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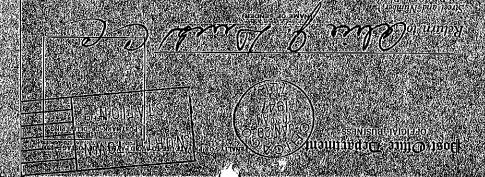
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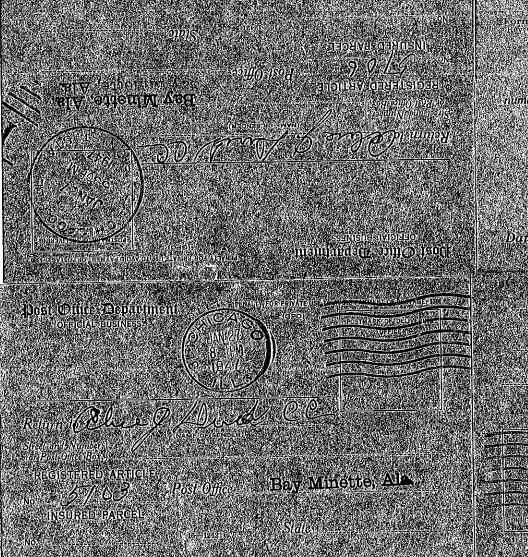
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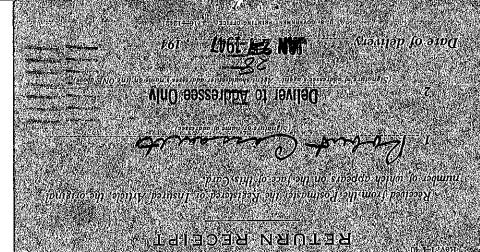
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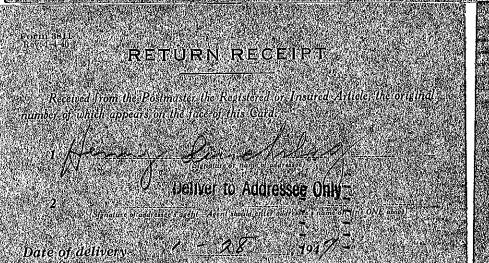
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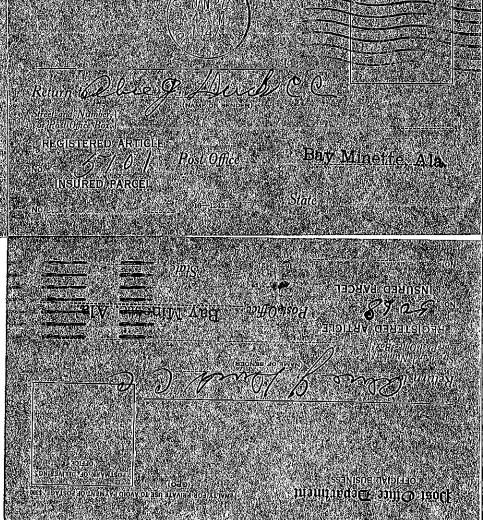
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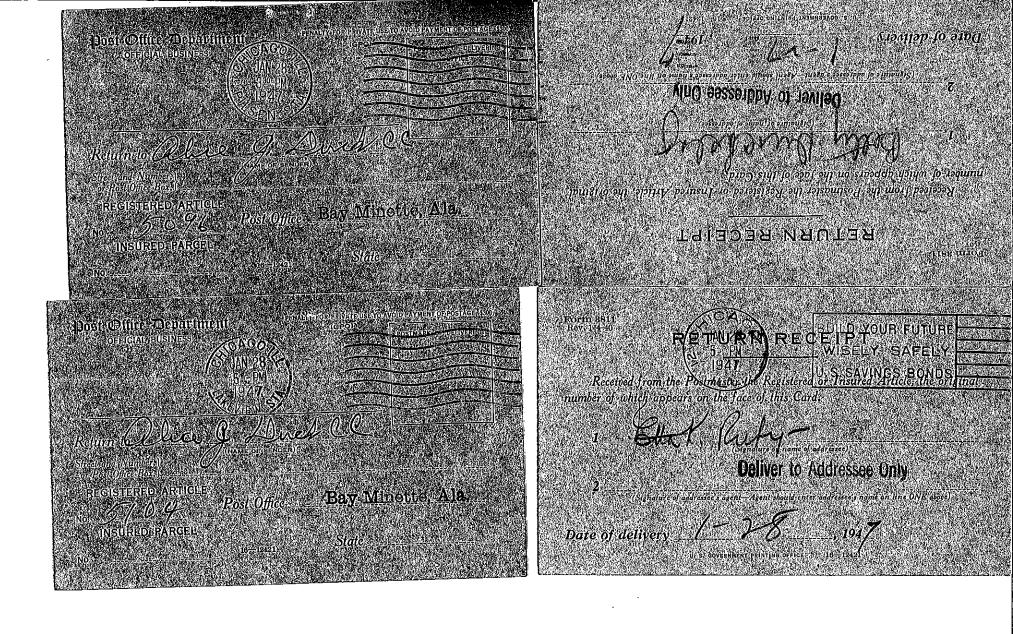
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BETTE PRICE AND MIRIAM GREEN,

Complainants,

VS.

SARAH K. SCOTT ET AL, AND CERTAIN LANDS IN BALDWIN COUNTY, ALABAMA,

Respondents.

EQUITY NO. 1813

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ANSWER AND CROSS-BILL

And now comes JACK BUCK, by his Solicitor, TELFAIR

J. MASHBURN, JR., as owner of a part of the land described in
the bill of complaint in the above styled cause, and, for answer
to the Complainants bill of complaint, says:

- 1. He is not advised as to the ages or residences of the Complainants, but admits that he is over the age of twenty-one years and is a resident of Baldwin County, Alabama.
- 2. He denies the allegations of paragraph 2 insofar as said allegations pertain to the following described land, viz:

The Northeast Quarter ($NE_{\frac{1}{4}}$), and the Southeast Quarter ($SE_{\frac{1}{4}}$) of the Northwest Quarter ($NW_{\frac{1}{4}}$) of Section 7, Township 6 South, Range 5 East, in Baldwin County, Alabama;

and demands strict proof of the same.

- 3. He denies that the Complainants own and hold fee simple title to the lands described in paragraph 2, supra, and he demands strict proof of same; He denies all of the other allegations contained in paragraph III, insofar as said allegations refer to the lands described in paragraph 2, supra, and demands strict proof of same, except that he admits that the title to the above described lands was good in the Southern States Lumber Company.
- He denies the allegations contained in paragraph IV, insofar as said allegations refer to the lands described in paragraph 2, supra, and he demands strict proof of the same;
- 5. He denies the allegations contained in paragraph V, insofar as said allegations refer to the lands described in paragraph 2, supra, and demands strict proof of the same.

