--100,

Farming tools, mechanical tools, value of, 100,

Machinery and equipment of furnaces, rolling mills, mines, quarries,
etc., value of, 40,

Total Assessed value of Personal Property, 240,


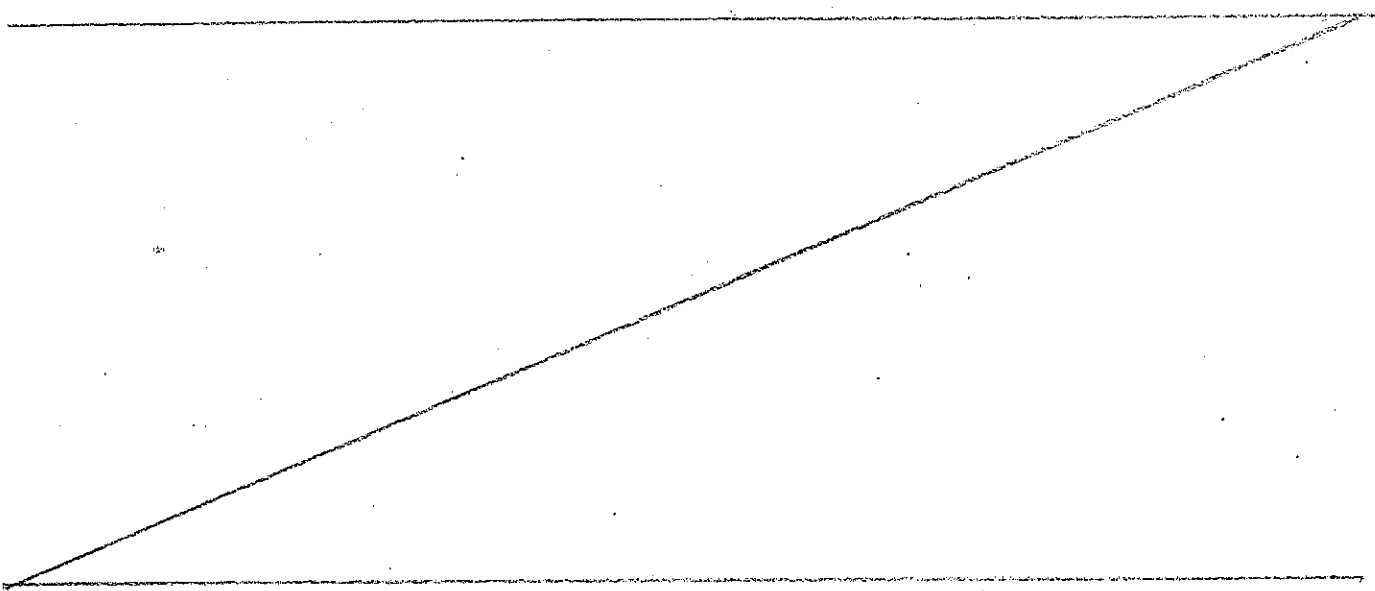
Total Assessed value of Real Estate and Personal Property, 3740,

Total State and County Taxes, 67.32,

Number of District, 60,

Special District School Tax, 11.22.

Assessment Marked Pd.



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

Beat No. 15, for the year 1927, Page 84.

Receipt No. 1380.

Names of Parties:-

Bewersdorf, Frank W.,

Assessment Book No. 3, Page 142,

Assessment No. 19,

Total Assessed Value of Real Estate, 3500,

Total Assessed Value of Persn'l Property, 240,

Total State & County Taxes on Real and Personal Property 67.32,

District No. 60,

District School Tax, 11.22,

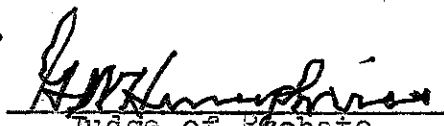
Remarks,-----

STATE OF ALABAMA

BALDWIN COUNTY

I, G. W. Humphries, Judge of Probate of Baldwin County, Alabama and Custodian of all the Books and Records on file in the office of the Judge of Probate of said county, do hereby certify that the foregoing and annexed pages numbered from One(1) to Eight(8), both inclusive, contain a full, true, correct and complete copy and transcript of the Tax Assessment Books and Tax Collector's Abstract Books of Baldwin County, Alabama for the years 1923 to 1927, both inclusive, and which are on file in my office and in my custody, insofar as the same relates to or covers the lands described in the foregoing pages.

