The	State	of	Al	aba	ma.
	Baldwi				

(* )
$N_0, 971.$

..... CIRCUIT COURT, IN EQUITY

Register.

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	Baldwin C	ounty Co	lonization	. Co,	Complainant
	• •	vs.		-	
Mrs. Susie	Thomas et	al,			Defendant
In this cause it appears to			**		
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at a Summons requiring the De					
aughn,					
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ppear and demur, plead to or	answer the Bill of	f Complaint is	n this cause wit	hin thirt	y days after the
vice of said Summons upon	Mrs. Susie	Thomas			
served upon .herby t	the Sheriff of	Crensha	aw	County,	Alabama, on the
served upon her by the lath, day of June and the lith day of	me . August. 193	Tetaici	31 e.was.had.	on Mrs	. Lillian .Ya
18th, day of Ju  .on. the .llth.day.of  And the said Defendant	me . August. 193	19 1 serviçe	3 <u>1</u> a. was had	on Mrs	. Lillian .Ya
And the said Defendant shis date, it is now, therefore, o	Me  August. 193  having failed to motion ofH	19d 1 service demur, plead ybart, He	31 a was had d to or answer t	on Mrs he said I	Lillian Va
And the said Defendant <sup>S</sup>	me  August. 193  having failed to motion of H	19d 1 service demur, plead ybart, He	31 e was had d to or answer t	on Mrs he said I	Lillian Va
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And the said Defendant shis date, it is now, therefore, or ered and decreed that the said fessed against the said Mrs.	. August. 193.  . having failed to on motion ofH  Bill of Complaint  Susie Thom	demur, plead ybart, He	a was had to or answer to ard, & Ch	on Mrs he said I ason y is in al	Lillian Va
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Page .....

The State of Alabama, Baldwin County

Circuit Court In Equity

Baldwin Co Colonization Co.

∇8.

Decree Pro Confesso On

Issued Oct 12th.

Register

Personal Service.

Mrs. Susie Thomas et al,

# The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

Γο Any Sh	eriff of the State of Alabama—GREETING:	e t de		
WE	COMMAND YOU, That you summon	Mrs. S	usie Thomas	,
		Luvern	e, Alabama	, devisee
urd er	the Will of J.W.Thomas, deceas	sed		
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ions, and	County, exercising Chancery jurisdiction, withere to answer, plead or demur, without oath	n, to a Bill o	of Complaint lat	
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gainst saic	l Cortain lands, Mrs. Susic Th	omas, e	t al.	
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aid Defend his writ wi	to do and perform what said Judge shall orde lant shall in no wise omit, under penalty, etc. th your endorsement thereon, to our said Cou NESS, T. W. Richerson, Register of said Circ	And we f art immedia	urther command tely upon the exc	that you return
Jun	193 <u>1</u>	Y She	ewn	Registe

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Recorded in Vol. Circuit Court of Baldwin County
In Equity SERVE ON \_\_ Company, a corporation Hybart, Heard & Chason Balowin County Colonization Mrs, Susie Thomas, Zo SUMMONS Solicitor for Complainant VS. by leaving a copy of the within Summons with Executed thisday of Received in office this TATE OF ALABAMA, Deputy Sheriff S.J. Defendant Sheriff Sheriff.

# The State of Alabama, Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY, IN EQUITY

То	Any	Sheriff	of	the	State	of	AlabamaGREETING:
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WE COMMAND YOU, That you summon Mrs. Lillian Vaughn, over 21 year
of age, Voncille Vaughn, a Minor under the age of 14 years; Susa
Kathryn Vaughn, a minor about one year of age,
County, to be and appear before the Judge of the Circuit County by Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sunday, and there to answer, plead or demur, without oath, to Bill of Complaint lately exhibited by
Baldwin County Colonization Company, a Corporation,
against said Mrs. Lillian Vaughn, over twenty-one years of age, Von-
cille Vaughn, a minor under the age of fourteen years, Susan
Kathryn Vaughn, a minor about one year of age;
and further to do and perform what said Judge shall order and direct in that behalf. And this t said Defendant shall in no wise omit, under penalty, etc. And we further command that you retuthis writ with your endorsement thereon, to our said Court immediately upon the execution thereof
WITNESS, T. W. Richerson, Register of said Circuit Court, this 10th day
August 1931. One Regist

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

Recorded in Vol Page	Hybart, Heard & Chason. Solicitor for Complainant.	Luverne, Ala		Vauchn and Susan Kathara	Mrs. Lillian Vaughn over	VS.			Co	Baldwin County Colonization	SUMMONS	No	Circuit Court of Baldwin County In Equity.	
The second of th		TO THE PARTY OF TH	By Deputy Sheriff.	Sheriff.	thryn Vaughn	TOUT BEEN BY	a copy of the with	August 1931	Executed this 11th day of	Sherift.	100	day of 109	Dooding the other	The State of Alabama, BALDWIN COUNTY.

BALDWIN COUNTY COLONIZATION COMPANY, a Corporation,

Complainant,

VS,

THE SOUTHWEST QUARTER (SW1) OF THE NORTHWEST QUARTER (NW1) OF SECTION TWENTY (20) IN TOWNSHIP SEVEN (7) SOUTH OF RANGE SIX (6) EAST, in Baldwin County, Alabama; Mrs. Lillian Vaughn; Voncille Vaughn and Susan Kathryn Vaughn, Minors,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 971.

