

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1 AND 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, BALDWIN
COUNTY, ALABAMA; GULF BEACH
LAND & DEVELOPMENT COMPANY, INC.,
a Corporation; CHARLES A. JENKS,
THE UNKNOWN HEIRS OF CHARLES A.
JENKS; GAUNT CREBS, THE UNKNOWN
HEIRS OF GAUNT CREBS; O. W. TOWNER,
THE UNKNOWN HEIRS OF O. W. TOWNER;
H. H. MCNEIL, THE UNKNOWN HEIRS OF
H. H. MCNEIL; S. P. MARSH, THE UN-
KNOWN HEIRS OF S. P. MARSH; AND ANY
OTHER PERSON, FIRM OR CORPORATION
CLAIMING ANY RIGHT, TITLE TO, INTEREST
IN OR ENCUMBRANCE UPON SAID LOTS OR
SUBDIVISIONS 1 AND 2, IN SECTION 25,
TOWNSHIP 9 SOUTH OF RANGE 2 EAST, IN
BALDWIN COUNTY, ALABAMA,

Respondents.

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

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
IN EQUITY:

Comes your Complainant, KATE M. PENNY, and presenting this her Bill of Complaint against that certain tract of land in Baldwin County, Alabama, described as follows, to-wit: Lots or Subdivisions 1 and 2, in Section 25, Township 9 South of Range 2 East, and against Gulf Beach Land & Development Company, Inc., a Corporation; Charles A. Jenks, if he be living, and if he be dead, against his heirs and devisees, and against Gaunt Crebs, if he be living, and if he be dead, against his heirs and devisees, and against O. W. Towner, if he be living, and if he be dead, against his heirs and devisees, and against H. H. McNeil, if he be living, and if he be dead, against his heirs and devisees, and against S. P. Marsh, if he be living, and if he be dead, against his heirs and devisees, and against any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said land or any part thereof, respectfully represents and shows unto your Honor as follows:

1. That your Complainant is over twenty-one years of age and a resident of Birmingham, Jefferson County, Alabama; that she is the owner in fee simple of and in the actual possession of said lands described as follows, situated in Baldwin County, Alabama, to-wit:

Lots or Subdivisions 1 and 2, in Section 25, Township 9 South of Range 2 East.

2. That no suit is pending to test the Complainant's title to, interest in, or her right to the possession of said land.

3. That the Complainant obtained title to said lands by purchase from J. E. Penny an undivided one-half interest, by deed dated February 17th, 1932, and of record in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 55 NS, pages 338-9, and from Mrs. H. D. Newton, D. P. Newton and H. M. Newton, by deed dated December 9th, 1935, and of record in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 58 NS, page 336.

4. That the title to said land claimed by Complainant stands upon the records in the Probate Court of Baldwin County, Alabama, in the names of Kate M. Penny, Gulf Beach Land & Development Company, Inc., a Corporation, Charles A. Jenks, Gaunt Crebs, O. W. Towner, H. H. McNeil, and S. P. Marsh.

5. That no one has, at any time within ten years next preceding the filing of this Bill of Complaint, paid any taxes upon said lands or any interest therein, other than your Complainant, Kate M. Penny; W. T. Hand; Gulf Beach Land & Development Company, Inc., a Corporation, and H. D. Newton; that no one has had any possession of said land, or any part thereof, during said period, except your Complainant and those through whom she claims.

6. That the only person known by your Complainant to claim said lands or any part thereof, or any interest therein, are: Kate M. Penny, Gulf Beach Land & Development Company, Inc., a Corporation, Charles A. Jenks, Gaunt Crebs, O. W. Towner, H. H. McNeil and S. P. Marsh; that the Gulf Beach Land & Development Company, Inc., a Corporation, has its principal place of business in the City of Mobile, Mobile County, Alabama; that the addresses of Charles A. Jenks, Gaunt Crebs, O. W. Towner, H. H. McNeil and S. P. Marsh are unknown; that a diligent search and inquiry has been made from residents in the vicinity of said land, at Bay Minette, the County Seat of Baldwin County, Alabama, and various other places, to ascertain the present addresses of said parties, and if they were living or dead, but have been unable to ascertain whether they were living or dead, and if they were dead, to learn the names, ages and addresses of their heirs and devisees; that from such information obtainable, they are, if living, over twenty-one years of age and non-residents of the State of Alabama.

