

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

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

The Northeast Quarter of the Northeast Quarter
(NE $\frac{1}{4}$ of NE $\frac{1}{4}$) Section Twenty-seven (27) Township
Seven (7) South of Range Six (6) East;

and Complainant further avers and presents this Bill of Complaint against any and all persons claiming any title to, interest in, lien or encumbrance upon said lands 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 lands.

3. Complainant further shows that it claims the entire fee simple title in and to said lands, having acquired the same by purchase from Southern States Lumber Company, a Corporation, which has since been dissolved in accordance with law, and who owned the land at the time the same was sold by it and conveyed to Complainant.

4. Complainant further shows that the title to said land stands on the records in the Probate Court of Baldwin County in the name of the following person:-- George W. Matthews. Complainant does not know the residence and address of the said George W. Matthews nor does Complainant know if he is dead, and if dead Complainant does not know the names and addresses of his heirs and devisees, and 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 last ten years next preceding the filing of this Bill of Complaint paid any taxes upon the said land herein mentioned or any part of the same, other than W. S. and W. R. Sikes and H. M. Hall and A. M.

Duseck. Complainant has used such diligence in trying to ascertain these facts as is shown by Paragraph "6" of this Bill of Complaint.

6. Complainant further shows unto the Court that it is in the actual, peaceable possession of said land, claiming to own the same under its purchase aforesaid, and that no one is known to have been in the possession of said lands for the past ten years except the following persons:- Nick Joszt and Complainant. And Plaintiff avers that there are no other persons that are known to your 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, under and through whom Complainant claims title and ownership to the aforesaid land. And Plaintiff further avers that no one is known to Complainant to claim this land or any part thereof, or any interest therein, except your Complainant and the following named persons:- Nick Joszt, whose residence is unknown; Heirs of Nick Joszt, whose residences and names to Complainant are unknown; W. M. Sikes, Luverne, Alabama; ~~E. M. Hall~~ and A. M. Duseck, ~~Bay Minette~~, *Lillian Ala* Alabama; that all of said parties mentioned in this Paragraph are over the age of 21 years.

Complainant avers that it made a diligent search through its agents and attorneys, and inquiry to ascertain 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 set 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 the above named Defendants:- W. M. Sikes, Luverne, Alabama, ~~H. M. Sikes~~ and A. M. Duseck requiring them to plead, answer or demur to the same within the time and under the practice and rules of this Honorable Court, and that your Honor will also cause notice to be published of these proceedings instituted by the filing of this Bill of Complaint as required by law of the State of Alabama, authorizing the quieting of title in rem; that your Honor will also cause notice by publication to be given to Nick Joszt and the heirs of Nick Joszt by publication in some newspaper published in Baldwin County, Alabama, requiring them to plead, answer or demur to this Bill of Complaint within the time as required by law.

PRAYER FOR RELIEF.

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

Lybark Heard & Chason
Solicitor 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 Paragraphs "1" to "6" inclusive, but answer under oath is hereby expressly waived.

R. C. Heard & Chason
Solicitor for Complainant.

STATE OF ALABAMA,

BALDWIN COUNTY.

Personally appeared before me, Katherine Hicks,
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 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.

R. C. Heard

Sworn to and subscribed before
me this 17th day of June, 1931.

Katherine Hicks
Notary Public, Baldwin County,
Alabama.

RECORDED
ORIGINAL

BILL OF COMPLAINT

BALDWIN COUNTY COLONIZATION
COMPANY, A Corporation,

Complainant,

-VS-

CERTAIN LANDS, W. M. SIKES
ET AL.,

Defendants.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Filed this 14th day of Aug
1931.

J. M. McReynolds
Register.

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA

BALDWIN COUNTY COLONIZATION
COMPANY. a Corporation,

Complainant,

-VS-

CERTAIN LANDS, W. M. SIKES,
A. M. DUSECK ET AL,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Now comes the Baldwin County Colonization Company, a Corporation, and for answer to the Cross-bill filed in this cause, says:-

FIRST:

That it admits the Petitioner therein is over the age of twenty-one years and a resident of Crenshaw County, Alabama.

SECOND:

Cross-complainant is not advised as to the claims as to title of the lands mentioned in the second paragraph of said Cross-bill by the said W. M. Sikes, but charges the fact to be that it, the Baldwin County Colonization Company, is the true and legal owner of said lands, and it is not advised as to the property mentioned in said paragraph as having been sold to H. M. Hall in the year 1930. and calls for strict and legal proof of the same.

THIRD:

Said Baldwin County Colonization Company is not advised as to the claims of title of the said W. M. Sikes or how he claims to have obtained the same, and calls for strict proof of the same, but alleges the fact to be that W. M. Sikes is not the owner of said property, nor has he the legal title to the same, nor is he in the actual possession of the same, nor has he or his alleged predecessors in title been in actual possession of the same at any time, and shows the true facts to be that it, the Baldwin County Colonization Company, is in the actual possession of said property under the legal title to the same. All other allegations set forth in Paragraph Three of said Cross-bill are herein expressly denied, and strict proof of the same is called for.

FOURTH:

In answer to the fourth paragraph of said Cross-bill

(page two)

Complainant says that it expressly denies that W. R. Sikes was in the actual, peaceable and adverse possession of said tract of land since the 3rd day of June, 1920, or thereabout, until the present date; that it denies that such possession has been continuous without interruption from anyone. All other allegations contained in the fourth paragraph are hereby and herein expressly waived, and strict proof is called for as to the same.

Having answered the foregoing Cross-bill, Cross-Complainant asks that he be discharged with his reasonable costs.

Hybart Need & Chason
Solicitors for Cross-Complainant.

RECORDED

ANSWER.