- 6. He denies the allegations contained in paragraph VI, insofar as said allegations refer to the lands described in paragraph 2, supra, and demands strict proof of the same.
- 7. He has no knowledge of the allegations contained in paragraph VII, and demands strict proof of the same.
- 8. He has no knowledge of the allegations contained in Paragraph VII, and demands strict proof of the same.
- 9. He admits the allegations of paragraph LX, except that he denies that the Complainants have title to the lands described in paragraph 2, supra, and he demands strict proof of the same.
- 10. He has no knowledge of the allegations contained in paragraph X, and he demands strict proof of the same.
- ll. He has no knowledge of the allegations contained in paragraph XI, and he demands strict proof of the same.

 answer
 The aforesaid JACK BUCK for further/to the Com-

plainants bill of complaint, and praying that this be taken as his cross bill, says:

(a) He adopts all of the allegations contained in his answer to the Complainants bill of complaint, and further says a part of that he is the owner and in actual possession of/the land described in the bill of complaint, to-wit:

The Northeast Quarter (NE $\frac{1}{4}$), and the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 7, Township 6 South, Range 5 East;

that he acquired title to the same by deed dated January 15, 1947, and recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 116 NS, page 104, a copy of which is hereto attached, marked Exhibit "A", and by reference made a part hereof as though fully incorporated herein; that immediately after acquiring title to the said property he went into the actual possession thereof; that he has been in the actual possession of the said land above described from the date he acquired title to the same to this date, ever claiming to own the same; and that the deed under which he claims title is valid.

(b) That the Complainants and Cross-respondents have had no possession of any kind of the lands described in paragraph "(a)",

supra, since your Respondent and Cross-complainant went into possession; that at the present time there is pending in the law side of this Court an action in ejectment, being case No. 1030, brought by the Complainants and Cross-respondents against your Respondent and Cross-complainant to recover possession of the lands described in paragraph (a), supra.

(c) Your Respondent and Cross-complainant specifically and disclaims denies/possession of, any interest in, or title to, any of the lands described in the Complainants and Cross-respondents bill of complaint except the following, to-wit:

The Northeast Quarter (NE $\frac{1}{4}$), and the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 7, Township 6 South, Range 5 East.

WHEREFORE, the premises considered, the Respondent max prays that this be taken as his answer and cross-bill, and that, by proper process, the Complainants be made Cross-Respondents hereto; that they be required to plead, answer or demur to this cross-bill within the time and under the penalties prescribed by law and the practice of this Honorable Court.

The Respondent and Cross-Complainant further prays that upon a final hearing hereof your Honor will make and enter a decree that the Respondent and Cross-Complainant is the owner in fee simple of the lands above described, and that the Complainants and Cross-Respondents have no right, title to, interest in, or encumbrance upon the said land.

The Respondent and Cross-Complainant further prays that if he is not entitled to have a decree establishing his title to said land, then that a proper decree be made and entered awarding to him damages for the purchase price he paid for said property, all subsequent taxes, and the interest thereon.

He prays for such other, further, different, or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound, he will ever pray.

Solicitor for Respondent and Cross-Complainant.

THE STATEOF ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on 31 day of July, A. D. 1933, the Probate Court of Baldwin County rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from E. F. Winegar, Trustee # 1 the owner of said lands, and for the payment of the fees, costs, and expenses of and under said decree, and the sale had in execution thereof.

AND WHEREAS, thereafter, to-wit, on the 1st day of September, 1933 under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County for said taxes, fees, costs, and expenses, and no person having bid a sufficient sum for said lands to pay the same, said lands were bid in for the State for the sum of said taxes. of said taxes, fees, costs, and expenses.

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama, with the approval of the Governor, has fixed the prine of said land, and ascertained that the sum of Six Hundred Eighty-five & No/100 (\$685.00) Dollars is sufficient to cover and satisfy all claims of the land, and ascertained that the sum of SIX number English lands of the (\$685.00) Dollars is sufficient to cover and satisfy all claims of the State and County against said lands for or on account of taxes, imterest, State and costs, and officers fees which were due upon or have accrued fees, and costs, and officers fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by Jack Buck to purchase said lands, and said sum of Six Hundred Eighty-Five & No/100 (\$685.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said and by these presents does grant, bargain, sell, and convey unto the said and by thout warranty or covenant of any kind on the part of the Jack Buck, without warranty or covenant of any kind on the part of the State, express or implied, all right and title of the State of Alabama in and to said lands, described as follows:

No of Section 7, T 6 S, R 5 E, less that part redeemed; No of NE4 of N W4 and No of So of NE4 of NW4

STATE OF ALABAMA, BALDWIN COUNTY Filed January 21, 1947 11 AM Recorded Deed Book 116, page 104 and I certify that the following Privilege Tax has been paid. Deed Tax - -Mortgage Tax

W. R. Stuart Judge of Probate By L. S. W.

lying and being situate in said County and State, to have and to hold the same, the said right and title of the State in the lands aforesaid, unto Jack Buck and his heirs and assigns for ever.

In testimony whereof I have hereunto set my hand and seal this the 15 day of January, $19^{1}+7$.

Approved:

Chauncey Sparks Governor

STATE LAND COMMISSIONER OF ALABAMA A. C. Pitts State Land Commissioner

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

I, Mary Slade, a Notary Public in and for said County, in said State, hereby certify that A. C. Pitts, whose name is signed to the foregoing conveyance as State Land Commissioner, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he, in his capacity as such State Land Commissioner, executed the same voluntarily on the day the same bears date.

Given under my hand this the 15 day of January, 1947.

	Mary	Slade
No	tary	Public

STATE OF ALABAMA BALDWIN COUNTY

Before me, the undersigned officer, personally appeared Telfair J. Mashburn, Jr., to me well known, who being first duly sworn, deposes and says: That he is the Solicitor for the Respondent and cross complainant in the above cause,: And that the allegations contained in the foregoing answer and cross bill are true and correct to the best of his knowledge, information and belief.

Felfairy. Madlebierre gr.

Subscribed and sworn to before me on this 27th day of February, 1947.



NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA.

IN THE CIRCUIT COURT,

COUNTY OF BALDWIN.

BALDWIN COUNTY, ALABAMA. IN EQUITY.

TM POUTLT.

NO. 1813

TO THE HON. F. W. HARE, JUDGE OF THE ABOVE STYLED COURT, SITTING IN EQUITY:

Ĭ

Come the complainants, Bette Price and Miriam Green, and by this their verified bill of complaint respectfully show unto the Court the following:

I.

The complainants are each over the age of twenty-one years and are residents of the City of Chicago, State of Illinois.

II.

That complainants own in fee simple the following described lands, situate in Baldwin County, Alabama, to-wit:

The following described lands, which will sometimes hereinafter be referred to for convenience as, "Tract No. 1":

Tract No. 1: In Township 5 South, Range 4 East:

	Section
NET of NWT, SWT of SWT, E of SWT	
and NW of NEL of	11
NW1, SW1 of NE1, and W2 of SE1 of	13 14
NET, SET of NWT of Et of SWT of	20
SEL of SW of	Ž
Stof SW1, and NW1 of SW2 of	24
No of No of	25
No of NWa, Swa of NWa, No of Swa, and	
$N-1/3$ of S_2 of SW_4 of	28
NEE, and SWE of NWE of	29
NET of NET, SWT of NET, We of SET, and	
SEA of SEA of	33
SW2 of SW2 of	34
	The section

In Township 5 South, Range 5 East:

"Egof 1	NE of			7
NW≟, S	Na of NEA,	and SEZ o	f SE of	8
正 _含 , exc	cept SEgo:	NE a of	-	9
we of S	SEA. and Si	₽ of	_	10
SEZ of	NEZ, EZ O	SE, and	SWA of S	SEE of 14
Ng of I	NV程,NI程, 8	and Eg of	SE ₂ of	15