WHEREFORE, your Complainant prays that this Honorable Court will take

jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Gulf Beach Land & Development Company, Inc., a Corporation; Charles A. Jenks, the unknown heirs of Charles A. Jenks; Gaunt Crebs, the unknown heirs of Gaunt Crebs; O. W. Towner, the unknown heirs of O. W. Towner; H. H. McNeil, the unknown heirs of H. H. McNeil; S. P. Marsh, the unknown heirs of S. P. Marsh; and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon said Lots or Subdivisions 1 and 2, in Section 25, Township 9 South of Range 2 East, in Baldwin County, Alabama, or any part thereof, to be made party respondents to this Bill of Complaint, and by appropriate process require them and each of them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances to the said land and to each part thereof, is vested in your Complainant, as against Gulf Beach Land & Development Company, Inc., a Corporation, Charles A. Jenks, Gaunt Crebs, O. W. Towner, H. H. McNeil and S. P. Marsh, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said land or any part thereof, and that all doubts and disputes concerning the same be cleared up. And your Complainant prays for such other, further, different or general relief as in equity and good conscience shall seem mete and proper.

Becher & Becher
Solicitors for the Complainant.

FOOT NOTE:

The Respondents, and each of them, their heirs and devisees, and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said land described in this Bill of Complaint, or any part thereof, are required to answer all the allegations of said bill, in paragraphs 1 to 6, inclusive, but not under oath, oath being hereby expressly waived.

Becher & Becher
Solicitors for the Complainant.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Before me, the undersigned authority, in and for said County, in said State, personally appeared Hubert M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says, that he is the Solicitor of record and agent of the Complainant, Kate M. Penny, in the above styled cause, and duly authorized by her 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.

Hubert M. Hall

Sworn to and subscribed before me
this the 4th day of May, 1937.

O'Byrne Jones
Notary Public, Baldwin County,
Alabama.

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1 and 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, BALDWIN
COUNTY, ALABAMA; GULF BEACH
LAND & DEVELOPMENT COMPANY, INC.,
a Corporation; CHARLES A. JENKS,
THE UNKNOWN HEIRS OF CHARLES A.
JENKS; GAUNT CREBS, THE UNKNOWN
HEIRS OF GAUNT CREBS; O. W. TOWNER,
THE UNKNOWN HEIRS OF O. W. TOWNER;
H. H. MCNEIL, THE UNKNOWN HEIRS OF
H. H. MCNEIL; S. P. MARSH, THE UN-
KNOWN HEIRS OF S. P. MARSH; AND ANY
OTHER PERSON, FIRM OR CORPORATION
CLAIMING ANY RIGHT, TITLE TO, INTEREST
IN OR ENCUMBRANCE UPON SAID LOTS OR
SUBDIVISIONS 1 AND 2, IN SECTION 25,
TOWNSHIP 9 SOUTH OF RANGE 2 EAST, IN
BALDWIN COUNTY, ALABAMA,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the Court that the Complainant is the owner of and in the possession of the said property and that the title of the Complainant has been duly proven by legal and competent evidence, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Respondents, Gulf Beach Land & Development Company, Inc., a Corporation, Charles A. Jenks and the unknown heirs and devisees of Charles A. Jenks, Gaunt Crebs and the unknown heirs and devisees of Gaunt Crebs, O. W. Towner and the unknown heirs and devisees of O. W. Towner, H. H. McNeil and the unknown heirs and devisees of H. H. McNeil, and S. P. Marsh and the unknown heirs and devisees of S. P. Marsh, have no estate, right, claim, interest in or encumbrance upon the following described lands or any part thereof, to-wit:

Lots or Subdivisions 1 and 2, in Section 25, Township 9 South,
Range 2 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the full fee simple title to said lands, to-wit: Lots or Subdivisions 1 and 2, in Section 25, Township 9 South of Range 2 East, in Baldwin County, Alabama, is vested absolutely in the Complainant, Kate M. Penny.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the Office of the Judge of Probate of

Baldwin County, Alabama, in the Direct Index in the name of Gulf Beach Land & Development Company, Inc., a Corporation, Charles A. Jenks, the unknown heirs of Charles A. Jenks, Gaunt Crebs, the unknown heirs of Gaunt Crebs, O. W. Towner, the unknown heirs of O. W. Towner, H. H. McNeil, the unknown heirs of H. H. McNeil, S. P. Marsh and the unknown heirs of S. P. Marsh, and in the Indirect Index in the name of Kate M. Penny.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register shall, within thirty days from the rendition of this decree, file a certified copy thereof in the Office of the Judge of Probate of Baldwin County, Alabama, for record, and that the cost thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs of this cause, for which execution may issue.