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Complainant,

-VS-

CERTAIN LANDS, W. M. SIKES,
A. M. DUSECK ET AL,

Respondents.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Filed April 28, 1933

W. M. Sikes
Register.

*copy of answer sent
Dra B. Thompson, atty
for W. M. Sikes, Hy/heard
Hend & Chason*

LAW OFFICES

HYBART, HEARD

& CHASON

BAY MINETTE, ALABAMA

"ANSWER & CROSSBILL".

Baldwin County Colonization
Company, a Corporation,
Complainant.
Vs.
Certain Lands, W.M. Sikes,
A.M. Duseck, et al.

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

ANSWER OF W.M. SIKES, PARTY TO THE BILL OF COMPLAINT OF THE BALDWIN COUNTY COLONIZATION COMPANY, A CORPORATION, COMPLAINANT.

PART I.

Your respondent reserving to himself all right of excepting to the said bill of complaint, for answer there-to says:

That in answer to paragraph one of the bill of complaint, your respondent denies that the complainant nor any one else other than your respondent is in the actual, peaceful possession of the property described as that certain track of land in the bill of complaint, and further denies that the complainant has a fee simple title to the said certain track of land.

That in answer to paragraph two of the said bill of complaint, your respondent is informed and believes that to the extent of his knowledge, there is no suit pending to test such title, if any, the complainant may have to this certain track of land.

That in answer to paragraph three of the bill of complaint, your respondent further denies that complainant has a fee simple title to this certain track of land, and whether or not the alleged Sourthern States Lumber Company, an alleged Florida dissolved corporation, granted this land to complainant by purchase is a fact, if such is a fact, not within the knowledge of the respondent.

That your respondent in answer to paragraph four of the bill of complaint, denies that title to said lands as alleged in this paragraph of the bill of complaint stands in the name of George W. Matthews, as shown by the records of the Probate Court of Baldwin County, Alabama, nor does your respondent admit that due diligence was used to ascertain the facts as shown in paragraph 6 of the bill of complaint.

That in answer to paragraph five of the bill of complaint your respondent states that in the year of 1918 the said land was sold for its taxes and that your respondent paid the said taxes on the said land for that year for each year thereafter, and that in the year of 1920 the state of Alabama executed to your respondent a tax deed to the said certain described land as shown in the bill of complaint.

That in answer to paragraph six of the bill of complaint, your respondent denies that complainant is in actual possession of the land, nor does the said complainant have any interest in the said land, nor so far as your respondent is informed Nick Joszt, nor any other person has any possessory interest in said land. Your respondent further states that the complainant had knowledge or should have knowledge of the possession of your respondent of this said land. Respondent denies further that a diligent search was made made of the records of the probate office of Baldwin County to ascertain who had title to this said land, and further denies that a diligent search was made in the community and locality where this land was situated and located, as it is commonly know in this locality that your respondent is the owner and occupant of the said land.

Now comes your petitioner, who is the Respondent W.M. Sikes in the Original Bill of Complaint, and respectfully exhibits this his cross-bill, and humbly complaining, would represent unto your Honor as follows:

1. That your petitioner is over the age of twenty-one years and a resident of Crenshaw County, Alabama.

2. That your petitioner claims title in fee simple to the following described land, to-wit: the Northeast Quarter of the Northeast Quarter, Section 27, Township 7 South, Range 6 East, less two and one-half acres more or less, this being described as beginning at the Northwest corner of the Northeast quarter of Section 27, Township 7 South, Range 6 East, running three hundred and thirty feet, thence South Three hundred and thirty feet to the West line of the Northeast Quarter of the Southeast Quarter of section 27, Township 7, Range 6 East, thence North along said West line three hundred and thirty feet more or less to the point of beginning, which said later described property was sold by your petitioner to one H.M. Hall in the year of 1930, and your petitioner is informed and believes that said H.M. Hall sold by grant said land to one A.M. Duseck.

3. Your petitioner claims title to the said tract of land as described in the former paragraph of this bill by virtue of a deed executed to him by one W.R. Sikes, August 16th, 1930, of which same is duly recorded in the Office of the Judge of Probate, Baldwin County, Alabama, and your petitioner further alleges that he has since the date of execution of said deed been in actual possession of said lands, claiming the same as his own against the entire world in fee simple. Your petitioner further alleges that in the year of 1918 that this tract of land was duly sold for its delinquent taxes for the year of 1917, and that W.S. Sikes and W.R. Sikes purchased said land at said tax sale, and that the State of Alabama on the 3rd day of June 1920 executed to W.S. Sikes and W.R. Sikes a deed in fee simple to this said land, which was duly registered and recorded on the 9th day of June 1920, in the Office of the Judge of Probate, in Baldwin County, Alabama. Your petitioner further avers that the property as above described in paragraph two of this bill was in the years of 1917 and 1918 assessed in the name of one Nick Joszt, then the owner of said property, but that due to typographical error in the tax deed as herein referred to, the property was stated to have been assessed to one Nick Yost, which your petitioner avers is one and the same person. Your petitioner further avers that since the date of execution of the within referred to tax deed, W.S. Sikes and W.R. Sikes went into and took possession of this property, claiming same as thier own against the entire world, and continued in possession until August 16th, 1929, at which time W.S. Sikes, his heirs and assigns, duly executed in fee simple a deed conveying their interest in said lands to W.R. Sikes together with possession of said lands, which said deed is duly recorded in the Probate Office of Baldwin County, Alabama, and your petitioner further avers that W.S. Sikes's possession has been continuous without interruption since the 9th day of June 1920 to the 16th day of August, 1930, at which time W.R. Sikes conveyed by deed in fee simple to your petitioner the above mentioned property as described in paragraph two of this bill, together with its possession, and your petitioner further avers that he took actual possession of said land on the date of the execution of the deed from W.R. Sikes, which deed was duly recorded in the Office of the Judge of Probate, of Baldwin County, Alabama, on the 25th day of August, 1930, and your petitioner further avers that his possession has been continuous and without interruption from anyone.