	<u>Section</u>
NEW of SEW and SW of SW of SEW of SW of SW of SW of SW of SW of SW of SEW of SEW of SEW of SEW of SEW of NEW of NEW of NEW of NEW of NEW of SEW of SW	27 29 30 31 33 34 35
In Township 6 South, Range 4 East:	
Es of SW1 of NE1 of SE1 of NW2, NW1 of NW1, SW2 of N SE2, and No of SW2 NW1 of SE2 of NW1 of NW2 of Es of SE2, and SW1 of SE2 of SW2 of SE2 of NW2 of SE2 of	1 E ₄ , 3 4 10 11 13 25 26 28 35 36
In Township 6 South, Range 5 East:	
NEL, and SEL of SEL NWL of SEL OF NEL OF SEL OF NWL of SEL OF SWL of NEL OF SWL of NEL OF SEL SWL of NEL OF SEL SWL of NEL OF SWL OF SWL OF SWL OF SWL OF SWL OF SEL OF NEL OF SWL OF SWL OF SWL OF SEL OF NEL OF SWL OF SEL OF NEL OF SWL OF SEL OF NEL OF SWL OF SEL OF SWL OF SWL OF SEL OF SWL OF SW	15 17 20 21 22 23 24 Black 25 27 14, 28 14,
In Township 6 South, Range 6 East:	
SW1 of SE1 of SE1 of SE1 of NW2, and N2 of SE1 of W2 of NE2 of NE2 of NE2, NW1 of SE1, and all that poof NW2 and SW2 of SE1 east of BI	20 21 28 ortion Lack
of NW and SW of SE2 east of BI Water River of	29

The following described lands, which will sometimes hereinafter be referred to for convenience as, "Tract No. 2":

Tract No. 2:

In Township 5 South, Range 4 East:

	Section
SEZ of NWZ of SEZ of NWZ of	11 12
In Township 5 South, Range 5 East:	
We of NWW of NWW, and NWW of NEW of SEW of NEW of EW of NWW, SWW of NWW, and NWW of SWW of NEW of NWW of	9 10 22 26 36
In Township 6 South, Range 4 East:	
NW4 of NE4 of	35
In Township 6 South, Range 5 East:	
NE1, and SE1 of NW1 of SW1 wast	7 8
All that portion of NW2 of SW2 west of Black Water River of	25
0.75 to 20 control 7 color colored	477

The following described lands, which will sometimes hereinafter be referred to for convenience as, "Tract No. 3":

Tract No. 3:

In Township 6 South, Range 5 East:

				<u>Section</u>
SWZ SWZ	of SWA	less , and	SW2 of same of W2 of SE2 of	15 22

III.

That complainants own and hold fee simple title to all of said lands (Tracts Numbered 1, 2 and 3) by virtue of the following conveyances:

(1) Warranty Deed executed under date of October 3, 1925, by Southern States Lumber Company, a corporation, conveying all of said lands to Abe Durschlag, filed for record in the Office of the Probate Judge of Baldwin County, Alabama, on October 23, 1925, and recorded in Record Book 37 N.S., Pages 345-7.

- (2) Conveyance executed under date of November 30, 1927, by Abe Durschlag and wife, Dora Durschlag, conveying all of said lands to the American-Traders National Bank of Birmingham, Alabama, a corporation, as Trustee, filed for record in the Office of the Probate Judge of Baldwin County, Alabama, on June 18, 1928, and recorded in Record Book 45 N.S., Pages 116-119.
- Traders National Bank of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, with First National Bank of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, executed by F. G. Awalt, Acting Comptroller of the Currency under date of June 30, 1930, a certified copy of which, certified to by John L. Proctor, Acting Comptroller of the Currency under date of August 12, 1930, was on January 13, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in said Office on January 17, 1936, in Record Book 58 N.S., Pages 417-418.
- (4) Statutory Warranty Deed executed under date of June 30, 1930, by American-Traders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2262, at Page 573.
- (5) Quitclaim Deed executed under date of 15th day of May, 1946, by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette Price, which said deed was filed for record on June 3, 1946, in the Office of the Judge of Probate of Baldwin County, Alabama, and recorded in Record Book 108 N.S., at Page 103.
- (6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and wife, Rebecca Susman, and Helen Susman Asher, formerly Helen Susman, and husband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price.

And also by virtue of the possession which the complainants and their predecessors in title, as alleged aforesaid, have had of said lands, and also by virtue of the fact that the complainants and those from whom they deraign title as alleged aforesaid have assessed and paid the taxes on said lands for twenty years next preceding the filing of this bill of complaint.

And also by virtue of the fact that the Southern States Lumber Company, from whom the complainants derive their title as aforesaid, deraigned its title to said lands in an unbroken chain of record title from the United States of America, except as hereinafter alleged.

IV.

- (1) That title to all of said lands described hereinabove and identified as Tract No. 1 stands upon the records of the Probate Court of Baldwin County, Alabama, in
 the names of the complainants, Bette Price and Miriam Green,
 except an undivided one-eighth (1/8) interest therein which
 stands upon the records of the Probate Court of said County
 in the name of Sarah K. Scott.
- (2) That title to all of said lands described hereinabove and identified as Tract No. 2 stands upon the records of the Probate Court of Baldwin County, Alabama, in
 the names of the complainants, Bette Price and Miriam Green.
- (3) That title to all of said lands described hereinabove and identified as Tract No. 3 stands upon the records of the Probate Court of Baldwin County, Alabama, in
 the names of the complainants, Bette Price and Miriam Green.
- (4) However, complainants further allege that SW2 of NE2 of Section 22, Township 6 South, Range 5 East, a portion of Tract No. 3, was patented by the United States of America to George H. O'Neal, Jr., by patent dated June 10, 1882, and recorded in Deed Book 6 N.S., at Page 535 of the records in said Probate Office; that complainants deraign title to SW2 of NE2 of Section 22, Township 6 South, Range 5 East from George H. O'Neal; that the allegation hereinabove made that title to all of Tract No. 3 stands upon the records in said Probate Office in the names of the complainants is based upon the assumption that the said George H. O'Neal, Jr. and the said George H. O'Neal are one and the

same person; complainants now allege that if the said George H. O'Neal, Jr. and the said George H. O'Neal are not one and the same person, then title to the SW4 of NE4 of said Section 22 stands upon the records in said Probate Office in the name of George H. O'Neal, Jr.

٧.

The complainants are in the actual, peaceable possession of portions of said lands and complainants together with their predecessors in title have held actual, peaceable possession of portions of said lands for ten years preceding the filing of this bill of complaint; that no other person is in the actual possession of any portion of said lands; that complainants, together with those through whom they claim, as aforesaid, have held color of title, and paid taxes on said lands for ten years prior to the filing of this bill of complaint; and that no other person has paid taxes on said lands or any interest therein during any part of said period; and that no suit is pending to test complainants; title to, interest in, or right to the possession of said lands.

VI.

That the only persons who have paid taxes upon said lands or any interest therein within ten years next preceding the filing of this bill of complaint are the complainants and their predecessors in title or privies in claim; and that the only persons known to complainants to have had any possession of any part of said lands within ten years next preceding the filing of this bill of complaint are the complainants and their predecessors in title or privies in claim, except that at one time during said ten year period Ray Brewton, now deceased, had possession of a portion of the NW1 of NE1 of Section 10, Township 6 South, Range 4 East and that the heirs of Ray Brewton and their respective residences and addresses are listed in subsections (19 to (27), inclusive, of Paragraph VII hereof, except a son, Martin L. Brewton, who is in possession of a portion of said NW2 of NE2 of Section 10, Township 6 South, Range 4 East in recognition of the title and ownership of the complainants and as a tenant at will of the complainants.