Done at Monroeville, Alabama, on the *first* day of *August*, 1938.

J. W. Stare

Judge of the 21st Judicial Circuit of
Alabama.

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1 AND 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, BALDWIN
COUNTY, ALABAMA; GULF BEACH
LAND & DEVELOPMENT COMPANY, INC.,
a Corporation; CHARLES A. JENKS,
THE UNKNOWN HEIRS OF CHARLES A.
JENKS; GAUNT CREBS, THE UNKNOWN
HEIRS OF GAUNT CREBS; O. W. TOWNER,
THE UNKNOWN HEIRS OF O. W. TOWNER;
H. H. MCNEIL, THE UNKNOWN HEIRS OF
H. H. MCNEIL; S. P. MARSH, THE UN-
KNOWN HEIRS OF S. P. MARSH; AND ANY
OTHER PERSON, FIRM OR CORPORATION
CLAIMING ANY RIGHT, TITLE TO, INTEREST
IN OR ENCUMBRANCE UPON SAID LOTS OR
SUBDIVISIONS 1 and 2, IN SECTION 25,
TOWNSHIP 9 SOUTH OF RANGE 2 EAST, IN
BALDWIN COUNTY, ALABAMA,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

It having been made to appear in the above cause by the affidavit of Hubert M. Hall, Solicitor of Record and Agent of the Complainant in the above cause, that some of the Respondents to the Bill of Complaint in said cause are non-residents of the State of Alabama, a more particular address being unknown; that the Complainant, Kate M. Penny owns the said land, to-wit, Lots or Subdivisions 1 and 2, in Section 25, Township 9 South of Range 2 East, in Baldwin County, Alabama, in fee, having acquired the same by conveyances from J. E. Penny and Mrs. H. D. Newton, D. P. Newton and H. M. Newton, and that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, the County in which the said lands lie, in the names of Kate M. Penny, Gulf Beach Land & Development Company, Inc., a Corporation, Charles A. Jenks, Gaunt Crebs, O. W. Towner, H. H. McNeil, and S. P. Marsh, and that no one has paid taxes upon said lands during the past ten years other than Kate M. Penny, J. E. Penny, H. D. Newton, W. T. Hand and Gulf Beach Land & Development Company, Inc., and that no one has had possession of said lands within the past ten years other than the said Kate M. Penny and those through whom she claims: Gulf Side Park Land Company, J. E. Penny, H. D. Newton, Mrs. H. D. Newton, D. P. Newton and H. M. Newton.

IT IS THEREFORE ORDERED, and notice is hereby given, that said Respondents, Gulf Beach Land & Development Company, Inc., a Corporation, Charles

A. Jenks, the unknown heirs of Charles A. Jenks, Gaunt Crebs, the unknown heirs of Gaunt Crebs, O. W. Towner, the unknown heirs of O. W. Towner, H. H. McNeil, the unknown heirs of H. H. McNeil, S. P. Marsh, and the unknown heirs of S. P. Marsh, and any other person, firm or corporation claiming any title to, interest in or encumbrance upon said lands, to-wit: Lots or subdivisions 1 and 2, in Section 25, Township 9 South of Range 2 East, in Baldwin County, Alabama, appear in this Court and plead, answer or demur to the Bill of Complaint in this cause filed on or before the 10 day of June, 1937, 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 that the Register of this Court have this order published in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks, and further that a copy of said notice certified by the Register as being correct recorded as a Lis Pendens in the Office of the Probate Judge of Baldwin County, Alabama.

IN WITNESS WHEREOF, I, R. S. DUCK, as Register, have hereunto set my hand and seal on this the 4th day of May, 1937.

R. S. Duck
Register.

BEEBE, HALL & BEEBE,
Solicitors.

STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice in the matter of Kate M. Penny, as Complainant, vs. Gulf Beach Land & Development Company, Inc., a Corporation, et al., as Respondents, as entered in this cause and duly published in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 4th day of May, 1937.

R. S. Duck (SEAL)

Duck
RECORDED
7-147

BILL OF COMPLAINT

KATE M. PENNY,

Complainant,

VS.