#### ANSWER AND CROSS BILL.

Come the minor Respondents, Voncille Vaughn and Susan Kathryn Vaughn, minors under the age of fourteen (14) years, by J. B. Blackburn, as Guardian ad litem, and file this their answer to the Bill of Complaint as last amended of the Baldwin County Colonization Company, a Corporation, and this their Cross Bill against the said Baldwin County Colonization Company, A Corporation and show unto this Honorable Court as follows:

FIRST: These Respondents and Cross Complainants deny each and every allegation of paragraph numbered One of the Bill of Complaint as last amended.

SECOND: These Respondents and Cross Complainants deny each and every allegation of paragraph numbered Two of the Bill of Complaint as last amended.

THIRD: These Respondents and Cross Complainants deny each and every allegation of paragraph numbered Three of the Bill of Complaint as last amended.

FOURTH: These Respondents and Cross Complainants deny each and every allegation of paragraph numbered Four of the Bill of Complaint as last amended.

FIFTH: These Respondents and Cross Complainants deny

each and every allegation of paragraph numbered Five of the Bill of Complaint as last amended.

SIXTH: These Respondents and Cross Complainants admit and aver that they and Mrs. Lillian Vaughn claim title to the land described in the Bill of Complaint as last amended, as devisees under the last will of J. W. Thomas, deceased, but deny each and all other allegations of paragraph numbered Six of the Bill of Complaint as last amended and deny each and every other allegation of the said Bill of Complaint not herein specifically answered.

SEVENIH: Answering further the Bill of Complaint as last amended, these Respondents and Cross Complainants show unto this Honorable Court that they, together with Mrs. Lillian Vaughn, claim to own and do own the title to the lands described in the Bill of Complaint as last amended by adverse possession under the statute of Limitations for actions or suits to recover lands claimed and held under tax deeds or titles. These Respondents and Cross Complainants further show that the lands described in the Bill of Complaint as last amended were assessed for taxes owing to the State of Alabama and the County of Baldwin for the tax year 1917 to Martin Portel; that the taxes due to the State of Alabama and the County of Baldwin on the said lands which were assessed for taxation by the said Martin Portel for the tax year of 1917 were not paid by the said Martin Portel or by anyone else assessing and claiming to own the said lands for the said year; these Respondents and Cross Complainants further show that the said Martin Portel failed to pay the taxes due on the said lands assessed to him for the tax year of 1917 and the said lands were sold for the said taxes by the Tax Collector of Baldwin County, Alabama, on to-wit, June 1, 1918, for the taxes due on the said lands for the year of 1917; that as a result of the said sale the said Tax Collector did on to-wit, the 1st day of June, 1918, sell the lands described in the

Bill of Complaint as last amended for the said taxes and that at the sale so held J. W. Thomas was the highest, best and last bidder for the said property; that the said J. W. Thomas, at that time, received from the said Tax Collector, of Baldwin County, Alabama, a certificate of purchase dated to-wit, the 1st day of June, 1918; these Respondents and Cross Complainants further show that thereafter the said J. W. Thomas delivered his said certificate of purchase to the Judge of Probate of Baldwin County, Alabama, and that James M. Voltz, Judge of Probate of Baldwin County, Alabama, executed to the said J. W. Thomas, a tax deed for the land described in the Bill of Complaint as last amended, with other property, on to-wit, June 3, 1920, which said deed was filed for record by the said J. W. Thomas on to-wit, June 3, 1920, and thereafter recorded in Deed Book Numbered 29 N. S. at page 553 in the Probate Records of Baldwin County, Alabama.

These Respondents and Cross Complainants further show unto this Honorable Court that the said J. W. Thomas thereafter held the land described in the Bill of Complaint as last amended, under and by virtue of the tax deed hereinbefore fully described, said lands having been adversely held thereunder for a period of more than three years and the said J. W. Thomas, Mrs. Lillian Vaughn and these Respondents and Cross Complainants have been for the said period of more than three years consecutively in the open, notorious, hostile, continuous and peaceable possession of the said lands claiming to own the same and claiming the said lands under and by virtue of the aforesaid deed:

That the interest of the said J. W. Thomas was devised to Wrs. Lillian Vaughn and to these Respondents and Cross Complainants by the last will and testament of the said J. W. Thomas, dated the 2 Ytt day of Sektember 1924, and of record in Book Luc (2) will at pages 13-14 in the Probate Records of Crenshaw County, Alabame.

EIGHTH: For further answer to the Bill of Complaint as

a decree denying to the Complainants and Cross Respondents the relief prayed for by them and will enter a decree to the effect that these Respondents and Cross Complainants are the owners of the land involved in this suit and particularly described in the Bill of Complaint as last amended and these Respondents and Cross Complainants further pray that if this Honorable Court should determine that these Respondents and Cross Complainants are entitled to the land made the subject of this suit, your Honor will enter a decree to that effect in their favor quieting their title against the Complainants and Cross Respondents, the Baldwin County Colonization Company, a Corporation, and these Respondents and Cross Complainants further pray that if this Court shall determine that they are not entitled to a decree awarding them the land made the subject of this suit, that then this Honorable Court will determine the amount which they and their predecessors in title have paid as taxes together with interest due them, that this Honorable Court will further award in addition to the purchase price, taxes, interest and Court costs, and a reasonable attorney's fee to these Respondents and Cross Complainants. And if these Respondents and Cross Complainants are mistaken in the relief prayed for, that the Court will grant unto them such other, further and general relief as they may be entitled to the premises considered.