VII.

That the following named persons or corporations are known to the complainants to claim said lands, or some part thereof, or some interest therein:

- (1) SARAH K. SCOTT; complainants allege that they do not know the residence and address of Sarah K. Scott and they do not know that she is now deceased, and if she be deceased, they do not know the names and addresses of her heirs or devisees.
- (2) ROBERT MACLAY; complainants allege that Robert Maclay is deceased; that his last will and testament was probated in New York County, New York, August 17, 1898, and that by his said last will and testament all of his real property was devised to his wife, Georgiana Maclay; that his will has not been probated in Alabama; that the only heirs of Robert Maclay, known to complainants, are Alfred B. Maclay and Robert Maclay, Jr.
- (3) ALFRED B. MACLAY; complainants allege that they do not know the residence and address of Alfred B. Maclay and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
- (4) ROBERT MACLAY, JR.; complainants allege that they do not know the residence and address of Robert Maclay, Jr. and they do not know that he is now deceased, and if he be deceased, they do not know the names and address of his heirs or devisees.
- (5) GEORGIANA MACLAY; complainants allege that they do not know the residence and address of Georgiana Maclay and they do not know that she is now deceased, and if she be deceased, they do not know the names and addresses of her heirs or devisees, other than that the aforesaid Alfred B. Maclay and Robert Maclay, Jr. are believed to be her children.
- (6) GEORGE H. O'NEAL; complainants allege that they do not know the residence and address of George H. O'Neal and

they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.

- (7) GEORGE H. O'NEAL, JR.; complainants allege that they do not know the residence and address of George H. O'Neal, Jr. and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
- (72a) WM. M. JOHNSON and THOMAS G. MCCULLOUGH, JR.; complainants allege that they do not know the residence and address of the said Johnson and McCullough, they do not know that they are deceased, and if they be deceased, they do not know the names and addresses of their heirs or devisees.
- (8) GEORGE W. ROBINSON; complainants allege that they do not know the residence and address of George W. Robinson and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
- (9) SOUTHERN STATES LAND & TIMBER COMPANY, LTD.; complainants are informed and believe and upon such information and belief allege that Southern States Land & Timber Company, Ltd. was a British corporation, domiciled in Great Britian and the complainants were unable, after diligent inquiry, to ascertain the address of said firm or of its officers.
- (9-a) SOUTHERN PLANTATION DEVELOPMENT COMPANY; complainants allege that they have been unable, after diligent search and inquiry, to ascertain the address or domicile of said Company or its officers.
- (10) H. H. GIVAN; complainants allege that they do not know the residence and address of H. H. Givan and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
- (11) JAMES DEMPSEY; complainants allege that they do not know the residence and address of James Dempsey and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
 - (12) JOSEPH CARTIER; complainants allege that they do not

know the residence and address of Joseph Cartier and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.

- (13) MOSES R. DEMMING; complainants allege that they do not know the residence and address of Moses R. Demming and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
- (14) WILLIAM WENTE, JR.; complainants allege that they do not know the residence and address of William Wents, Jr. and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
- (15) RIX M. ROBINSON; complainants allege that they do not know the residence and address of Rix M. Robinson and they do not know that he is now deceased, and if he be deceased, they do not know the names and addresses of his heirs or devisees.
- (16) R. N. RISDON; complainants allege that they do not know the residence and address of R. N. Risdon and they do not know that he is now deceased, and if he be deceased, they do not know the mames and addresses of his heirs or devisees.
- (17) JOHN M. VAHUE; complainants allege that it appears from the Probate Court records in Baldwin County, Alabama, File No. 660, that John M. Vahue died intestate prior to June 25, 1904, and that his heirs at law were then unknown and that they remain unknown to the complainants to this date; that said Court proceedings disclose that the said John M. Vahue was survived by his wife, Sarah Amanda Vahue, and that she was deceased on June 25, 1904.

- (18) SARAH AMANDA VAHUE; complainants allege that Sarah Amanda Vahue died prior to June 25, 1904, as shown by the aforesaid File No. 660 in the Probate Office of Baldwin County, Alabama; that the names and addresses of her heirs or devisees are unknown to these complainants other than as shown by said Court file, and complainants do not know whether these heirs are now deceased, and if so, who their heirs or devisees may be, and these complainants do not know whether these addresses which were shown in this file for about the year 1904 are now correct, said heirs being the following:
 - (a) Frank Filer, Detroit, Michigan
 - (b) E. G. Filer, Manistee, Michigan
 - (c) Grace M. Filer, Detroit, Michigan
 - (d) Mary J. Sexton, Milwaukee, Wisconsin
- (19) HATTIE PATTON whose residence and address is 2803 W. Gadsden Street, Pensacola, Fla.
- 3 (20) CLARA SPADER whose residence and address is Robertsdale, Ala.
- (21) GUS EREWTON, whose residence and address is 607 7th Avenue, Tampa, Fla.
- (22) JACK BREWTON whose residence and address is 1551 E. 67th Street, Chicago, Ill.
- (23) ELSIE THAMES whose residence and address is Rt. 1, Box 314, Birmingham, Ala.
- X 5 (24) EMILY NEAL whose residence and address is Rt. 1, Fairhope, Ala.
- Rt. 1, Box 810, Melrose Park, Ill.
- (26) C. E. BREWTON whose residence and address is
 - > (27) HAZEL ZYRICK whose residence and address is Rt. 1, Fairhope, Ala.
- (27a) VIRGIL MAE BREWTON whose residence and address is Rt. 1, Robertsdale, Alabama.

- (28) WILLIAM DURCHSLAG whose residence and address is 3526 W. Evergreen Avenue, Chicago, Ill.
- (29) BELLA DURCHSLAG whose residence and address is 3526 W. Evergreen Avenue, Chicago, Ill.
- (30) EMIL DURCHSLAG whose residence and address is 515 W. Briar Place, Chicago, Ill.
- (31) ANN DURCHSLAG whose residence and address is 515 W. Briar Place, Chicago, Ill.
- posed of Louis Susman, William Durchslag and Emil Durchslag, said partnership is domiciled at Chicago, Ill. and its address is c/o William Durchslag, 3526 W. Evergeen Avenue, Chicago, Ill.
- (33) MAX DURSCHLAG; complainants allege that Max Durchslag is deceased and that his heirs and widow are the following:
 - (a) LILLIAN DURSCHLAG, his widow, whose residence and address is 4300 Lakeshore Drive, Chicago, Ill.
 - (b) MORRIS DURSCHIAG, his father, whose residence and address is 1452 N. Rockwell Street, Chicago, Ill.
 - (c) HORTENSE JACOBSON, a daughter of a deceased brother, Abe Durchslag, whose residence and address is 6524 N. Mozart Street, Chicago, Ill.
 - (d) HAROLD B. DURSCHLAG, a son of a deceased brother, Abe Durchslag, whose residence and address is 934 W. Wimona Avenue, Chicago, Ill.
 - (e) PEARL KELLER, a sister, whose residence and address is 1335 Lunt Avenue, Chicago, Ill.
 - (f) EDWARD DURCHSLAG, a son of a deceased brother, Henry Durchslag, whose residence and address is 1109 E. 52nd Street, Chicago, Ill.
 - (g) CHARLOTTE DURCHSLAG whose residence and address is 5419 S. Woodland Avenue, Chicago, Ill.