GULF BEACH LAND & DEVELOPMENT
COMPANY, INC., a Corporation,
ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed May 4 1937.
W. F. Walters
Register*

FINAL DECREE:

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1. and 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, ET AL.,

Respondents.

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

Filed this 1 day August 1935
R. S. Quick
Clerk-Register

NOTICE TO DEFENDANTS OF TIME OF
TAKING TESTIMONY.

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1 and 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, BALDWIN
COUNTY, ALABAMA, ET AL.,

Respondents.

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

Filed this 25 day July 1938

R. S. Duck
Clerk-Register

LIS PENDENS

Book 9-246

KATE M. PENNY,

Complainant,

VS.

GULF BEACH LAND & DEVELOPMENT
COMPANY, INC., a Corporation,
ET AL.,
Respondents.

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

State of Alabama, } Probate Court,
Baldwin County.

Filed in office this 5 day of MAY 1937
at 8 A.M. and duly recorded
in 163-4 at page 1

and I certify that \$ _____ Deed
tax and \$ _____ Mortgage tax, has
been paid as required by law.

[Signature]
Judge of Probate

by _____ Oke

RS check \$1.00

the names, ages and addresses of their heirs. However, no information is available;

That he has just recently been upon the said lands and has gone all around and about over them and knows that no person is exercising any rights of possession to said lands.

That there is offered in evidence deed from Mrs. H. D. Newton, et al., dated December 9, 1935, and recorded in Deed Book 58 NS, page 336, and deed from J. E. Penny, dated February 17th, 1932, and recorded in the Office of the Probate Judge of Baldwin County, Ala., in Deed Book 55 NS, page 338-9.

Paul M. Penny

My name is W. E. Kelley. I am a resident of Birmingham, Jefferson County, Alabama. I am a civil engineer by profession. I have just recently been employed by Mrs. Kate M. Penny to look over and make a general survey of her properties in Baldwin County, Alabama, including Lots or Subdivisions 1 and 2, in Section 25, Township 9 South, Range 2 East. I made a close inspection of said lines, especially the boundary lines. I find that the boundary lines of said lands are laid out and the corners are still existing, and in addition to this, a part of the land was fenced at one time, and in fact a part of the posts and fence are still on the property. From my observation I should say that this fence was placed there some fifteen years ago and more. I find that no one is encroaching upon this land or so far as I was able to see make any claim to any part of it.

W. E. Kelley

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

LEGAL NOTICE

In the Circuit Court of Baldwin County, Alabama. In Equity.

Kate M. Penny, Complainant,
vs. Lots on Subdivisions 1 and 2,
in Section 25, Township 9 South
of Range 2 East, Baldwin County,

County in which the said lands lie,
in the names of Kate M. Penny,
Gulf Beach Land and Development
Company, Inc., a Corporation,
Charles A. Jenks, Gaunt Crebs,
O. W. Towner, H. H. McNeil, and
S. P. Marsh, and that no one has
paid taxes upon said lands during
the past ten years other than Kate
M. Penny, J. E. Penny, H. D. Wew-

is hereby given, that said Re-
spondents, Gulf Beach Land and
Development Company, Inc., a Cor-
poration, Charles A. Jenks, the
unknown heirs of Charles A. Jenks,

and any other person who
may claim an interest in the
said lands, are hereby notified
to appear in said Court on the
14th day of May, 1937, at
Bay Minette, Alabama, to
show cause why they should not
be held liable for the payment
of the taxes thereon.

Witness my hand and seal on this the
14th day of May, 1937.

R. S. DUCK, Register
BEEBE, HALL & BEEBE, Solicitors

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

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

Kate M. Penny vs

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

Date of first publication	<u>May 6, 1937</u>	Vol. <u>45</u> No. <u>14</u>
Date of second publication	<u>" 13, 1937</u>	Vol. <u>45</u> No. <u>15</u>
Date of third publication	<u>" 20, 1937</u>	Vol. <u>45</u> No. <u>16</u>
Date of fourth publication	<u>" 27, 1937</u>	Vol. <u>45</u> No. <u>17</u>

Subscribed and sworn before the undersigned this 5 day of

June 1937

R. S. Duck

Cur. Clerk

Joe H. Faulkner

Publisher

BAY MINETTE, ALA
June 5, 1937

M R. S. Duck, Register

THE BALDWIN TIMES

"Alabama's Best County's Best Newspaper"

May 6---Kate M. Penny, Complainant, vs--669 w. @ $4\frac{1}{2}¢$ --\$30.10

BAY MINETTE, ALA.,

575

1937

R S sluck

City

IN ACCOUNT WITH

G. W. ROBERTSON

Judge of Probate, Baldwin County

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

Send
Deed
Rec. Mort. from

Kate M Penny vs Gulf Beach Ld + slud

1.00

and
5/5/37
GWR

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 326

Term, 193

KATE M. PENNY,

, Complainant

Vs.