As Guardian ad litem for Voncille Vaughn and Susan Kathryn Vaughn.

FOOT NOTE: The said Baldwin County Colonization Company, a Corporation, is required to answer each and every allegation of the above Cross Bill but not under oath, its oath thereto being hereby expressly waived.

As Guardian ad litem for Voncille Vaugan and Susan Kathryn Vaughn. BALDWIN COUNTY COLONIZATION COMPANY, A Corporation,

Complainant,

-VS-

THE SOUTHWEST QUARTER OF THE NORTH-WEST QUARTER SECTION TWENTY TOWN-SHIP SEVEN SOUTH OF RANGE SIX EAST, MRS. SUSIE THOMAS AND MRS. LILLIAN VAUGHN.

Defendants.

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

Now comes the Complainant in the above stated cause and amends the "6th" Paragraph of the Original Bill of Complaint to read as follows:-

6th. Complainant further shows unto the Court that it is in the actual, peaceable possession of said land, claiming to own the same under its said purchase aforesaid and that no one is known to have been in the possession of said land for the past ten years other than the Complainant and Complainant avers that there are no other persons that are known to Complainant to have had any possession whatsoever of said land or any part thereof within the last ten years next preceding the filing of this Bill of Complaint except those heretofore mentioned. And Complainant further avers that no one is known to your Complainant to claim this land or any part thereof or any interest therein, except the Complainant and the following named persons:-

Mrs. Lillian Vaughn, over twenty-one years of age, Georgianna, Alabama;

Voncille Vaughn, a minor under the age of fourteen years;

Susan Kathryn Vaughn, a minor about one year of age;

both of said minors residing with their mother, Mrs. Lillian Vaughn, the said Mrs. Lillian Vaughn and her two children mentioned herein being the devisees under the Last Will of J. W. Thomas, deceased. Complainant avers that it has made a diligent search through its agents and attorneys and has made diligent inquiry to ascertain the residences and addresses of all persons, firms and corporations hereinabove named, whether or not any of them be dead, and if dead to ascertain the names and addresses of the heirs and devisées,

(page one)

that in its effort to ascertain these facts it had a complete Abstract of Title made of this property, it then employed attorneys to examine the same and ascertain whom the record showed to have some claim to this property; that they have made a thorough inquiry in the community where this land is located and situated seeking to get any information whatsoever about the said named parties or any other persons who might claim any title to or interest in the said land; that they have interviewed numerous people and made special effort to locate old residents who have inhabited the county near these lands for a long time and all the information they have been able to accumulate relative to prior ownership and possession is herein set out.

Complainant amends its said Bill of Complaint by striking out the name of Mrs. Susie Thomas as a party defendant wherever the same appears in said Original Bill of Complaint.

Complainant also amends its Prayer for Process to read as follows:

#### PRAYER FOR PROCESS.

To the end, therefore, that equity may be had in the premises Complainant prays that your Honor will cause the usual Writ of Process to issue to Mrs. Lillian Vaughn, Voncille Vaughn and Susan Kathryn Vaughn making them parties defendant to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law and the practice of this Honorable Court, and that your Honor will cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by law in the State of Alabama authorizing the quieting of the title in rem.

Softeitors for Complainant.

# The State of Alabama, Baldwin County.

No. 971 CIRCUIT COURT IN EQUITY.

Baldwin County Colonization Company,

VS.

Mrs. Susie Thomas and Mrs Lillian Vaughn et al,

Motion is hereby made for a Decree Pro Confesso against. Mrs. Susie Thomas and

Mrs. Lillian Vaughn Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant\_S\_; and that said summons was duly served according to law, and that said Defendant\_\_ha\_vefailed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This \_\_\_\_\_\_10th \_\_\_\_\_day of \_\_\_\_\_\_\_19 31.

Hyback, Hand & Phane Solicitor,

No. 971. Page	
The State of Alabama, Baldwin County.	
CIRCUIT COURT, IN EQUITY	
Baldwin County Colonization Co.	
vs.  Mrs.Susie Thomas et al.	
MOTION FOR DECREE PRO CONFESSO ON PERSONAL SERVICE	
Filed Sept 10th, 19 31.	g g
Register.	
Recorded in	
Register.	
Meore Printing Company, Bay Minette, Ala.	\$ 100 miles   100

TO THE MONORABLE JUDGE OF THE POSSETY-FROM JUDICIAL CIR-

Cames your Complainant, Baldwin County Colonization Company, a Comparation with its principal place of basinoss at Elberta, Alabama, and presents this its Hill of Complaint against that our-tain trust of land in the County of Baldwin, State of Alabama, Convited as follows:

Southwest Quarter of Northwest Quarter (SW) of NW() Section Twenty (SO) Township Soven (7) South of Rouge Six (3) Mast:

and Complainant further shows and presents this bill of Complaint ogainst any and all persons claiming any title to. Interest in.
Lies or encumbrance on the said land or any part thereof, and Gonplainant respectfully shows unto your Honor:-