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



Judge of Probate.

Filed Oct 23/928
T. W. McInnis
Register

2.70

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

Frank W. Bewersdorf & Julia Complainant.

VS.

Certain Lands Respondent.

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I *T. W. Williams*

as Register and Commissioner

have called and caused to come before me

Lewis Cooper

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

192*8*, 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 *Lewis Cooper*, a witness for Complainant, doth depose and say as follows:

My name is Lewis Cooper, I am 43 years of age and am a resident of Baldwin County, Alabama, living at Coopers Landing on Bon Secour River, having been such a resident of Baldwin County, Alabama, for the past 43 years, continuously. I know Frank W. Bewersdorf and Julia Bewersdorf, the Complainants in this cause and I know that they were, on March 3d., 1927, the date of the filing of the Original Bill of Complaint in this cause, over the age of 21 years and were bona fide residents of Baldwin County, Alabama, and claimed and were in the actual peaceable possession of the lands described in the Bills of Complaint in this cause.

I am personally and intimately acquainted with the lands described in said Bill of Complaint, being Lot numbered 8 in Oak River View; First Addition; being a subdivision of parts of Sections 20, 29, 37 and 38 in Township 8 South, Range 4 East of St. Stephens Meridian; except 20 feet from East side for Public Road; and being in Baldwin County, Alabama. I know all of the lines and corners thereof for this property is also located on Bon Secour River just about 3/4 of a mile below where I live and where I have lived for the past 43 years continuously. During all of the time that I have lived on Bon Secour River I have constantly been on, around and passed in front of said property for it is located right on the river front and a person going down the river is compelled to pass within a few yards thereof.

On October 1, 1928, the date when the Amended Bill of Complaint was filed in this cause said Complainants claimed in their own right to own an interest in and were in the actual peaceable possession of the said lands. The interest which they claimed to have and did own was as Mortgagees under Mortgage from Robert Hugger and wife, dated June 27, 1927 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Record of Mortgages No. 40, pages 357-8; the fee simple title to said land and every part thereof was in Robert Hugger under that Deed from the Complainants to him dated June 27th, 1927; and recorded in said office in Deed Book 43 N.S.; pages 59-60.

I have personal knowledge that the Complainants and Robert Hugger and those through whom they claim title ~~have~~ held deeds to said property and every part thereof and have claimed and have been in the actual, continuous, adverse possession of all of said lands for more than ten consecutive years next preceeding the filing of this suit and that no other person has had possession of said lands or any part thereof or is known to me to have ever claimed said lands or any part thereof during said period ^{and} although I do not personally know, I have heard of Thomas Johnson, the person who Patented this property along with other lands and W. L. Thompson who had an Oil Lease thereon and if they were living on March 3d., 1927, they were over the age of 21 years. This property is a part of the Thomas L. Johnson Grant, Section 37 in Township 8 South, Range 4 East in Baldwin County, Alabama, and forms a part of the property which was divided among the heirs of Cora LaCoste. When this property was divided among the LaCoste heirs it was put into five lots and the lands described in the Bill of Complaint took up a portion of lots numbered 1, 2, 3 and 4.

..... Lot No. 1 of this division went to Mrs. Cecilia Burns whom I personally knew. Lot No. 2 went to Alexander Schultz, Lot No. 3 to Jacob Schultz and Lot No. 4 to Cora LaCoste, all of whom I knew personally.

..... This property has been in the actual possession of these parties there having been a saw mill placed thereon and the timber was cut from these lands as well as from other lands adjoining and all of these parties who received these lots under the division continued in the actual possession thereof until they sold the same as hereinafter set out.

The report of the Commissioners dividing this property together with the Map showing the location of the lots is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 11 N.S., pages 198-9.

Cecilia Burns sold her Lot No. 1 to Sidney J. Blankenbaker on November 5th., 1917, by Deed of that date which is recorded in said office in Deed Book 26 N.S., page 10.