CERTAIN LANDS ET AL.,

, Defendant

To R. S. DUCK,

, Register :

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

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

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

Beebe Hall & Beebe

Solicitor for Complainant.

The State of Alabama,
Baldwin County.

{ No. 326 CIRCUIT COURT IN EQUITY.

----- KATE M. PENNY, Complainant -----

vs.

----- GULF BEACH LAND AND DEVELOPMENT COMPANY, ET AL., Defendant -----

Motion is hereby made for a Decree Pro Confesso against GULF BEACH LAND &

----- DEVELOPMENT COMPANY, H. S. Denniston, Pres. 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^{ve} failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 31st day of July 19 37

----- BEEBE, HALL & BEEBE Solicitor -----

CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No. *326*

VS.

~~Plaintiff~~

~~Defendant~~

BILL OF COSTS

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$ <i>845</i>
Filing each bill and other papers	\$ 10	<i>120</i>	For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Issuing each subpoena	50	<i>50</i>	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof	40	<i>40</i>	Each notice sent by mail to creditor ...	15
Entering each return thereof	15	<i>13</i>	Filing receipting for and docketing each claim, etc.	25
For each order of publication	1 00	<i>100</i>	For all entries on subpoena docket, etc.	50
Issuing Writ of injunction	1 50		For all entries on commission docket, etc.	50
For each copy thereof	50		Making final record, per 100 words	15
Entering each return thereof	15		Certified copy of decree	1 00
Issuing Writ of Attachment	1 00		Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof	15		TOTAL FEES OF REGISTER..	14 45
Docketing each case	1 00	<i>100</i>	FEES OF SHERIFF	
Entering each appearance	25	<i>25</i>	Serving and returning subpoena on deft. \$1 50	<i>150</i>
Issuing each decree pro confesso on per ser. 1 00	1 00	<i>100</i>	Serving and returning subpoena for witness	65
Issuing each decree pro confesso on publica 1 00	1 00	<i>100</i>	Levying attachment	1 50
Each order appointing guardian	1 00		Entering and returning same	25
Any other order by Register	50		Selling property attached	75
Issuing Commission to take testimony	50	<i>50</i>	Impanelling Jury	2 50
Receiving and filing	10	<i>10</i>	Executing Writ of possession	1 50
Endorsing each package	10	<i>10</i>	Collecting execution for costs	65
Entering order submitting cause	50	<i>50</i>	Serving and returning sci. fa., each	65
Entering any other order of court	25		Serving and returning notice	1 50
Noting all testimony	50		Serving and returning writ of injunction 1 50	1 50
Abstract of cause, etc.	1 00	<i>95</i>	Serving and returning writ of exeat	75
Entering each decree	75		Taking and approving bonds, each	2 50
For every 100 words over 500	15	<i>845</i>	Serving and returning application, etc. 1 00	1 50
Taking account, etc.	3 00		Serving attachment, contempt of court. 1 50	1 50
Taking testimony, etc	15		TOTAL FEES OF SHERIFF..	1 50
Each report, 500 words or less	2 50		RECAPITULATION	
For every 100 words over 500	15		Register's Fees	<i>14 45</i>
Amount claimed less than \$500, etc	2 00		Sheriff's Fees	<i>1 50</i>
Issuing each subpoena	25		Commissioner's Fees <i>A. R. Jones</i>	<i>15 00</i>
Witness certificate, each	25		Solicitor's Fees	
Issuing execution, each	75		Witness Fees	
Entering each return	15		Guardian Ad Litem	<i>30 10</i>
Taking and approving bond, each	1 00		Printer's Fees <i>Baldwin Times</i>	<i>3 00</i>
Making copy of bill, etc	15		Trial Tax	<i>3 00</i>
Each notice not otherwise provided for	50		Recording Decree in Probate Court	<i>1 00</i>
Each certificate or affidavit, with seal	50		<i>As per Deed</i>	<i>1 00</i>
Each certificate or affidavit, no seal	25		TOTAL	66 05
Hearing and passing on application, etc. 3 00	3 00			
Each settlement with Receiver, etc. 3 00	3 00			
Examining each voucher of Receiver, etc 10	10			
Examining each answer, etc. 3 00	3 00			
Recording resignation, etc 75	75			
Entering each certificate to Supreme Court 50	50			
Taking questions and answers, etc 25	25			
For all other ser relating to such proceedings 1 00	1 00			
For services in proceeding to relieve minors, etc., same fee as in similar cases.				
Commission on sales, etc: 1st \$100, 2 per cent; all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.				
Sub Total Carried Forward				