- 1. That it is in the actual, perceable percession of said tract of lend, claiming to own the same in its own right in fee simple.
- 2. That no suit is positing to test Compleisant's title to, interest in or its right to the possession of said land.
- 5. Complainent further shows that it claims the entire for simple title in and to said land, baving acquired the same by purchase from the Southern States Lumber Company, a Compountion which has recently been lastfully dissolved, who exmed the lands at the time the same were sold and conveyed by it to Complainant.
- Complainant further shows that the title to said lends stands on the record in the Probate Court of Saldwin County in the name of the following Corporation: Complainant. The Complainant has used such diligence in trying to exceptain these factors shown by Paragraph '5' of this Mill of Complaint.
- ten yours next proceding the filing of this Bill of Compleint paid any terms upon the said lands herein mentioned or any part of the same, other than the Compleinant. Compleinant has used such fill-come in trying to according those facts as shown by paragraph "G" of this Bill of Complein.
- 6. Completeent further shows unto the Court that he is in the natural, personable possession of said land, claiming to our -page one-

the same under his said purchase aforesaid and that no one is known to have been in the possession of said land for the past ten years other than the Complainant. And Plaintiff avers that there are no other persons that are known to your Complainant to have had any possession whatsoever of said lands or any part thereof within the last ten years next proceding the filing of this Bill of Complaint, except those heretofore mentioned, and Complainant further avers that no one is known to your Complainant to claim this land or any part thereof or any interest therein, except the Complainant and the following named paracust— line. Susic Thomas, Luverne, Alabame, and Ers. Lillian Vaughn, Georgianna, Alabama, devisees under the last Will of J. V. Thomas, Deceased.

Camininant avers that it made a dilgent search through its aromis and attorneys, and inquiry to apportain the residences oni addresses of all persons, firms and corporations hereimbove noted, and whother or not any of them be dead, and if deed to accortain the across and addresses of their beirs and devisees, successors or essigns, of such decembed parson. Complainant avors that in its offers to appertain those facts it had a complete Abstract of Title mude of this proporty; it then employed afformers to exemine the some and apportain when the recent showed to have some claim to . this property; that they have made a thorough inquiry in the conmusity where this land is located and situated, scotling to got any information chargeover about the said named parties or any other persons who might dimin any title to or interest in said lands; that they have interviewed mesorous people and made special effort to loomic old residents who have inhabited the country near those lands for a long time, and all the information they have been able to acceptate relative to prior ownership and possession is herein 

#### FRAIR VAR PROGREE.

To the end, therefore, that equity may be had in the premises Completeant prays that your Honor will cause the usual Writ of Process to Insue to Mrs. Surje Thomas and Lillian Vengin reking them perties Defendant to this Bill of Completes and requiring them to plead, answer or describe the sums within the time or required

# \*Pego Times\*

by law in the princtics of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings inctituded by the filing of this Bill of Complaint as required by law in the State of Alabama, authorising the quicking of the Sitle in res.

#### PRATER FOR MILLER.

Complainant further prays that upon the hearing of this cause that your Hanor will be pleased to establish Complainant's right of title to, and will decree that Complainant is the owner in fee simple of said lands above described, and that no other person has any title to, or interest in, or lien or encumbrance upon the lands or any part thereof and that in said Decree your Honor will direct in whose name it shall be indexed upon the direct index of the records thereof in the Probate Court of Beldwin County, Alabama; that your Honor will order a certified copy of said decree to be copied in the Probate Court of Beldwin County, and Complainant further mays for such other, further and different relief as in equity may seem just and most, and Complainant will ever pray.

Hypert Heard & Chaus

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All persons claiming cay fits and interest in lien or encombrance in the carry tasked in the call of the carry tasked in the call of the carry series and could be be consisted to make all of the call of the cal

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personally appeared before us, Mathews Melea Notary Public in and for said State and County, N. C. Hourd, Wilupon onth depends and sayerThat he is the appeal of the Completeness in the above comes and duly archaected by him to make this cash and that the facts stated in the Complete Dill of Complete, upon insorted as a facts stated upon information, and that he is information to the facts stated upon information and belief as therein stated as writing believes, and so the facts of the Complete Complete

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TO COME OF THE PARTY OF THE PAR

TO PHE HONORABLE JUDGE OF THE TWENTY-FIRST JUDICIAL GIR-CUIT OF ALABAMA, SITTING IN EQUITY:-

Gomes your Complainant, Baldwin County Colonization Company, a Corporation with its principal place of business at Elberta, Alabama, and presents this its Bill of Complaint against that certain tract of land in the County of Baldwin, State of Alabama, desoribed as follows:-

Southwest Quarter of Northwest Quarter (SW of NW) Section Twenty (20) Township Seven (7) South of Range Six (6) Bast;

and Complainant further shows and presents this Bill of Complaint against any and all persons claiming any title to, interest in, lien or encumbrance on the said land or any part thereof, and Complainant respectfully shows unto your Honor:-