4. Your petitioner further avers that he has together with W.S. Sikes, his heirs, and W.R. Sikes, his predecessors in title and possession of this said tract of land, been in actual, peaceful and adverse possession of this said tract of land since the 3rd day of June, 1920 or thereabout, until the present date, and such possession has been continuous without interruption from anyone, and your petitioner further alleges that he together with

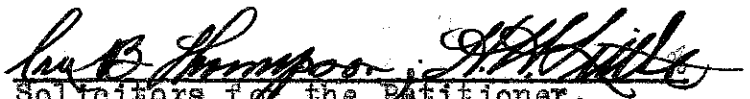
his predecessors in title and possession have paid the taxes on this said land from the year of 1918 up until the present, and have claimed this property as their own against the entire world in fee simple.

THE PREMESIS CONSIDERED your petitioner in this his cross-bill prays that upon final hearing that Your Honor may make such orders and decrees removing the cloud upon your petitioner's title as shown by the alleged title of complainants' in the original bill of complaint, and will decree that your petitioner is the owner in fee simple, and that no other person has any interest in or title to this said land other than mentioned in the premissis; that your Honor may ascertain and decree if your petitioner should fail to show a valid defense to the original bill of complaint other than the taxes were not due, the cost of these proceedings, the amount of taxes paid by your petitioner together with his predecessors in title, together with a reasonable attorney fee for services rendered in defense of your petitioners title, and that your Honor may declare a lien upon said land as allowed by Section 3102 of the Code of Alabama of Nineteen Hundred and Twenty-three; that your Honor make a decree or order reforming the tax deed as attached hereto and prayed to be taken a part of this cross-bill, and marked exhibit "A", so as to read that the property was assessed to Nick Joszt instead of Nick Yost, so as to correct the typographical error referred to in the premissis; that if your petitioner has not asked for the proper relief, then your petitioner prays that your Honor may grant such other and further relief that may seem in equity just and to your Honor may seem meet, etc.


Solicitors for the Petitioner.

FOOT NOTE:

Your petitioner, W.M. Sikes, in this his cross-bill, request that the Baldwin County Colonization Company, a corporation, whose principle place of business is at Alberta, Alabama, and who is the complainant in the original bill of complaint, answer, but not under oath, as this is expressly waived, paragraph 1 to 4 inclusive, of this cross-bill.


Solicitors for the Petitioner.

"Ansett's Cross-Bill"

of W. M. Silkes

Baldern County
Colonization Co., a corp.,
Complainant

vs.

Certain Land,

A. M. Duesch &

W. M. Silkes,

Respondents

Filed April 21, 1933.

J. M. Richardson
Register.

Copy Given Hybart
Heard & Channon,
for cross. Respondent.

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Plaintiff,

-vs-

THE LANDS DESCRIBED HEREIN,
NICK JOSZT ET AL,

Defendants.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

No. _____

It having been made to appear in the above cause from the Affidavit of R. C. Heard, one of the solicitors of record in the above cause, that some of the Defendants to the Bill of Complaint in said cause are non-residents of the State of Alabama, a more particular address being unknown;

It is therefore ORDERED, ADJUDGED AND DECREED that said Defendants, Nick Joszt, Unknown Heirs of Nick Joszt, W. M. Sikes, ~~H. M. Hall~~ and A. M. Duseck appear in this Court and answer, plead or demur to the Bill of Complaint in this cause filed, on or before the 19th day of Sept, 1931, or on their having failed to do so at the expiration of thirty days from said date, a decree pro confesso be taken against them.

It is further ORDERED, ADJUDGED AND DECREED that the Register of this Court have this order published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, once a week for four consecutive weeks, and further, that within twenty days from the making of this order, post a copy of this Order at the front door of the Courthouse of Baldwin County, Alabama.

IN WITNESS WHEREOF, I, T. W. Richerson, as Register hereunto set my hand on this the 14 day of August, 1931.

T. W. Richerson
Register.

HYBART, HEARD & CHASON,
Attorneys for Complainant.

RECORDED

ORDER AND NOTICE OF PENDENCY
OF SUIT.

BALDWIN COUNTY COLONIZATION
COMPANY, A Corporation,

Plaintiff,

-VS-

THE LANDS DESCRIBED HEREIN,
NICK JOSZE, ET AL,

Defendants.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

No. _____.

Issued 14th day of Aug 1931.

J. M. McCreary
Register.

LAW OFFICES

HYBART, HEARD
& CHASON

BAY MINETTE, ALABAMA

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Complainant,

-vs-

CERTAIN LANDS ET AL,

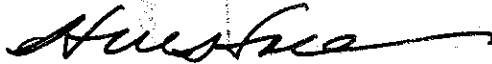
Respondents.

IN THE CIRCUIT COURT--EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Comes H. M. Hall, as Attorney of Record for A. M. Duseck,
and agrees that this cause be submitted for Final Decree upon
Decree Pro Confesso against A. M. Duseck and Testimony of Witnesses
for Complainant.



Attorney of Record for A. M.
Duseck.

986
RECORDED

AGREEMENT.

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Complainant,

-VS-

CERTAIN LANDS, ET AL.,

Respondent.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Filed June _____, 1933

Register.

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Complainant,

-vs-

CERTAIN LANDS, ET AL.,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

DECREE PRO CONFESSO ON FAILURE TO PLEAD FURTHER AFTER DEMURRER
OVERRULED.

In this cause it being made to appear to the Register that the Demurrer of H. M. Hall, as Attorney for A. M. Duseck, was by the Circuit Court of Baldwin County, Alabama, in Equity, overruled on the 30th day of March, 1933, and said Defendant having failed to answer said Bill within thirty days from the date thereof;

IT IS NOW THEREFORE, on Motion of Complainant, ordered, and decreed that the said Bill of Complaint be and it is hereby in all things taken as confessed against the said A. M. Duseck, Defendant aforesaid.