- (34) LOVEY DURSCHLAG whose residence and address is 934 W. Winona Avenue, Chicago, Ill.
- (35) FLORENCE DURCHSLAG whose residence and address is 1109 E. 52nd Street, Chicago, Ill.
- (36) HENRY DURCHSLAG whose residence and address is 645 W. Waveland Avenue, Chicago, Ill.
- (37) MOLLIE B. DURCHSLAG whose residence and address 1s 645 W. Waveland Avenue, Chicago, Ill.
- (38) ABE DURSCHLAG; complainants allege that Abe Durschlag is deceased and that the names, residence and address of his surviving widow and heirs are as follows:
 - (a) DORA DURSCHLAG, his widow, 934 W. Winona Avenue, Chicago, Ill.
 - (b) HAROLD B. DURSCHLAG, a son, whose residence and and address is as aforesaid, 934 W. Winona Avenue, Chicago, Ill.
 - (c) HORTENSE JACOBSON, a daughter, whose residence and address is as aforesaid, 6524 N. Mozart Street, Chicago, Ill.
- (39) JOSEPH RUSNAK; complainants allege that Joseph Rusnak died during the year 1954; that he was survived by his wife, Esther, who died in 1945; that the heirs of Joseph Rusnak and their residence and addresses are as follows:
 - (a) WILLIAM RUSNAK, a son, 5555 N. Sheridan Road, Chicago, Ill.
 - (b) RELLA BANOVITZ, a daughter, 9381 Olympic Boulevard, Beverly Hills, Calif.
 - (c) LILLIAN REISZ, a daughter, 325 S. Crescent Drive, Beverly Hills, Calif.
 - (d) BERNICE KAUFMAN, a daughter, 431 W. Oakdale Avenue, Chicago, Ill.
- (40) HENRY RUSNAK; complainants allege that Henry Rusnak is deceased and that the following are the names of his widow and heirs at law, together with their respective residence and addresses:

- (a) LENA RUSNAK, his widow, 3156 N. Sheridan Road, Chicago, Ill.
 - (b) FLORENCE MILLER, formerly Florence Rusnak, 2920 N. Commonwealth Avenue, Chicago, Ill.
 - (c) IRWIN RUSNAK, 5555 N. Sheridan Road, Chicago, Ill.
 - (d) SEYMOUR RUSNAK, 3156 N. Sheridan Road, Chicago, Ill.
- MARIE RUSNAK whose residence and address is 5555 W. Sheridan Road, Chicago, Ill.
- (42) SAM RUSNAK (also known as SAMUEL RUSNAK); complainants allege that Sam Rusnak is deceased and that the following are his widow and heirs at law, together with their respective residences and addresses:
 - (a) ELLA E. RUSNAK, his widow, 3156 N. Sheridan Road, Chicago, Ill.
 - (b) EARL J. RUSNAK, a son, 2528 Sheridan Road, Evanston, Ill.
 - (c) RAYMOND L. RUSNAK, a son, 5533 Hyde Park Boulevard, Chicago, Ill.
- (45) HELEN RUSNAK whose residence and address is 2528 Sheridan Road, Evanston, Ill.
- 5353 Hyde Park Boulevard, Chicago, Ill.
- (45) HERMAN RUSNAK whose residence and address is
- (46) JOSEPH H. LEVEE whose residence and address is 7606 Bosworth Avenue, Chicago, Ill.
- (47) MAX A. POLK; complainants allege that Max A. Polk is deceased; that his wife predeceased him and that the following are the names and respective residence and addresses of his heirs:

- a son,
 (a) MARVIN POLK,/c/o M. Ziedman, 5044 N. Marine
 Drive, Chicago, Ill.
- (b) FLORENCE ZIEDMAN, a daughter, 5044 N. Marine Drive, Chicago, Ill.
- (48) HARRIET POLK, c/o M. Ziedman, 5044 N. Marine Drive, Chicago, Ill.
- (49) SAM RUBY whose residence and address is 6727 S. Bennett, Chicago, Ill.
- (50) ETTA K. RUBY whose residence and address is 6727 S. Bennett, Chicago, Ill.
- (51) JACK RUBY whose residence and address is Michigan City, Ind.
- (52) ALEX KELLER whose residence and address is 1335 Lunt Avenue, Chicago, Ill.
- (53) FAYE RUBY whose residence and address is Michigan City, Ind.
- (54) PEARL KELLER; complainants allege that Pearl Keller claims said lands, or some part thereof, or some interest therein, in addition to her claim as a sister of Max Durschlag, deceased, and that her residence and address is as alleged aforesaid.
- (55) WILLIAM A. LEVENFELD; complainants allege that William A. Levenfeld is deceased and that the following are his widow, and heirs, and their respective residences and addresses:
 - (a) JENNIE A. LEVENFELD, his widow, c/o J. Newman, 2300 Lincoln Park West, Chicago, Ill.
 - (b) GERALD LEVENFELD, a son, c/o J. Newman, 2300 Lincoln Park West, Chicago, Ill.
 - (c) MARVIN LEVENFELD, a son, c/o J. Newman, 2300 Lincoln Park West, Chicago, Ill.
- (56) BETTY LEVENFELD whose residence and address is c/o J. Newman, 2300 Lincoln Park West, Chicago, Ill.
- (57) JOAN LEVENFELD whose residence and address is c/o J. Newman, 2300 Lincoln Park West, Chicago, Ill.

- (58) ROSE RUSNAK whose residence and address is 5555
- (59) LILLIAN DURSCHLAG; complainants allege that Lillian Durschlag is the same person as Lillian Salzer Durschlag and that Lillian Salzer Durschlag claims said lands, or some part thereof, or some interest therein, in addition to her claim as the widow of Max Durschlag and that her address is as hereinabove alleged.
- (60) DORA DURSCHLAG; complainants allege that Dora Durschlag claims said lands, or some part thereof, or some interest therein, other than as the widow of Abe Durschlag and that her residence and address is as hereinabove alleged.
- (61) HARRY L. BROOKS whose residence and address is Michigan City, Ind.
- (62) FLORENCE BROOKS whose residence and address is Michigan City, Ind.
- (63) FANNIE KATZ; complainants allege that Fannie Katz is deceased and that the following are her heirs, together with their respective residences and addresses:
 - (a) LENA GOLDBERG, a daughter, 1936 N. Keeler Avenue, Chicago, Ill.
 - (b) GOLDIE HANDMAN, a daughter (who is insane), c/o
 Kankakee State Hospital, Kankakee, Ill.
 - (c) ORVILLE KATZ, 4324 S. Drexel Avenue, Chicago, Ill.
 - (d) MARY LESAK, 5511 S. Kenwood Avenue, Chicago, Ill.
 - (e) BEN KATZ, c/o Neat Cleaners, 11106 E. Jefferson, Detroit, Mich.
- (64) BERNICE LEVEE, whose residence and address is 7606 Bosworth Avenue, Chicago, Ill.
- (65) LEO E. LEVEE whose residence and address is 649 Bittersweet Place, Chicago, Ill.