- 1. That it is in the actual, peaceable possession of said tract of land, claiming to own the same in its own right in fee simple.
- 2. That no suit is pending to test Complainant's title to, interest in or its right to the possession of said land.
- 5. Complainant further shows that it claims the entire fee simple title in and to said land, having acquired the same by purchase from the Southern States Lumber Company, a Corporation which has recently been lawfully dissolved, who owned the lands at the time the same were sold and conveyed by it to Complainant.
- 4. Complainant further shows that the title to said lands stands on the record in the Probate Court of Baldwin County in the name of the following Corporation: Complainant. The Complainant has used such diligence in trying to ascertain these facts as shown by Paragraph \*6" of this Bill of Complaint.
- 5. Complainant further shows that no one has within the ten years next preceding the filing of this Bill of Complaint paid any taxes upon the said lands herein mentioned or any part of the same, other than the Complainant. Complainant has used such dilicence in trying to ascertain these facts as shown by paragraph "6" of this Bill of Complains:
- 6. Complainant further shows unto the Court that he is in the actual, peaceable possession of said land, claiming to own -page one-

the same under his said purchase aforesaid and that no one is known to have been in the possession of said land for the past ten years other than the Complainant. And Plaintiff avers that there are no other persons that are known to your Complainant to have had any possession whatsoever of said lands or any part thereof within the last ten years next preceding the filing of this Bill of Complaint, except those heretofore mentioned, and Complainant further avers that no one is known to your Complainant to claim this land or any part thereof or any interest therein, except the Complainant and the following named persons:— Mrs. Susie Thomas, Luverne, Alabama, and Mrs. Lillian Vaughn, Georgianna, Alabama, devisees under the last Will of J. W. Thomas, Deceased.

Complainant avers that it made a dligent search, through its agents and attorneys, and inquiry to escertain the residences and addresses of all persons, firms and corporations hereinabove named, and whether or not any of them be dead, and if dead to ascertain the names and addresses of their heirs and devisees, successors or assigns, of such deceased person. Complainant avers that in its effort to ascertain these facts it had a complete Abstract of Title made of this property; it then employed attorneys to examine the same and ascertain whom the record showed to have some claim to this property; that they have made a thorough inquiry in the community where this land is located and situated, seeking to get any information whatsoever about the said named parties or any other persons who might claim any title to or interest in said lands; that they have interviewed numerous people and made special effort to locate old residents who have inhabited the country near these lands for a long time, and all the information they have been able to accumulate relative to prior ownership and possession is herein sot out.

# PRAYER FOR PROCESS.

To the end, therefore, that equity may be had in the premises Complainant prays that your Honor will cause the usual Writ of Process to issue to Mrs. Susie Thomas and Lillian Vaughn making them parties Defendant to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required -page twoCourt and recorded there, and is to be indexed in the direct index in said office in the name of J. W. Thomas. and in the indirect index in the mame of The Baldwin County Colonization Company.

Judge of the Pwenty-first Judicial Circuit of Alebama.

THE STATE OF ALABAMA, BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, T.W.Richerson, Register of said Court of said County, Alabama, do hereby certify that the above is a full, thue and correct copy of the decree rendered by said Court on the 1st day of Jahuary, 1932, in the cause of BALDWIN COUNTY COLONIZATION COMPANY & Correction Court of County TION COMPANY, a corporation, Complainant, vs. THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER SECTION TWENTY, TOWNSHIP SEVEN SOUTH OF RANGE SIX EAST, MRS. LILLIAN VAUGHN AND VONCILLE VAUGHN, a minor under the age of Fourteen years, and SUSAN KATHRYN VAUGHN, a minor under the age of fourteen years, respondents, as appears of record in said court.
Witness my hand and the seal of said court, this the 25th day of January, 1932.

#### -pago timee-

by law in the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by law in the State of Alabama, authorizing the quieting of the title in rem.

#### PRAYER FOR RELIEF.

Complainant further prays that upon the hearing of this cause that your Honor will be pleased to establish Complainant's right of title to, and will decree that Complainant is the owner in fee simple of said lands above described, and that no other person has any title to, or interest in, or lien or encumbrance upon the lands or any part thereof and that in said Decree your Honor will direct in whose name it shall be indexed upon the direct index and whose name it shall be indexed in the indirect index of the records thereof in the Probate Court of Baldwin County, Alabama; that your Honor will order a certified copy of said decree to be copied in the Probate Court of Baldwin County, and Complainant further prays for such other, further and different relief as in equity may seem just and meet, and Complainant will ever pray.

Solfest Heard & Chase-Bolfestor for Complainant.

FOOT NOTE:-

All persons claiming any title to; interest in, lien or encumbrance upon the property described in the Bill of Complaint or any part thereof, and all persons mentioned as Defendants in this Bill of Complaint are required to answer all of the allegations of said Bill of Complaint from Peragraphs "l" to "6" inclusive, but answer under oath is hereby expressly waived.

Hypart Heard a Chan-

STATE OF ALABAMA.

BALDWIN COUNTY.

Personally appeared before me. Alekanic Alekson a Notary Public in and for said State and County, R. C. Heard, who upon oath deposes and says:-

That he is the agent of the Complainant in the above cause and duly authorized by him to make this eath and that the facts stated in the foregoing Bill of Complaint, upon knowledge, are true, and that he is informed as to the facts stated upon information and belief as therein stated and verily believes, and so <u>Colland</u> states, that the same are true.

gd, subscribed before

lio. Dal Alabama.

That he is the agent of the Complainant in the above cause and duly sutherized by him to make this oath and that the facts stated in the foregoing Bill of Complaint, upon knowledge, are true, and that he is informed as to the facts stated upon information and belief as therein stated and verily believes, and so states, that the same are true.