Granted this 1st day of June, 1933.

T. W. Richardson
Register.

986 RECORDS

DECREE PRO CONFESSO ON FAILURE
TO PLEAD FURTHER AFTER DEMURRER
OVERRULED.

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Complainant,

--vs--

CERTAIN LANDS, ET AL.,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Issued June 1, 1933

Register.

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

COMPLAINANT,

VS.

CERTAIN LANDS, W. M. SIKES,
ET AL.,

DEFENDANTS.

IN THE CIRCUIT COURT OF BALDWIN,
COUNTY, ALABAMA.

IN EQUITY.

Now comes W. M. Sikes and agrees that the Court render a decree for the Complainant in the aforesaid cause as prayed for therein, on the condition that the Court decree that the said W. M. Sikes has a lien on said lands mentioned in said Complaint for moneys expended by him in the payment of taxes thereon in the sum of ONE HUNDRED, THIRTY SIX AND 87/100, (\$136.87) DOLLARS and the further sum of TWENTY-FIVE AND 00/100 (\$25.00) DOLLARS, as Solicitor's fee for Ira B. Thompson, Esq., his Solicitor in said cause and said sums to be paid within sixty days to the said W. M. Sikes and the said Ira B. Thompson, and in the event the same is not paid within that time said lands are to be ordered sold for the satisfaction of said demands.

W. M. SIKES

BY:

Ira B. Thompson
His Solicitor.

The Baldwin County Colonization Company joins in the above agreement and agrees that a lien on said lands be decreed in favor W. M. Sikes and Ira B. Thompson, Esq., as mentioned therein.

BALDWIN COUNTY COLONIZATION COMPANY

BY:

Hyatt, Head & Chasen
Its Attorneys.

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RECORDED
INDEXED

AGREEMENT

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,
Complainant;

VS.

CERTAIN LANDS, W. M. SIKES, ET AL
Defendant.

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

Filed, 28 day of June, 1953.

[Signature]

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
No. Term, 192....

..... **BALDWIN COUNTY COLONIZATION COMPANY,** Complainant..
vs. **NICK JOSZT ET AL** Defendant..

In this cause it appears to the Register **T. W. Richerson** that the order of publi-
cation heretofore made in this cause, was published for four consecutive weeks, commencing on the
20th day of **August**, 192**31**, in the **Baldwin Times,**
a newspaper published in **Bay Minette,** Alabama, that a copy of said order was posted
at the Court House door in **Baldwin** County, on the **14th** day of
August 19**31**, and

And it now further appearing to the Register **T. W. Richerson**, that the said
..... **Nick Joszt**

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it
is now, therefore, on motion of Complainant... , ordered and decreed by the Register
T. W. Richerson that the Bill of Complaint in this cause be, and it hereby is in all things
taken as confessed against the said **Nick Joszt**

This **20th** day of **December** 19**31**.

T. W. Richerson Register..

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

VS.

NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ SECTION 27, TOWN-
SHIP 7 SOUTH, RANGE 6 EAST,
NICK JOSZT, HEIRS OF NICK
JOSZT, W. M. SIKES, H. M.
HALL, A. M. DUSEK.

IN THE CIRCUIT COURT--IN EQUITY,

STATE OF ALABAMA,

BALDWIN COUNTY.

O P I N I O N.

This cause being submitted on the Original Bill of Complaint, Answer and Cross Bill of Respondent, W. M. Sikes and admissions therein, agreement of W. M. Sikes, Decree Pro Confesso against H. M. Hall, Decree Pro Confesso against Nick Joszt, Decree Pro Confesso against A. M. Dusek, Agreement of A. M. Dusek and the testimony of L. Lindoerfer and Andrew Krieger, and Answer of Complainant to Cross Bill of W. M. Sikes.

The pleading and evidence in this cause shows that the Baldwin County Colonization Company, sometime before the year, 1905, acquired the aforesaid lands from the Southern States Lumber Company, a Corporation; that in 1912, the Baldwin County Colonization Company sold the lands to one Nick Joszt, who went into, under his said purchase from the Baldwin County Colonization Company, the open, notorious, exclusive and adverse possession of said lands; that from 1905 up until the time that the Baldwin County Colonization Company sold said lands to said Nick Joszt that it was in the open, notorious, exclusive and adverse possession of said lands. The Record and testimony further discloses that Nick Joszt executed a mortgage to the Baldwin County Colonization Company on said lands at the time of said purchase, which mortgage was foreclosed by the Baldwin County Colonization Company in 1922. That the said possession of the said Nick Joszt as aforesaid, continued up until the foreclosure of said

mortgage, at which time the Baldwin County Colonization Company, having purchased said lands at said foreclosure sale, went into the actual, open, notorious and exclusive possession of said lands and has continued in said possession ever since, and the said Baldwin County Colonization Company has been paying the taxes on said lands since 1922.

The Cross Bill of Respondent, W. M. Sikes, discloses that in the year 1918 said lands were sold for taxes due thereon by Nick Joszt for the year 1917, and that these lands were purchased at said tax sale by the State of Alabama. That on the 9th day of June, 1920, the State of Alabama sold said lands to W. S. and W. R. Sikes and executed to them a tax deed in and to said lands. That on August 16, 1929, W. S. Sikes executed a deed to W. R. Sikes as to his interest in said property under and by virtue of their respective purchase from the State of Alabama aforementioned, and that on August 16, 1930, W. R. Sikes executed to W. M. Sikes his deed in and to said property conveying all his interest in and to said lands by virtue of said tax sale and purchase. That since said purchase of said lands by the said Sikes, they have been paying the taxes thereon.