..... The title of Alexander Schultz to Lot No. 2 was also acquired by Blankenbaker by a Deed from G. R. Swift (who had formerly purchased from Alexander Schultz) dated April 6th., 1914 and recorded in Deed Book 21 N.S., page 482 in said Probate office of Baldwin County and later, on July 19th., 1917, Esther Schultz, whom I personally knew, also executed a Deed for this Lot No. 2 to Sidney J. Blankenbaker, which deed is recorded in Deed Book 26 N.S., page 284 in said office.

Jacob Schultz who owned Lot No. 3 and whom I personally knew, also sold his lot to Sidney J. Blankenbaker the first deed he made on April 4th., 1914 and the second on April 2nd., 1917, said Deeds being recorded in said office in Deed Book 22 N.S., pages 193 and Deed Book 25 N.S., page 621, respectively.

Lot No. 4 which was allotted to Cora LaCoste went through her estate and was finally acquired by Robert Fulford. Robert Fulford sold a part of this Lot No. 4, the West end, to S. D. Gaar and the other part he sold to his wife Celina Fulford. S. D. Gaar conveyed his part of Lot No. 4 on March 5th., 1914, to Sidney J. Blankenbaker by Deed recorded in said office in Deed Book 21 N.S., pages 479-80. Celina Fulford sold her part of this Lot No. 4 on May 31st., 1915 to J. N. Halladay, by Deed recorded in said office in Deed Book 23 N.S., pages 261-2 and Sidney J. Blankenbaker acquired Halladay's title there to by two different deeds, the first on October 29, 1917 and recorded in Deed Book 26 N.S., page 609 and the second on March 16th., 1920, and recorded in Deed Book 29 N.S., page 341, in said office.

During all of this time all of these parties, for the time that they owned the same, were in the actual, adverse possession of said property which makes up the lands described in the Bill of Complaint; their possession was open, notorious, hostile, adverse, continuous and peaceable and without interruption and without anybody else claiming or being in possession of said property or any part thereof. The property was improved from time to time by the erection of fences, clearing of land, turpentineing of trees, building of houses, planting of orchards and the like this having been used as a home place or in connection with someones home during all of this period.

Blankenbaker continued to own and remained in the actual possession of all of this property until April 2nd., 1921 when he and his wife sold it to Herman Frese by Deed of that date and recorded in said office in Deed Book 32 N.S., page 363. Frese took possession of and control of all of this land through his Agent, Judge John Stelk,

ORAL EXAMINATION.

I, T. W. Reesman, 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 presense of myself Lewis Cooper 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 23 day of Oct 1928
T. W. Reesman (L. S.)

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NO.	PAGE
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY.	
vs.	Complainant
Respondent.	
Oral Deposition	
Filed	192...
Recorded in	Register.
Vol.	Page
Register	

of Chicago who was constantly giving it his personal attention and supervision, improving the houses, repairing the buildings and other structures and cultivating part of the same until June 2nd., 1922 when this property was purchased by the Sunny South Developing Co. by Deed of ^{that} date and recorded in said office in Deed Book 32 N.S., pages 363-4. The Sunny South Developing Co. continued the same kind of possession that Frese had maintained and through Judge Stelk as its Agent who was an officer of the Company. This Company subdivided this property into what is known as Oak River View, First Addition, making surveys thereof and divided it up into lots which were staked out, improved and gradually sold out to different parties. The possession of the Sunny South Developing Co. as to these particular lots continued until October 2nd., 1922, when it sold the property to Frank W. Bewersdorf and Julia Bewersdorf by Deed of that date and recorded in said office in Deed Book 32 N.S. pages 511-12. The Bewersdorfs moved on the property and erected a residence thereon, I assisting in the construction thereof; they made further and active improvements and developments, cleared more of the land, erected additional fences, planted orchards, and all of the other things which go to make up an improved home place. On June 27th., 1927 they executed a Deed to Robert Hugger for this property but took a Mortgage back and have retained the possession thereof up to this time.

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

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

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

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

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

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

I am not related by blood or marriage to Frank W. Bewersdorf, Julia Bewersdorf or Robert Hugger and have no interest in the outcome of this suit at all.

Lewis Campbell