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BALDWIN COUNTY COLONIZATION COMPANY, A Corporation,

Complainant,

-VS-

THE SOUTHWEST QUARTER OF THE NORTH-WEST QUARTER SECTION TWENTY, TOWN-SHIP SEVEN SOUTH OF RANGE SIX EAST, MRS. LILLIAN VAUGHN AND VONCILLE VAUGHN, a Minor under the age of Fourteen years, and SUSAN KATHRYN VAUGHN, a Minor under the age of Fourteen years,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY.

ALABAMA.

SITTING IN EQUITY.

### OPINION.

This cause being submitted on the original Bill of Complaint, Amended Bill of Complaint, Answer and Cross Bill of Respondent minors, Voncille and Susan Kathryn Vaughn as filed by their guardian ad litem, J. B. Blackburn, Esq., upon the Decree proconfesso against Mrs. Lillian Vaughn, and the testimony of L. Lindoerfer and A. Krieger and R. C. Heard. The such of the plantage of the

The pleading and evidence in this cause shows that the Baldwin County Colonization Company, sometime before the year, 1910 acquired the aforesaid lands from the Southern States Lumber Company. That in 1910 the Baldwin County Colonization Company sold the lands to one, Martin Portel, who went into, under his said purchase from the Baldwin County Colonization Company, the open, notorious, exclusive and adverse possession of said lands.

The records further disclose that Martin Portel executed a mortgage to the Baldwin County Colonization Company on said lands, which mortgage was foreclosed in January, 1920. That the said possession of the said Martin Portel, as aforesaid, continued up until the foreclosure of said mortgage, at which time the Baldwin County Colonization Company, having purchased said lands at said fore-

elosure sale, went into the actual, open, notorious and exclusive possession of said lands, and have continued in said possession ever since, and that the Baldwin County Colonization Company has been paying the taxes upon said lands since 1920.

The records further disclose that on June 1, 1918, said lands were sold for taxes due thereon for the year 1917, and that these lands were purchased at said tax sale by J. W. Thomas, who has since died. That on June 3, 1920, a tax deed was duly executed to J. W. Thomas in and to said lands, and that J. W. Thomas paid the taxes on said lands from 1918 to 1925 inclusive, and that whatever interest the said J. W. Thomas had in and to said lands by way of said tax deed and the payment of the aforesaid taxes as aforestated was devised by the said Thomas in his last Will and Testament dated the 24th. day of September, 1924, and which has been duly probated, to Mrs. Lillian Vaughn, Voncille Vaughn and Susan Kayhryn Vaughn. That the total amount due the said Respondents as agreed upon by and between the Plaintiff and J. B. Blackburn, as Guardian ad litem for Voncille Vaughn and Susan Kathryn Vaughn, minors, is EIGHTY AND 87/100 (\$80.87) DOLLARS, said amount covering the purchase price of said lands paid by the said J. W. Thomas at the tax sale thereof, and the several items of taxes paid by him, together with the interest thereon at the legal rate of interest.

It being agreed by and between the parties that the aforesaid amount is now due the Respondents and Cross Complainants by way of payment of purchase price at the tax sale and the payment of the taxes during the several years heretofore mentioned takes out of this cause the question as to the liability of the Complainant for the aforesaid amount, and also the question as to whether the

Respondents have a lien on said lands for the amount of money that has been expended by their testator in and by said taxes.

The records disclose that the Complainant, The Baldwin County Colonization Company, has the fee simple title in and to said lands, and is entitled to have its said title to be declared absolute and in fee simple, subject, however, by its agreement to have fastened thereon a lien in favor of the Respondents and Cross Complainants in the sum of EIGHTY AND 87/100 (\$80.87) DOLLARS, being the amount paid by the testator and Respondents and Cross Complainants as aforestated.

## DECREE.

It is, therefore, ordered, adjudged and decreed that the Complainant, the Baldwin County Colonization Company, is the absolute owner of the following described property, to-wit:-

The Southwest Quarter of the Northwest Quarter of Section Twenty, in Township Seven South of Range Six East, in Baldwin County, Alabama.

in fee simple in its own right, and that no other party, individual, or corporation has any interest, right, title, lien or incumbrance upon the same except Mrs. Lillian Vaughn, Voncille Vaughn and Susan Kathryn Vaughn, jointly who have a lien upon said lands for the sum of EIGHTY AND 87/100 (\$80/87) DOLLARS, expended by their testator, J. W. Thomas.

It is further ordered, adjudged and decreed that all claims, rights, title, interest in or incumbrance upon said lands held by any one other than Lillian Vaughn, Voncille Vaughn and Susan Kathryn Vaughn are hereby and herein declared null and void, and is decreed to be a cloud upon the title of Complainant and removed as

such.

It is further ordered, adjudged and decreed that upon the payment, within sixty days from the date of this decree into the Registry of this Court by Complainant, the sum of EIGHTY AND 87/100 (\$80.87) DOLLARS, for the use and benefit of the said Lillian Vaughn, Voncille and Susan Kathryn Vaughn, together with the cost of these proceedings will be in complete satisfaction of all claims, rights, title, interest in, or incumbrance upon said lands that the said Lillian Vaughn, Voncille Vaughn and Susan Kathryn Vaughn hold in and to the same, and that upon the payment of said amount the Baldwin County Coloni zation Company's title in and to said lands shall be forever quieted, as to all claims, demands, rights or incumbrances held by any one whomsoever, and that said tax deed executed by the Probate Judge of Baldwin County, Alabama, to J. W. Thomas in and to said lands be held for naught and of no effect, and removed forever as a cloud upon the title of The Baldwin County Colonization Company to said lands.