Received payment this _____ day of _____ 193_____

Register.

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1 and 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

The Complainant wishes to take, orally, the testimony on behalf of the
Complainant of the following named witnesses: Paul M. Penny and W. E. Kelly.

It is hereby requested that you give proper notice and that Miss
O'Byrne Jones be duly appointed as Special Commissioner to take the testimony
of said witnesses, and that due and legal notice of said request be given as
required by law.

Dated this 25 day of July, 1938.

Reber (W. E. Reber)
Solicitors for Complainant.

The State of Alabama,
Baldwin County.

No. 326 CIRCUIT COURT IN EQUITY.

KATE M. PENNY

Complainant

vs.

GULF BEACH LAND & DEVELOPMENT CO., ET AL.,

Defendant

In this cause it appears to the
that a summons requiring the Defendant

GULF BEACH LAND & DEVELOPMENT COMPANY, H. S. Deniston,
as its President

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days
after the service of said Summons upon H. S. DENNISTON, Pres. Gulf Beach Land
& Development Co.,
was served upon him by the Sheriff of MOBILE County, Alabama, on the
18th day of May 19 37.

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of BEEBE, HALL & BEEBE, Solicitors
for KATE M. PENNY, the Complainant in said cause,
ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things
taken as confessed against the said

GULF BEACH LAND AND DEVELOPMENT CO.,

Defendant aforesaid.

This 31st day of July 19 37

Robert S. Duck Register.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 326

Term, 1927

KATE M. PENNY,

Complainant

vs. GULF BEACH LAND & DEVELOPMENT CO., ET AL.

Defendant

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 6th day of May, 1927, 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 6th day of May 1927, and

And it now further appearing to the Register R. S. Duck, that the said LOTS OR SUBDIVISION 1 and 2, IN SECTION 25m Township 9 South or Range 2 East, Baldwin County, Alabama; GULF BEACH LAND AND DEVELOPMENT CO., INC., a Corporation; CHARLES A. JENKS, THE UNKNOWN HEIRS OF CHARLES A. JENKS; GAUNT CREBS, THE UNKNOWN HEIRS OF GUANT CREBS; O. W. TOWNER, THE UNKNOWN HEIRS OF O. W. TOWNER; H. H. McNEIL; THE UNKNOWN HEIRS OF H.H. McNEIL; S. P. MARSH; THE UNKNOWN HEIRS OF S. P. MARSH; AND ANY OTHER PERSON, FIRM OR CORPORATION CLAIMING ANY RIGHT, TITLE TO, INTEREST IN OR ENCUMBRANCE UPON SAID LOTS OR SUBDIVISION 1 and 2 in Section 25, township 9 South of Range 2 East, in Baldwin County, Alabama, 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 R. S. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

Defendants

This 31st day of July 1927

Robert S. Duck Register.

The State of Alabama, {
Baldwin County }

CIRCUIT COURT

To O'BYRNE JONES,

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine PAUL M. PENNY and W. E. KELLY

as witnesses in behalf of Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

KATE M. PENNY,

Complainant

and LOTS OR SUBDIVISIONS 1 and 2, in Section 25, Township 9 South of Range 2 East, Etal.,

Defendant,

on oath to be by you administered, upon them to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all convenient speed, under your hand.