- (66) JOSEPHINE LEVEE whose residence and address is 649 Bittersweet Place, Chicago, Ill.
- (67) JOSEPH HOMAN whose residence and address is 5000 East End Avenue, Chicago, Ill.
- (68) ALICE HOMAN whose residence and address is 5000 East End Avenue, Chicago, Ill.
- (69) MILTON L. DURCHSLAG whose residence and address is 3018 W. Palmer Street, Chicago, Ill.
- (70) BETTY DURCHSLAG whose residence and address is 3018 W. Palmer Street, Chicago, Ill.
- (71) ROBERT CASSARETTO whose residence and address is c/o R. Cuneo, l N. LaSalle Street, Chicago, Ill.

VIII.

Complainants further allege that the aforesaid conveyance from Abe Durschlag and wife, Dora Durschlag, to the American-Traders National Bank of Birmingham was a conveyance in trust; that complainants have made a very careful and thorough investigation to ascertain the names and addresses of all parties who originally or by transfer or by inheritance had or held any beneficial interest under and by virtue of said trust; that the parties named in Paragraph VII hereof, beginning with Subsection (28) and following to are known to complainants to the end of said paragraph include all parties who/have ever had any beneficial or equitable interest in said trust; that said trust was terminated and the legal title to said lands conveyed to complainants at the request and direction of the present beneficial owners of said trust; that by bringing this bill of complaint the complainants seek to put at

rest any claim of any beneficial owner in said trust; that if there are any persons who have heretofore or now own or claim an interest under and by virtue of said trust, other than those hereinabove listed, the complainants have been unable to ascertain their names, residences or addresses by the most diligent search and investigation; complainants further allege that if there are any such, it is impractical to bring them before this Court as the result of further investigation and search; that the title, interest or claim of any such unknown beneficiaries is a contingent one, if it exists, and is dependent upon a common question of law and fact affecting the right and title of all of the beneficiaries under said trust.

IX.

Complainants allege that all of said lands were conveyed to Southern States Lumber Company, a corporation, by Georgiana Maclay, Alfred B. Maclay and Robert Maclay, Jr. by deed dated August 8, 1898, and recorded in Deed Book Y, at Pages 307-312 of the records in the Probate Office of Baldwin County, Alabama, and that all of said lands were conveyed by Robert Maclay, Jr. to Southern States Lumber Company, a corporation, by deed dated November 21, 1900, recorded in Deed Book 3 N.S., at Pages 314-318 of the records in the Probate Office of Baldwin County, Alabama; that complainants, as hereinabove alleged, deraign title to the caption lands by mesne conveyances from Southern States Lumber Company, a corporation; that neither of said alleged deeds disclose the marital status of Alfred B. Maclay and Robert Maclay, Jr.; that complainants have been unable to ascertain, after the most diligent investigation and search,

as to whether either Alfred B. Maclay or Robert Maclay, Jr. were married men on the date of said conveyances; that if either of them were married men there is outstanding a possible potential dower interest in the wife or widow, as the case may be of whichever one of them were not joined in these conveyances by his wife; that the complainants by this bill of complaint seek to quiet title against and put at rest any claim of title which may exist, either legally or equitably, in favor of the wife of Alfred B. Maclay and the wife of Robert Maclay, Jr., if any.

X.

Complainants allege that by deed dated November 13, 1886, recorded in Deed Record Book O, Pages 464-465 of the records in the Probate Office of Baldwin County, Alabama, George H. O'Neal conveyed SWa of NEa of Section 22, Township 6 South, Range 5 East to W. L. Wittich from whom the complainants by mesne conveyances deraign title to said SW2 of NE2; that said conveyance does not disclose the marital status of George H. O'Neal and complainants after the most diligent search and inquiry have been unable to ascertain whether George H. O'Neal was married or unmarried at the time of making said conveyance; complainants further allege that if the said George H. O'Neal was a married man at the time of making said conveyance there exists in favor of his wife or widow, as the case may be, a possible potential claim of dower; that the complainants by this bill of complaint seek to set at rest and quiet any claim of title or interest, either legal or equitable, which may exist in favor of the wife or widow of George H. O'Neal, if any, and as the case may be.

Complainants allege that by their attorneys and agents they have made and caused to be made a very thorough, extensive and diligent investigation to determine the facts alleged in this bill and to ascertain any facts which are unknown, including the names of unknown claimants, and including the ascertainment of the unknown residences and addresses of known claimants. Complainants allege that a very careful and thorough investigation was made of the records in the Probate Office of Baldwin County, Alabama, and of the records in the Tax Assessor's Office in Baldwin County, Alabama, to ascertain the name, residence and address of parties who might have any possible claim to said lands. Complainants allege that they obtained no information disclosing that any of the parties named herein are under kind of legal disability, or are minors,/are in the armed forces of the United States, except that Goldie Hamman is a non compos mentis. Complainants allege that to ascertain the facts alleged in this bill of complaint and in an effort to ascertain the unknown facts, inquiry was made of the following persons or parties, to-wit:

- (1) Gessner T. McCorvey, Mobile, Alabama, who is an Attorney-at-Law, Chairman of the State Democratic Executive Committee, member of the Board of Trustees of the University of Alabama, and who has a wide acquaintance throughout the State and particularly in Mobile and Baldwin Counties, Alabama.
- (2) C.M.A. Rogers, Mobile, Alabama, who is an Attorney-at-Law, former State Senator from Mobile County, Alabama, and who has a wide acquaintance throughout the State and particularly in Baldwin and Mobile Counties, Alabama.

- (3) Sibyl Pool, Montgomery, Alabama, Secretary of State.
- (4) Norman Asher, Chicago, Ill., who is an Attorney-at-Law, familiar with the chain of title to said lands, one of the beneficiaries of the deed of trust executed by Abe Durschlag to the American-Traders National Bank of Birmingham, and personally acquainted with many of the other beneficiaries and their families.
- (5) Raymond L. Rusnak, Chicago, Ill., who is an Attorney-at-Law, familiar with the chain of title to said lands, one of the beneficiaries under the deed of trust executed by Abe Durschlag to the American-Traders National Bank of Birmingham, and personally acquainted with many of the other beneficiaries and their families.
- (6) Robert F. Adams, Mobile, Alabama, Attorney-at-
 - (7) Mrs. Hazel Hicks, Cobleskill, N. Y., Town Clerk.
- (8) George Loesch, Clerk of the Surrogate's Court, County of New York, State of New York.
- (9) Elizabeth B. Warner, Clerk of the Surrogate's Court, Schoharie County, New York.
- (10) H. C. Peterson, Robertsdale, Alabama, engaged in the real estate business and with a wide acquaintance throughout Baldwin County and who was employed by the complainants to and did make inquiry throughout Baldwin County for information with reference to known and unknown claimants to said lands, including their residences and addresses and the names of their heirs or devisees if deceased.
- (11) State Department of Archives & History, Montgomery, Alabama.