It is further ordered, adjudged and decreed that upon the payment of the aforesaid sum, together with the cost of these proceedings to the Register of this Court by the Complainant that the Register then is to indorse that fact upon this decree, and also upon the margin of the record where this decree is recorded in the Probate Judge's Office of Baldwin County, Alabama.

It is further ordered, adjudged and decreed that J. B. Blackburn is allowed the sum of THIRTY-FIVE AND 00/100 (\$35.00) DOLLARS as a guardian ad litem fee in representing Voncille and Susan Kathryn Vaughn, minors, which is to be taxed as a part of the cost.

It is further ordered, adjudged and decreed that a copy of the foregoing opinion and this decree shall be filed in the Probate Judge's Office by the Register of this

Court and recorded there, and is to be indexed in the direct index in said office in the name of J. W. Thomas, and in the indirect index in the mame of The Baldwin County

Colonization Company.
This January 1,19 32

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Judge of the Twenty-first Judicial Circuit of Alabama BALDWIN COUNTY COLONIZATION COMPANY, A Corporation,

Completent.

-VS-

THE SOUTHWEST QUARTER OF THE NORTH-WEST QUARTER SECTION TWENTY. TOWN-SHIP SEVEN SOUTH OF RANGE SIX EAST, MRS. LILLIAN VAUGHN AND VONGILLE VAUGHN, a Minor under the age of Fourteen years, and SUSAN KATHRYN VAUGHN, a Minor under the age of Fourteen years, IN THE CIRCUIT COURT OF BALDWIN COUNTY.

ALABARIA.

SITTING IN EQUITY.

## 

This cause being submitted on the original Bill of Complaint, Amended Bill of Complaint, Answer and Cross Bill of Respondent minors, Voncille and Susan Kathryn Vaughn as filed by their guardian ad litem, J. B. Blackburn, Esq., upon the Decree proconfesso against Mrs. Lillian Vaughn, and the testimony of L. Lindoerfer and A. Krieger and R. C. Heard. The pleading and evidence in this cause shows that

The pleading and evidence in this cause shows that the Baldwin County Colonization Company, sometime before the year, 1910 acquired the aforesaid lands from the Southern States Rumber Company. That in 1910 the Baldwin County Colonization Company sold the lands to one, Martin Portel, who went into, under his said purchase from the Baldwin County Colonization Company, the open, notorious, exclusive and adverse possession of said lands.

The records further disclose that Martin Portel executed a mortgage to the Baldwin County Colonization Company on said lands, which mortgage was foreclosed in January, 1920. That the said possession of the said Martin Portel, as aforesaid, continued up until the foreclosure of said mortgage, at which time the Baldwin County Colonization Company, having purchased said lands at said fore-

closure sale, went into the actual, open, notorious and exclusive possession of said lands, and have continued in said possession ever since, and that the Baldwin County Colonization Company has been paying the taxes upon said lands since 1920.

The records further disclose that on June 1. 1918, said lands were sold for taxes due thereon for the year 1917, and that these lands were purchased at said tax sale by J. W. Thomas, who has since died. That on June 5, 1920, a tex deed was duly executed to J. W. Thomas in and to said lands, and that J. W. Thomas paid the taxes on said lands from 1918 to 1925 inclusive, and that whatever interest the said J. W. Thomas had in and to said lands by way of said tax deed and the payment of the aforesaid taxes as aforestated was devised by the said Thomas in his last Will and Testament dated the 24th. day of September. 1924, and which has been duly probated, to Mrs. Idllian Vaughn, Voncille Vaughn and Susan Kathryn Vaughn. That the total amount due the said Respondents as agreed upon by and between the Plaintiff and J. B. Blackburn, as Guardian ad litem for Voncille Vaughn and Susan Kathryn Vaughn, minors. is Eighty and 87/100 (\$80.87) Dollars, said amount covering the purchase price of said lands paid by the said J. W. Thomas at the tax sale thereof, and the several items of taxes paid by him, together with the interest thereon at the legal rate of interest.

It being agreed by and between the parties that the aforesaid amount is now due the Respondents and Cross Complainants by way of payment of purchase price at the tax sale and the payment of the taxes during the several years heretofore mentioned takes cut of this cause the question as to the liability of the Complainant for the aforesaid amount, and also the question as to whether the

Respondents have a lien on said lands for the amount of money that hes been expended by their testator in and by said taxes.

The records disclose that the Complainant, The Baldwin County Colonization Company, has the fee simple title in and to said lands, and is entitled to have its said title to be declared absolute and in fee simple, subject, however, by its agreement to have fastened thereon a lien in favor of the Respondents and Cross Complainants in the sum of EIGERY AND 87/100 (380.87) DOLLARS, being the amount paid by the testator and Respondents and Cross Complainants as aforestated.