And it further appearing to the court that the Complainant and W. M. Sikes have entered into an agreement that the Court can render judgment for the complainant as prayed for in his bill of complaint on the condition that the Court decree a lien in favor of W. M. Sikes on said lands mentioned in said complaint for moneys expended by him in the payment of taxes thereon, in the sum of (\$136.87) ONE HUNDRED THIRTY-SIX AND 87/100 DOLLARS, and the further sum of (\$25.00) TWENTY-FIVE AND 00/100 DOLLARS as Solicitor's fee for Ira B. Thompson, Esq., his Solicitor in said cause, and that said sum to be paid within sixty (60) days to the said W. M. Sikes and the said Ira B. Thompson, esq., and in the event the same is not paid within that time said lands are to be ordered sold for the satisfaction of said demands.

The pleading and evidence discloses that the Complainant, The Baldwin County Colonization Company has a fee simple title in and to said lands and is entitled to have its said title declared absolute and in fee simple, subject, however, by its agreement to have fastened thereon in favor of the Respondent and Cross Complainant, W. M. Sikes, the sum of ONE HUNDRED, THIRTY-SIX AND 87/100 (\$136.87) DOLLARS, together with the further sum of TWENTY-FIVE AND 00/100 (\$25.00) DOLLARS as Solicitor's fee to be paid to the said Ira B. Thompson, esq., being the amount due the said W. M. Sikes and those under who he claim as aforestated.

D E C R E E.

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

The Northeast Quarter of North-East Quarter, Section Twenty-seven, Township Seven South, Range Six East, Baldwin County, Alabama,

in its own right and in fee simple, and that no other party, individual, or corporation has any right, interest, title, lien or incumbrance upon the same, except W. M. Sikes and Ira B. Thompson, Esq., who have a lien upon said lands in the sum of ONE HUNDRED, THIRTY-SIX AND 87/100 (\$136.87) DOLLARS, and the further sum of TWENTY-FIVE AND 00/100 (\$25.00) DOLLARS; the aggregate sum of said lien being ONE HUNDRED, SIXTY-ONE AND 87/100, (\$161.87) DOLLARS, expended as aforesaid by the said W. M. Sikes and those under whom he claims, together with said sum for his Solicitor, Ira B. Thompson, Esq.

It is further, ordered, adjudged, and decreed that all claims, rights, interest in, title or incumbrance on said lands held by any one other than W. M. Sikes and Ira B. Thompson, Esq., 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 to the Solicitor of Record for Respondent and Cross Complainant, W. M. Sikes, for the said W. M. Sikes, the sum of ONE HUNDRED, SIXTY-ONE AND 87/100 (\$161.87) DOLLARS for the use and benefit of the said W. M. Sikes and the said Ira B. Thompson, Esq, his Solicitor of record in this cause, as their said interest appears according to this decree, together with the cost of these proceedings to the Register of this Court, will be in complete satisfaction of all claims, rights, title, interest in, or incumbrance upon said lands that the said W. M. Sikes holds in and to the same. That upon the payment of said amount as aforesaid, the Baldwin County Colonization Company's title in and to said lands shall be forever quieted as to all claims, demands, rights or incumbrances held by any one whatsoever, and that the said tax deed executed by the State of Alabama, through its duly constituted authority, to W. S. and W. R. Sikes 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 to the said Solicitor of record of the Respondent and Cross Complainant, W. M. Sikes, together with the cost of the proceedings to the Register of this Court by the Complainant, that the Register is then to indorse that fact upon the face of this decree and also ~~from~~^{on} the margin of the record where this decree is recorded in the Probate Office of Baldwin County, Alabama.

It is further ordered, adjudged and decreed that in the event said Baldwin County Colonization Company, within the sixty days from the date of this decree, has not complied with the same by paying the aforesaid sums as ascertained to be due to the said W. M. Sikes and his Solicitor of Record, Ira B. Thompson, esq.,

together with the cost of these proceedings that the said Register is hereby directed to advertise and sell said property for the enforcement of said liens, said notice of sale and said sale to be conducted in accordance with the rules of this court and the law as applies to mortgage foreclosures of real estate and is to report the results of said sale in accordance with said rules. Said sale is to be made for cash, in front of the Courthouse door of Baldwin County Alabama.

It is further ordered, adjudged and decreed that a copy of the foregoing opinion and this decree shall be filed in the Probate Office by the Register of this Court and recorded therein and is to be indexed in the direct index in said office in the name of W. M. Sikes and in the indirect index in the name of the Baldwin County Colonization Company.

This 28th day of June, 1933.

A. W. Hare
Judge of the Twenty-first Judicial
Circuit of Alabama.

6 June - 786
OPINION AND DECREE.

RECORDED
with

BALDWIN COUNTY COLONIZATION COM-
PANY, a Corporation,

VS.

NEL OF NE $\frac{1}{4}$ SECTION 27, TOWNSHIP
7 SOUTH, RANGE 6 EAST; NICK
JOSZT, HEIRS OF NICK JOSZT,
W. M. SIKES, H. M. HALL, A. M.
DUSEK.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

IN EQUITY.

C. L. HYBART
ATTORNEY AT LAW
MONROEVILLE, ALA.

BAY MINETTE, ALA.

M Baldwin County Colonization Co.

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

Hybert, Heard & Chason Councillors

Aug. 30th. Nick Joszt et al

(265 words at .04 $\frac{1}{2}$)

\$11.93

Published Every Thursday

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

R. B. Vail
Editor and Proprietor

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

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

Notice to Nick Joszt et al vs Baldwin County
Colonization Company

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

Date of first publication	<u>August 19th. 1931</u>	Vol. <u>42</u>	No. <u>29</u>
Date of second publication	<u>" 26th. "</u>	Vol. <u>42</u>	No. <u>30</u>
Date of third publication	<u>September 2nd "</u>	Vol. <u>42</u>	No. <u>31</u>
Date of fourth publication	<u>" 9th. "</u>	Vol. <u>42</u>	No. <u>32</u>

Subscribed and sworn before the undersigned this 9th day of

June 1933

R. C. Heard
Notary Public

T. L. C. Vail
Asst. Publisher and Printer

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

VS.

NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ SECTION 27, TOWN-
SHIP 7 SOUTH, RANGE 6 EAST,
NICK JOSZT, HEIRS OF NICK
JOSZT, W. M. SIKES, H. M.
HALL, A. M. DUSEK.

THE STATE OF ALABAMA,

BALDWIN COUNTY

IN EQUITY.

CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Answer and Cross Bill of Respondent, W. M. Sikes and admissions therein, agreement of W. M. Sikes, Decree Pro Confesso against H. M. Hall, Decree Pro Confesso against Nick Joszt, Decree Pro Confesso against A. M. Dusek, Agreement of A. M. Dusek and the testimony of L. Lindoerfer and Andrew Krieger, and Answer of Complainant to Cross Bill of W. M. Sikes

Dated this 28th day of June, 1933.

J. W. Hare
Judge.

Balance Com -
Coke yoke -

Costs land
5 W. 20. 1/1000 -
W. 20 -

Note -
to be paid -

BALDWIN COUNTY COLONIZATION
COMPANY, A Corporation,

Complainant,

Vs.

CERTAIN LANDS, W. M. SIKES,
ET AL.

Defendants.

IN THE CIRCUIT COURT-IN EQUITY,

BALDWIN COUNTY,

ALABAMA.

This cause coming on to be heard is submitted on
demurrers of A. M. Duseck and W. M. Sikes and the same being
understood by the Court,

IT IS ORDERED, ADJUDGED AND DECREED that the same
be and are overruled.

Dated this 30th day of March, 1933.

F. W. Hare
Judge.

956
RECORDED
INDEXED
Carter
Deane Advertising Bureau

Filed March 31/27 433,
W. W. Dickinson
Registrar

The State of Alabama }
Baldwin County

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

BALDWIN COUNTY COLONIZATION COMPANY, COMPLAINANT
A Corporation.

VS.

W. M. SIKES ET AL., RESPONDENT

I, T. W. Richerson Jr.,

as ~~Register and~~ Commissioner

have called and caused to come before me L. Lindoerfer and Andrew Krieger

witnesses named in the Requirement for Oral Examination, on the 8th day of June

19 33, at the office of T. W. Richerson, Register,

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

truth, the whole truth, and nothing but the truth, the said L. Lindoerfer and

Andrew Krieger

doth depose and say as follows:

MR. L. LINDOERFER, A WITNESS FOR COMPLAINANT, BEING DULY SWORN
TESTIFIED AS FOLLOWS:-

My name is L. Lindoerfer. I am sixty years of age and a resident of Baldwin County, Alabama, having been such a resident since 1906. I have been the resident agent of the Baldwin County Colonization Company for the past twenty-five years. I am personally and intimately acquainted with the following described lands in Baldwin County, Alabama, viz:-

Northeast Quarter of Northeast Quarter Section
Twenty-seven Township Seven South of Range Six
East;

having been acquainted with such lands since the year 1906. About 1905 or thereabouts the Baldwin County Colonization Company purchased this property from Southern States Lumber Company and took possession thereof and continued in the possession thereof, exercising all the rights of possession, owning and claiming to own the same and using the lands in every way in which the said lands were susceptible of. That in 1912 the Baldwin County Colonization Company executed its Deed to Nick Joszt. Immediately upon the execution of the Deed to the said Nick Joszt from the Baldwin County Colonization Company he entered into possession thereof and exercised all rights of possession of which the said lands were susceptible, owning and claiming to own the same openly, notoriously and exclusively up until the year 1922. At the time the Baldwin County Colonization Company sold this land Nick Joszt in turn executed a Mortgage back to the Baldwin County Colonization Company for the purchase money involved. On July 19th, 1922, the aforesaid Mortgage was foreclosed by the Baldwin County Colonization Company, default having been made in the terms of said Mortgage, and at said sale the Baldwin County Colonization Company became the purchaser of said lands and immediately re-entered thereupon and took possession, and has continued in the possession since said date down to the present time, owing and claiming to own said lands in fee simple, holding the same openly, notoriously and exclusively and against the world, and using the same in every way that the lands are susceptible of. That he has never heard of any one else owning or claiming to own said lands except the Baldwin County

(page two)

Colonization Company and Nick Jozst,

The witness has never heard of George W. Matthews and

does not know whether he is dead or alive or his residence or

address, nor does he know the names and addresses of his heirs and devisees, if any, and that he has been familiar with these lands

quite a number of years. That he has been for more than twenty-

five years resident agent of the Baldwin County Colonization Com-

pany and has never heard of George W. Matthews or any of his heirs

or devisees claiming to own said lands. That the record in the

Probate Office discloses that title to said lands stands in the

name of George W. Matthews. There is no such man in Baldwin Coun-

ty as George W. Matthews to my knowledge, and I have been unable

to ascertain as to his whereabouts and have used diligence in do-

ing so. Witness further says that he knows that during the last

ten years next preceding the filing of this bill of Complaint no

one other than the Baldwin County Colonization Company and W. S.

and W. R. Sikes, H. M. Hall and A. M. Dusek, has paid any taxes

on this land or any part of the same. That the witness knows for

the past ten years no one has been in possession of said lands

except the Baldwin County Colonization Company and Nick Jozst

and that no one has claimed to own said lands except your Com-

plainant, Nick Jozst, the heirs of Nick Jozst, W. M. Sikes, H. M.