- (12) Harvey E. Page, County Judge, Escambia County, Fla.
- (13) Marion Forcheimer, Mobile, Alabama, whose ancestors were in the chain of title to said lands.
- (14) E. Dixie Beggs, Pensacola, Fla., Attorney-at-Law, who represented Southern States Lumber Company, one of the remote grantors of the complainants.
- (15) J. Whitney Hyer, Pensacola, Fla., who is engaged in the real estate business in said city and has a wide acquaintance throughout Escambia County, Fla. and Baldwin County, Ala.
- (16) R. Leon Jones, Atmore, Alabama, who is 72 years old and was employed by Southern States Land & Timber Company when he was 13 or 14 years old and continued in the employ of its successors in title until about 1925 or 1926; he was superintendent of the woods and logging operations of Southern States Lumber Company from 1903 until the Company went out of business about 1925 or 1926.
- (17) J. E. Davis Yonge, Pensacola, Fla., who is an Attorney-at-Law, and who represented several of the parties in the chain of title to said lands prior to the conveyance to Abe Durschlag.
- (18) F. F. Bingham, Pensacola, Fla., who is engaged in the real estate business, and who was assistant manager, secretary and director of Southern States Lumber Company and employed by its predecessor in title beginning about the year 1890 and who is the present custodian of all of the remaining records of Southern States Lumber Company.
- (19) Messrs. Taggart-Beaton & Company, London, England, who at one time were agents of Charles L. Bucki and other parties in the chain of title prior to acquisition of title by Southern States Lumber Company.

- (20) Tom Cooper, Robertsdale, Ala., who is 80 years old, a life long resident of Baldwin County, and has had personal knowledge of the ownership and possession of said lands throughout his life.
- (21) Jurdon Watters, Robertsdale, Ala., 72 years old and a life long resident of Baldwin County, Ala.
- (22) Taylor Lambert, Robertsdale, Ala., who is 82 years old and has lived in Baldwin County for the past 68 years.
- (23) Thomas Johnson, Robertsdale, Alabama, who is 69 years old and a life long resident of Baldwin County, Ala.
- (24) A. Boyington, Robertsdale, Ala., who is 53 years old and a life long resident of Baldwin County, Ala.
- (25) W. C. Beebe, Bay Minette, Alabama, aged 55, and a practicing Attorney-at-Law of many years at that place which is the county seat of Baldwin County, Alabama.
- (26) Ed Tunstall, Bay Minette, Ala., who is 52 years old and has lived in Baldwin County all his life.
- (27) M. H. Wilkins, Bay Minette, Ala., aged 57, and with a wide acquaintance throughout the County.
- (28) Mrs. Helene K. Speck, Troy, N. Y., granddaughter of Helen Courter, one of the parties in the chain of title to said lands.
- (29) Ernest M. Bundy, Cobleskill, N. Y., a funeral director and acquainted with the Courter family.
- (30) Harold Durschlag, 77 W. Washington Street, Chicago, Ill., related to various of the beneficiaries under the Abe Durschlag deed of trust and personally acquainted with many of the beneficiaries and their families.
- (31) Milton L. Durschlag, Chicago, Ill., who is an Attorney-at-Law, and was one of the beneficiaries under the Abe Durschlag deed of trust and was personally acquainted with the various beneficiaries under this deed of trust.

- (32) Edna Owens, Deputy Registrar, County Health Department, Pensacola, Fla.
- (33) First National Bank, Birmingham, Alabama, which bank has kept a record of the beneficiaries under the Abe Durschlag deed of trust.

complainants further allege that by their attorneys and agents they have inquired of various and sundry other parties in the community where said lands are situated and elsewhere and have diligently followed up each source of information which has been suggested or referred to them and as a result of the investigation which has been made they have set forth as fully and completely as they have been able to ascertain the same all of the facts with reference to the persons hereinabove referred to and described as having possible claims of title to the lands the subject of this suit, and their residences and addresses, and whether they are living or dead, and if dead, the names and addresses of their heirs or devisees.

PRAYER FOR PROCESS AND RELIEF

WHEREFORE, complainants bring this, their bill of complaint against said lands, hereinabove described, and against any and all persons claiming any title to, interest in, lien or encumbrance on said lands, or any part thereof, to establish the right or title to said lands and the ownership in fee simple of the complainants thereto, and to clear up all doubts or disputes concerning the same, and complainants pray that process issue against said lands and said persons to be served in the manner prescribed by statute and published in a newspaper designated by this Honorable Court, and that this Court, through its Register, cause due and legal process to issue to and be served in the manner prescribed by statute upon

Sarah K. Scott, Alfred B. Maclay, Robert Maclay, Jr., Georgiana Maclay, George H. O'Neal, George H. O'Neal, Jr., Wm. M. Johnson, Thomas G. McGullough, Jr., George W. Robinson, Southern States Land & Timber Company, Ltd., a corporation, Southern Plantation Development Company, a corporation, H. H. Givan, James Dempsey, Joseph Gartier, Moses R. Demming, William Wente, Jr., Rix M. Robinson, R. N. Risdon, Frank Filer, E. G. Filer, Grace M. Filer, Mary J. Sexton, Hattie Patton, Clara Spader, Gus Brewton, Jack Brewton, Elsie Thames, Emily Meal, Lee Brewton, C. E. Brewton, Hazel Zyrick, Virgil Mae Brewton; and William Durchslag, Bella Durchslag, Emil Durchslag, Ann Durchslag, S.& D Investment Company, a co-partnership composed of Louis Susman, William Durchslag and Emil Durchslag, Lillian Durschlag, Morris Durschlag, Hortense Jacobson, Harold B. Durschlag, Pearl Keller, Edward Durchslag, Charlotte Durchslag, Lovey Durschlag, Florence Durchslag, Henry Durchslag, Mollie B. Durchslag, Dora Durschlag, William Rusnak, Rella Banovitz, Lillian Reisz, Bernice Kaufman, Lena Rusnak, Florence Miller, Irwin Rusnak, Seymour Rusnak, Marie Rusnak, Ella E. Rusnak, Earl J. Rusnak, Raymond L. Rusnak, Herman Rusnak, Helen Rusnak, Eleanor S. Rusnak, Joseph H. Levee, Marvin Polk, Floreme Ziedman, Harriet Polk, Sam Ruby, Etta K. Ruby, Jack Ruby, Alex Keller, Faye Ruby, Jennie A. Levenfeld, Gerald Levenfeld, Marvin Levenfeld, Betty Levenfeld, Joan Levenfeld, Rose Rusnak, Harry L. Brooks, Florence Brooks, Lena Goldberg, Goldie Handman, Orville Katz, Mary Lesak, Ben Katz, Bernice Levee, Leo E. Levee, Josephine Levee, Joseph Homan, Alice Homan, Milton L. Durchslag, Betty Durchslag, and Robert Cassaretto, in their own behalf and in behalf of any other persons or parties who may claim or have any interest in said lands as a beneficial owner or as an assignee of any beneficial owner under said deed of trust executed by Abe Durschlag et ux to American-Traders National Bank of Birmingham, Alabama, dated November 30, 1927, recorded in said Record Book 45 N.S., at Pages 116-119.

Complainants further pray as follows:

l. That an attorney be appointed to represent and act as guardian ad litem for Goldie Handman, a non compos mentis, and all other minors, and all persons in the armed service of the United States of America, and all persons under any legal disability and all unknown

Page 25.

persons or parties who may claim said lands, or some part thereof, or some interest therein, and that he be served with a notice of the pendency of this bill of complaint and be called upon to appear and represent and defend said interests.

- 2. And that upon the perfection of such service and the final hearing of this cause and a consideration of the evidence to be presented, this Court decree the title to the lands herein described to be in Bette Price and Miriam Green, in fee simple.
- 2. Complainants further pray that title to the lands herein described be quieted as to all other parties the herein and as to all other persons whomsoever, and that/Court decree said other parties and persons have no interest in, encumbrance upon, right or title to said lands or any portion thereof.
- 4. Complainants pray for such other and further relief which this Court deems meet and proper in the premises.