Witness 25th day of JULY 19 38

[Handwritten Signature]

REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

CHANCERY EXECUTION

BILL OF COSTS

No. **326**

Kate M. Penny,
Complainant

Gulf Beach Land & Development Co., Inc. et al.,
Respondents

Plaintiff
Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$	35
Filing each bill and other papers	12	0	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.		
Issuing each subpoena	50	50	For all entries on subpoena docket, etc. For all entries on commission docket, etc.		
Issuing each copy thereof	40	40	Each notice sent by mail to creditor ..	15	
Entering each return thereof	15	15	Filing, receipting for and docketing each claim, etc.	25	
For each order of publication	1	00	For all entries on subpoena docket, etc.	50	
Issuing writ of injunction	1	50	For all entries on commission docket, etc.	50	
For each copy thereof	50	50	Making final record, per 100 words ..	15	5 00
Entering each return thereof	15	15	Certified copy of decree	1 00	
Issuing Writ of Attachment	1	00	Report of divorce to State Health Office	50	
Entering each return thereof	15	15	(Acts 1915) Total Fees of Register	15	35
Docketing each case	1	00			
Entering each appearance	25	25			
Issuing each decree pro confesso on per. ser.	1	00			
Issuing each decree pro confesso on publica.	1	00			
Each order appointing guardian	1	00			
Any other order by Register	50	50			
Issuing commission to take testimony	50	50			
Receiving and filing	10	10			
Endorsing each package	10	10			
Entering order submitting cause	50	50			
Entering any other order of court	25	25			
Noting all testimony	50	50			
Abstract of cause, etc.	1	00			
Entering each decree	75	75			
For every 100 words over 500	15	15			
Taking account, etc.	3	00			
Taking testimony, etc.	15	15			
Each report, 500 words or less	2	50			
For every 100 words over 500	15	15			
Amount claimed less than \$500, etc.	2	00			
Issuing each subpoena	25	25			
Witness certificate, each	25	25			
Issuing execution, each	75	75			
Entering each return	15	15			
Taking and approving bond, each	1	00			
Making copy of bill, etc.	15	15			
Each notice not otherwise provided for ..	50	50			
Each certificate or affidavit, with seal ..	50	50			
Each certificate or affidavit, no seal ..	25	25			
Hearing and passing on application, etc.	3	00			
Each settlement with receiver, etc	3	00			
Examining each voucher of Receiver, etc.	10	10			
Examining each answer, etc.	3	00			
Recording resignation, etc.	75	75			
Entering each certificate to Supreme Court	50	50			
Taking questions and answers, etc.	25	25			
For all other ser relating to such proceedings	1	00			
For services in proceeding to relieve minors, etc., same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.					
Sub Total Carried Forward	9	35			

The State of Alabama, { No. **326**
Baldwin County. { **Circuit Court, In Equity** *February* Term, 19**38**

To Any Sheriff of the State of Alabama—GREETING:
 You are hereby commanded, That of the goods and chattels, lands and tenements of

Kate M. Penny Defendant

you cause to be made the sum of _____ Dollars,

which *Gulf Beach Land & Development Co.,* Plaintiff

recovered of _____ on the *1st* day of *August* 19**38**

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,

costs of suit, and have the same to render to the said _____ and make return of this Writ and the execution thereof, according to law.

Interest from _____ 19**38** to date of collection.

Witness my hand, this *22nd* day of *February* 19**38**

R.S. Dush, Register.

KATE M. PENNY,

Complainant.

vs.

CERTAIN LANDS, ET AL.,

Respondent.

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, _____
Decree Pro Confesso on Publication; Decree Pro Confesso on personal
Service; Commission to take Testimony; Notice of time of taking
Testimony; Request for Appointment of Commissioner; and Notice
of Such Request; Notice to Defendant as to time of Taking Testimony;
Motion for Decrees Pro Confesso; Proof of Publication; Testimony
of Hall M. Penny and W. E. Kelly with Exhibits attached;

and in behalf of Defendant upon _____

R. S. Duchs

Register.

KATE M. PENNY,)
)
 Complainant,)
)
 VS.)
)
 LOTS OR SUBDIVISIONS 1 and 2,)
 IN SECTION 25, TOWNSHIP 9)
 SOUTH OF RANGE 2 EAST, ET AL.,)
)
 Respondents.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Notice is hereby given that the Complainant will, on the 30
day of July, 1938, before Miss O'Byrne Jones, as Special Commissioner, take
the testimony, orally, of the following witnesses on behalf of the Complainant:
Paul M. Penny and W. E. Kelly.

Dated this 25 day of July, 1938.

Richard G. G. G. G.
Solicitors for Complainant.