Hall and A. M. Dusek. The Complaint has used due diligence up-

on its part and has been unable to ascertain as to the heirs of

Nick Jozst. The Complaint has made a diligent search through

its agents and attorneys to ascertain the residence, addresses

of all persons, firms and corporations connected or interested

or claiming to own said lands or any portion thereof as to whether

said persons are dead, and if dead to ascertain the names and ad-

dresses of the heirs, devisees, successors or assigns of such de-

ceased persons. That Complaint had an Abstract of Title made

of the property involved in this suit by its Attorneys so as to

ascertain from the records of Baldwin County, Alabama, as to who

claimed to own this property or any portion thereof; that it,

through its agents, has made inquiry in the community where the

land is located and situated seeking to get any information what-

(page three)

soever about the said owners or claimants as to said property; that they have interviewed numerous people through its agents and made special effort to locate old residents who have inhabited the country near these lands for a long time, and that all of the information that the Complainant has been able to ascertain through its agent relative to the prior ownership and possession is set forth in the foregoing testimony; that no suit is pending to test Complainant's title to, interest in, or its rights to the possession of said lands other than this proceeding, and was not so pending at the time this Bill of Complaint was filed.

L. Lindorfer

MR. ANDREW KRIEGER, A WITNESS FOR COMPLAINANT, BEING DULY SWORN TESTIFIED AS FOLLOWS:-

My name is Andrew Krieger. I am over 21 years of age and a resident of Baldwin County, Alabama, having been such a resident for the past twenty-four years.

I am acquainted with the lands involved in this suit. I have known the same for the past twenty-four years. I live in the immediate vicinity of these lands, in fact, I live on the adjoining forty and I have been living there for the last twenty-four years, and when I first knew these lands the Baldwin County Colonization Company was in the open, notorious and exclusive possession of the same, claiming to own them, and that they were recognized as the Baldwin County Colonization Company's lands in that community, using said lands in every way that the same were susceptible of, from 24 years ago up until the time that they sold the lands to Nick Joszt, which was about the year 1912; that immediately upon Nick Joszt's purchase of said lands from the Baldwin County Colonization Company he went into the open, notorious and exclusive possession of the same and used the same in every way that the lands were susceptible of up until 1922 when the Baldwin County Colonization Company foreclosed its Mortgage on said lands; that it had taken from Nick Joszt for the purchase money. That immediately upon the foreclosure of said Mortgage the Baldwin County Colonization Company being the purchaser at said foreclosure sale, went into the open, notorious and exclusive possession of said lands. That said lands are recognized in that community as belonging to the Baldwin County Colonization Company and no one else has been in possession of said lands to my certain knowledge, and I have been there in the immediate vicinity for twenty-four years, except the Baldwin County Colonization Company and Nick Joszt.

Andrew Krieger

ORAL EXAMINATION

I, T. W. Richerson Jr., as ~~Register~~ Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

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

Given under my hand and seal, this 8th day of June 19 33.

T W Richerson (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

VS.
COMPLAINANT

RESPONDENT

ORAL DEPOSITION

Filed _____, 19 _____

RECORDED IN _____, Register

Record _____

Vol. _____ Page _____

_____, Register

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Complainant,

-vs-

CERTAIN LANDS, W. M. SIKES,
ET AL,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

TO THE HON. THOMAS W. RICHESON, REGISTER OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA, IN EQUITY:-

This is to advise you that we are desirous of examining
the following witnesses for the Complainant:-

L. Lindoerfer;
Andrew Krieger;

orally before you in the aforesaid cause, on Thursday, June 8th,
1933, at your office in Bay Minette, Alabama.

This request is made under Rule 65, Chancery Court Rules.

Hyatt, Stark & Chason
Solicitors for Complainant.

RECORD 11 22
REQUEST FOR ORAL EXAMINATION
OF WITNESSES.

BALDWIN COUNTY COLONIZATION
COMPANY, a corporation,

Complainant,

-VS-

CERTAIN LANDS, W. M. SIKES
ET AL,

Respondents.

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

Filed May 2, 1933

J. M. Pearson
Register.

*Copy Mailed
Hon. J. M. Pearson
Lawrenceville
Ga.*

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA

RECORDED
T. H. P.

No. 986

Circuit Court, Baldwin County

Baldwin Co. Colonization

Company, a Corp.

Plaintiff

vs.

Certain Grude

W. M. Sikes

Defendant

Action for

Docket Page
Moore Ptg. Co.

NOTICE

IN THE CIRCUIT COURT-ECCL.
STATE OF ALABAMA
BALDWIN COUNTY.

BALDWIN COUNTY COLONIZA-
TION COMPANY, a Corporation,
Plaintiff vs. THE LANDS DESCRIB-
ED HEREIN, NICK JOSZT ET AL,
Defendants.

It having been made to appear in
the above cause from the Affidavit
of R. C. Heard, one of the solicitors
of record in the above cause, that
some of the Defendants to the Bill
of Complaint in said cause are non-
residents of the State of Alabama, a
more particular address being un-
known;

It is therefore ORDERED, AD-
JUDGED AND DECREED that said
Defendants, Nick Joszt, Unknown
Heirs of Nick Joszt, W. M. Sikes and
A. M. Duseck appear in this Court
and answer, plea or demur to the
Bill of Complaint in this cause filed,
on or before the 19th day of Sept.,
1931, or on their having failed to do
so at the expiration of thirty days
from said date, a decree proconfesso
be taken against them.
It is further ORDERED, ADJUDG-

Handwritten notes and signatures on a separate piece of paper, including "N. Joszt et al", "6/23/31", and "Helen Buntay".

BALDWIN COUNTY COLONIZATION
COMPANY, a corporation,
Complainant,

vs.

A. M. DUSECK ET AL.,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Comes the defendant, A. M. DUSECK, in the above styled
cause, and demurs to the Complainant's Bill of Complaint hereto-
fore filed in this cause, and for grounds thereof, says: That
there is no equity in the Bill.

Beelue & Hall

Solicitors for the defendant,
A. M. Duseck.