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It is, therefore, ordered, adjudged and decreed that the Complainant, the Baldwin County Colonization Company, is the Absolute Owner of the following described property, to-wit:\*

The Southwest Quarter of the Northwest Quarter of Section Twenty, in Township Seven South of Range Six East, in Baldwin County, Alabama.

in tee simple in its own right, and that no other party, individual, or componention has any interest, right, withe, limb or incuming and upon the same except line. Lillian Youghn, Toneille Yangha and Dusan Eathryn Yangha, jointly who have a lien upon said lands for the sum of RIGHT AND S7/100 (200/07) Dollans, expended by their testator, J.

that all elaims, rights, title, interest in or inoundrance upon said lands held by any one other than lilliam Youghn, Venetlie Youghn and Susan Nothryn Youghn are
hereby and herein declared mull and void, and is decreed
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DALDWIN COURT COLONIANIANION COMPANY, A Comporation,

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Complaint, Amended Bill of Complaint, Amender and Gross Bill of Respondent minors, Venetille and Chesn Kathryn Venghm as filled by their guardien ad liter, J. B. Blackburn, Eq., upon the Dearce procentesse against Mrs. Millian Venghm, and the tentiment of L. Lindperfor and A. Trioger and R. C. Beard Fansuer of Complainant to Cross Bill The pleading and evidence in this cause shows that the Baldwin County Colonisation Company, sometime before the year, 1910 sequired the aforesaid lands from the Southern States Lamber Company. That is 1910 the Baldwin County Colonisation County Colonisation County the Juneau and the Lends to one, North Portol, the west into, under his anid purchase from the Baldwin County Colonisation County the open, notorious, coolumbre and adverse phasesaid of said lands.

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Company on said Lands, which nortgage was forcelosed in January, 1920. That the caid personation of the said Martin Portol, as aforced, continued up until the forcelesure of said martings, at which time the Saldwin County Colomication Gamery, boring purchased and lands at said force.

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The records further Clealoge that on June 1. 1910, and loads were sold for taxes due thereon for the your 1017, and that those lambs very purchased at said tex cale by J. T. Thomas who has since died. That on June S. 1820, a tax dood man duly executed to J. T. Thomas in and to said looks, and that I. T. Thomas relation terror on said leads from 1016 to 1025 inclusive, and that sharever interest the self J. T. Thomas had in and to self leads by way of each tex deed and the payment of the aforesaid tause as afterestated one deviced by the said Thomas in his last Fill and Tostement deted the Sith. day of September. 1974, and wilds has been duly projected, to live. Illian Toughn, Voncille Voughn and Japon Haghryn Voughn. That the total except due the seld Respondents so agreed upon by end between the Plaintiff and J. D. Dlockarn, or Jacrdian of lita for Tabillo Tauja and Capa Latinga Tauja, nimeo, in TINET AND 07/100 (200.07) DOLLED, male amount covering the parebage price of enid lands paid by the enid I. H. Thomas at the tex sale thereof, and the several items of texes pull by him, together of the theorem thereon of the level rule of interest.

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The records disclose that the Complainant, The Ealdwin County Colonization Company, has the fee simple title in and to said lands, and is entitled to have its said title to be declared absolute and in fee simple, subject, however, by its agreement to have fastened thereon a lien in favor of the Respondents and Gross Complainants in the sum of EIGHTY AND 87/100 (\$80.87) DOLLARS, being the amount paid by the testator and Respondents and Gross Complainants plainants as aforestated.

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The Southwest Quarter of the Northwest Quarter of Section Twenty, in Township Seven South of Range Six Bast, in Baldwin County, Alabama.

in fee simple in its own right, and that no other party, individual, or corporation has any interest, right, title, lien or incumbrance upon the same except Mrs. Lillian Vaughn, Voncille Vaughn and Susan Kathryn Vaughn, jointly who have a lien upon said lands for the sum of MIGHTY AND 87/100 (\$80/87) DOLLARS, expended by their testator, J. W. Thomas.

that all claims, rights, title, interest in or incumbrance upon said lands held by any one other than Lillian Vaughn, Voncille Vaughn and Susan Kathryn Vaughn are
hereby and herein declared mull and void, and is decreed
to be a cloud upon the title of Complainant and removed as

gach.

It is further ordered, edjudged and decreed that upon the payment, within sixty days from the date of this decree into the Registry of this Court by Comliansh, the sum of BIGHTY AND 87/100 (80.87) DOLLARS, for the use and benefit of the said Lillian Veughn, Veneille and Gusan Kathryn Vaughn, together with the cost of these proceedings will be in complete antisfection of all slaims, rights, title, interest in, or inousbrance upon said lands that the said Lilian Vaugin, Vonellie Vaughn and Sugan Kathryn Vaughn hold in and to the same, and that upon the payment of said amount the Baldwin County Coloni region Company's title in and to said lands shall be forever quieted, as to all claims. demands, rights or incumbrances held by any one whomsoever. and that said tax doed executed by the Probate Judge of Religion County, Alabama, to J. W. Thomas in and to said lands be held for maught and of no effect, and removed forever as a cloud upon the title of The Belivin County Colonization Company to orid louis.

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It is further ordered, adjudged and decreed that J. D. Blockburn is allowed the sum of THISTY-FIVE AND OC/100 (\$35.00) DOLLARS as a guardian ad liben fee in representing Voncille and Suman Rathryn Yaughn, minors, which is to be taxed as a part of the cost.

It is further ordered, adjudged and decreed that a copy of the foregoing opinion and this decree shall be filed in the Probate Judge's Office by the Register of this