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 GULF BEACH & LAND & DEVELOPMENT
COMPANY, INC., a Corporation, et al,

of Mobile 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

KATE M. PENNY

against said GULF BEACH LAND & DEVELOPMENT COMPANY, INC., a Corporation,
Inc., 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, Robert S. Duck, Register of said Circuit Court, this 5th day
of May 1937

Robert S. Duck Register

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

Duck
RECORDED |
7-268

No. 326

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

KATE M. PENNY

vs.

GULF BEACH LAND AND DEVELOP-

MENT CO., ET AL.,

DECREE PRO CONFESSO ON
PERSONAL SERVICE

Issued July 31st 1937

Robert S. Duck
Register.

Meore Printing Company, Bay Minette, Ala.

Circuit Court, Baldwin County, Ala.
In Equity.

No. _____

VS.

COST BILL

Paid _____, 193_____

Register _____

RECORDED *Duck*
7-265

No. 326

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

KATE M. PENNY

vs.

GULF BEACH LAND & DEVEL-
OPMENT CO., ET AL

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed July 31st 19 37

Robert S. Duck

Register.

Recorded in Record,

Vol. Page

Register.

No. _____

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The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

KATE M. PENNY,

Vs. **Complainant,**

CERTAIN LANDS, ET AL.

**REQUEST FOR DECREE IN
VACATION**

Filed July 30, 1938

R. S. Dool

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED *Book*
7-266

No. 326 Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

KATE M. PENNY,

VS.

GULF BEACH LAND AND DEVELOP-
MENT CO., ET AL.,

DECREE PRO CONSENSO
OF PUBLICATION

Issued July 31st, 1957

Robert S. Dwell
Register.

Recorded in Record

Vol. Page

Register.

Moore Printing Company, Bay Minette, Ala.

2/38
Mobile
D. H. H. H.
Gammell

Such
RECORDED
2-146

GULF BEACH LAND & DEVELOPMENT
COMPANY, INC., a Corp.

Circuit Court of Baldwin County
IN EQUITY

No. 326

SUMMONS

KATE M. PENNY,
Complainant,

vs.

GULF BEACH LAND &
DEVELOPMENT COMPANY, INC.,
a Corporation, et al.

BEER, HALL & BEER,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,

BALDWIN COUNTY

Received in office this _____

day of _____, 1937

SHERIFF

Executed this 18 day of

May 1937

by leaving a copy of the within Summons with

W. S. Remington pres.

Hull Beach Land &

Development Co. & Sons Defendant

A. S. S. S. S. S.

By *Caro Remington*

Deputy Sheriff

Sheriff

Recd
RECORDED 7-19-1935

NOTICE OF TIME OF TAKING TESTIMONY:

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1 and 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, ET AL.,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed this 25 day July 1935

R. S. Drake
Clerk-Register

No. 326

The State of Alabama,
Baldwin County.

Circuit Court, In Equity.

W. H. N. Lewis

Complainant

VS.

W. H. Blackford & Debitment

vs. Fee Respondents

CHANCERY EXECUTION
Fi. Fa.

\$ 67.45

Total \$ 67.45

Fee Book Consolidated Page 326

Execution Docket 1 Page "

Belle Hall & Belle
(Answer) Complainant's Solicitor.

The State of Alabama,
Baldwin County.

ha..... duly waived..... right
to the exemption of personal property as to
the collection of the debt for which this execu-
tion is issued.

Register.

Received in office this

day of..... 193

Sheriff

Execution Docket..... Page.....

The State of Alabama, }
Baldwin County. }

By virtue of the within execution I have levied.....

Multiple horizontal lines for text entry.

Book 741100114
NO. 7, 497

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

KATE M. PENNY,

vs. Complainant

Certain Lands, Et Al.,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

O'BYRNE JONES,

WITNESSES:

No. 326

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

KATE M. PENNY,

Complainant.

vs.

CERTAIN LANDS, Wt Al.,

Respondents.

NOTE OF TESTIMONY

Filed in Open Court this 30th
day of July 193 8

R. S. Duch

REGISTER

326

Duel

RECORDED

7-495-

REQUEST OF REGISTER:

KATE M. PENNY,

Complainant,

VS.

LOTS OR SUBDIVISIONS 1 and 2,
IN SECTION 25, TOWNSHIP 9
SOUTH OF RANGE 2 EAST, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed this 25th day July 1935

R. S. Duck

Clerk-Registrar