3 Original

RECORDED

Baerlein Co. Col Co.

VS

A. W. Dussers et al

Deputies

Filed Oct 3, 1931

W. H. McCracken
Register

The State of Alabama, {
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

WE COMMAND YOU, That you summon A.M. Duseck
(Lillian, Ala)

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Baldwin County Colonization Company, a corporation

against said A.M. Duseck

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 14th day of August, 1931

T. W. Richerson Register.

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

(COPY)

Serve on _____
Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Baldwin County Colonization
Company, a corporation

vs.

A.M.Duseck,
(Lillian, Ala.)

Hybart, Heard & Chason

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____

day of _____ 193

Sheriff.

Executed this _____ day of _____

193

by leaving a copy of the within Summons with _____

Defendant.

Sheriff.

By _____ Deputy Sheriff.

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon BALDWIN COUNTY COLONIZATION
COMPANY, a corporation

of BALDWIN County, to be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by
cross

W.M. SIKES

against said BALDWIN COUNTY COLONIZATION COMPANY, a corporation

and further to do and perform what said Judge shall order and direct in that behalf. And this the
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 22nd day of

APRIL 193 3

Register

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

SERVE ON

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

W.M. SIKES

vs.

BALDWIN COUNTY COLONIZATION
COMPANY, a corporation

IRA B. THOMPSON

Solicitor for Complainant

Recorded in Vol _____

Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this _____

day of _____ 19____

Sheriff.

Executed this _____ day of _____

19____

by leaving a copy of the within Summons with

Defendant.

Sheriff

By _____

Deputy Sheriff.

We hereby accept service of
the within summons for the
cross-respondent.

This the 22nd day of April,
1933.

Hyatt D. Head, Jr.
Solicitors for com-
plainant and cross-
respondent.

The State of Alabama,
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon Anna Dusek,

12 199 East 58th, St New York City
N.Y.

of New York State ~~County~~ to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Baldwin County Colonization Company, a corporation,

against said

Anna Dusek,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 11th, day of

Sept, 1931.

T. W. Richerson Register.

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

Original

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Baldwin County Colonization Co.

vs.

Anna Dusek et al,

Hybert, Heard & Chason.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____

day of _____ 193

Sheriff.

Executed this _____ day of _____

193

by leaving a copy of the within Summons with _____

Defendant.

Sheriff.

By _____ Deputy Sheriff.

Sept 11th, 1931.
Copy of bill and copy of
summons registered Anna Dusek,
199 East 58th St
New York City, N.Y.

W. H. Chason Register.

The State of Alabama, {
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

WE COMMAND YOU, That you summon

W.M. Sikes

(Luverne, Ala)

of Grenshaw County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Baldwin County Colonization Company, a corporation

against said Certain Lands, W.M.Sikes, Et al

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 14th day of

August 1931

T. W. Richerson Register.

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

2 Original

Serve on _____
Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Baldwin County Colonization
Company, a corporation

vs.
W.M. Sykes,
(Luverne, Ala)

Hybart, Heard & Chason
Solicitor for Complainant.

Recorded in Vol. _____ Page _____

RECORDED

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____
day of _____ 1931

Sheriff.

Executed this 15 day of
Aug 1931

by leaving a copy of the within Summons with

W.M. Sykes
Defendant.

J.B. Ewing
Sheriff.

By _____
Deputy Sheriff.

The State of Alabama, }
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon

A.M. Duseek

(Lillian, Ala)

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Baldwin County Colonization Company, a corporation

against said A.M. Duseek

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 14th day of

August, 1931

T. W. Richerson
Register.

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

Copy

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Baldwin County Colonization
Company, a corporation

vs.

A.M. Duseck
(Lillian, Ala.)

Hybart, Heard & Chason
Solicitor for Complainant.

Recorded in Vol. _____ Page _____

**The State of Alabama,
BALDWIN COUNTY.**

Received in office this _____

day of _____ 193

Sheriff.

Executed this _____ day of
_____ 193

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By _____
Deputy Sheriff.

[Handwritten signature]
8/1/1931
Duseck not found
in Bald - Co
Wm. Duseck

BALDWIN COUNTY COLONIZATION
COMPANY, a Corporation,

Complainant,

-vs-

CERTAIN LANDS, W. M. SIKES
ET AL,

Respondents.

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

TO W. M. SIKES, OR HIS ATTORNEY OF RECORD, HON. IRA B. THOMPSON:-

You will please take notice that we have made a request
of the Register of the Circuit Court of Baldwin County, Alabama,
to examine the following witnesses for the Complainant, viz:-

L. Lindoerfer;
Andrew Krieger;

orally, on Thursday, June 8th, 1933, said request being made in
accordance with Rule 65 of the Chancery Court.

Please take ye notice and govern yourself accordingly.

Thos. H. Hend & Cheson
Solicitors for Complainant.

Record
NOTICE OF TAKING OF TESTI-
MONY.

BALDWIN COUNTY COLONIZATION
COMPANY, a corporation,

Complainant,

-vs-

CERTAIN LANDS, W. M. SIKES
ET AL,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Filed May 2, 1933

W. H. Beckman
Register.

overwritten

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA

BRADWELL BOURNIE GILBERTSON
vs
W. M. GIBBS, JR. & CO.,
Defendants.

IN THE CIRCUIT COURT OF
BRADWELL BOURNIE, GILBERTSON,
IN DEPT. NO. 1, 1908.

James the Defendant, W. M. Gibbs, and demurs to the
original bill of complaint heretofore filed in this cause and
for grounds thereof says:

FIRST:

There is no equity in the bill.

Beebe & Isaac
ATTORNEYS FOR THE DEFENDANT,
W. M. GIBBS.

Originals

RECORDED

#986

Bathurst Co Cor Co

vs

Wm Baker et al

Declarator

Filed Sept 11, 1931

J W Piccannon
Register