ADAMS & GILIMORE Attorneys for Complainants

Member of the Firm

STATE OF ALABAMA. COUNTY OF CLARKE.

This day personally appeared before me the undersigned authority, C. B. Gillmore, to me well known, who first being duly sworn, deposes and says: That he is one of the solicitors for the complainants in the above cause; that he directed the investigation, search and inquiry for the facts and information set forth in the foregoing bill of complaint; and that the allegations contained in the foregoing bill of complaint are true and correct.

Subscribed and sworn to before me on this the 21 at day of January, 1947.

Notary/Public, Clarke County, Alabama.

STATE OF ALABAMA.

IN THE CIRCUIT COURT,

COUNTY OF BALDWIN.

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

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NO. 1813

REGISTER'S CERTIFICATE AS TO SERVICE, PUBLICATION AND LIS PENDENS

I, Alice J. Duck, Register of said Court, do hereby certify as follows:

The notice of the pendency of the bill of complaint filed in this suit was duly published in The Baldwin Times, a newspaper of general circulation, which was published in Baldwin County, Alabama, for fifty-two consecutive weeks prior to January 50, 1947, for four consecutive weeks in the following issues:

Date of first publication January 50, 1947, Volume 58, No. I

Date of second publication February 6, 1947, Volume 58, No. 2

Date of third publication February 13, 1947, Volume 58, No. 3

Date of fourth publication, February 20, 1947, Volume 58, No. 4

A true and correct copy of said notice, as published, is attached to the Publisher's affidavit on file in this cause.

A copy of the aforesaid notice, duly certified to by me as correct was recorded as a Lis Pendens in the office of the Probate Judge of Baldwin County, Alabama, on January 22, 1947, in Lis Pendens Record 2, at Pages 141-145.

That a summons, with a copy of the aforesaid notice attached, was issued to all of the parties named in the bill of complaint as residents of the State of Alabama, and said summons, with a copy of said notice, was served upon said respondents, as process is served on defendants in suits in Equity as follows, to-wit:

Name of Party	County where Served	Date of Name of Sheriff Service	
C. E. Brewton	Mobile County	W. H. Holcombe 2-12-1947	
Elsie Thames	Jefferson County	Holt A. McDowell 2-12-1947	
Clara Spader	Baldwin County	Taylor Wilkins 2-13-1947	
Emily Neal		n n 2-13-1947	
Hazel Zyrick	ti ii	11 11 2-13-1947	
VirgIT Mae Brewton	18 53	" " 2=13=19 <u>4</u> 7	

A summons, with a copy of the aforesaid notice attached, was mailed by me to each of the parties named in the bill of complaint who were alleged to be non-residents of the State, and whose addresses were shown by the bill of complaint, which said summons and notice was mailed by registered mail, postage prepaid, marked "FOR DELIVERY ONLY TO THE PERSON TO WHOM ADDRESSED" and return receipt demanded addressed to me as Register of this Court, as follows:

Name of Party	Date of Service
Frank Filer	No Return Receipt
E. G. Filer	15 16 99
Grace M. Filer	88 48 EA
Mary J. Sexton	12 11 13
Hattie Patton	February 12, 1947
Gus Brewton	February 15, 1947
Jack Brewton	February 14, 1947
Lee Brewton	No Return Receipt
William Durchslag	February 22, 1947
Bella Durchslag	February 13, 1947
Emil Durchslag	February 15, 1947
Ann Durchslag	February 13, 1947
S & D Investment Company	February 22, 1947
Lillian Durschlag	February 13, 1947
Morris Durschlag	February 13, 1947
Hortense Jacobson	February 18, 1947
Harold B. Durschlag	No Return Receipt
Pearl Keller	February 13, 1947
Edward Durchslag	February 18, 1947
Charlotte Durchslag	No Return Receipt
Lovey Durschlag	February 13, 1947
Florence Durchslag	No Return Receipt
Henry Durchslag	February 12, 1947
Mollie B. Durchslag	February 14, 1947
Dora Durschlag	February 13, 1947

William Rusnak	No Return Receipt
Rella Banovitz	February 14, 1947
Lillian Reisz	February 13, 1947
Bernice Kaufman	February 20, 1947
Lena Rusnak	February 13, 1947
Florence Miller	February 13, 1947
Irwin Rusnak	No Return Receipt
Seymour Rusnak	February 18, 1947
Marie Rusnak	February 13, 1947
Ella E. Rusnak	No Return Receipt
Earl J. Rusnak	February 24, 1947
Raymond L. Rusnak	February 17, 1947
Helen Rusnak	February 24, 1947
Eleanor S. Rusnak	February 13, 1947
Herman Rusnak	February 14, 1947
Joseph H. Levee	February 24, 1947
Marvin Polk	February 21, 1947
Florence Ziedman	February 13, 1947
Harriet Polk	February 21, 1947
Sam Ruby	No Return Receipt
Etta K. Ruby	February 13, 1947
Jack Ruby	February 14, 1947
Alex Keller	No Return Receipt
Faye Ruby	February 14, 1947
Jennie A. Levenfelā	No Return Receipt
Gerald Levenfeld	February 26, 1947
Marvin Levenfeld	No Return Receipt
Betty Levenfeld	28 41 60
Joan Levenfeld	85 BB 97
Rose Rusnak	16 69 60
Harry L. Brooks	February 13, 1947
Florence Brooks	No Return Receipt
Lena Goldberg	February 13, 194?
Goldie Handman	February 13, 1947

February 13, 1947

Orville Katz

Mary Lesak	No Return Receipt
Ben Katz	February 14, 1947
Bernice Levee	February 13, 1947
Leo E. Levee	$N_{\rm O}$ Return Receipt
Josephine Levee	10 10 ty
Joseph Homan	February 13, 1947
Alice Homan	February 13, 1947
Milton L. Durchslag	February 14, 1947
Betty Burchslag	February 13, 1947
Robert Cassaretto	February 14, 1947

All of the return receipts referred to above are attached hereto.

I do further certify that said cause became duly at issue on April 1, 1947.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of said Court on this the 1st day of April, 1947.

alice I- Wuch

BETTE PRICE AND MIRIAM

GREEN,

IN THE CIRCUIT COURT,

Complainants,

BALDWIN COUNTY,

VS.

ALABANA.

SARAH K. SGOTT ET AL AND CERTAIN LANDS IN BALDWIN

IN EQUITY.

COUNTY, ALABAMA,

NO. 1813

Respondents.

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FINAL DECREE

This cause coming on on this date to be heard upon complainants' verified bill of complaint, the pleadings, and the evidence and testimony noted in the note of submission and testimony:

The Court finds that the bill of complaint is filed as a statutory proceeding in rem to quiet title to lands situate in Baldwin County, Alabama; that the Baldwin Times was duly designated by order of this Court as the newspaper for the publication of the notice of the pendency of the bill of complaint; that said notice was duly published in said newspaper for four consecutive weeks, and on the following respective dates, January 50, February 6, February 15 and February 20, 1947; that a copy of said notice, duly certified to by the Register of this Court, was filed as a lis pendens in the Probate Office of Baldwin County, Alabama.

The Court further finds that all of the parties who are alleged in said bill of complaint to claim an interest in said lands and to reside in Alabama were duly and properly served by the Sheriff with a summons and a copy of said notice, the Court finding that the parties so served are: C. E. Brewton, Elsie Thames, Clara Spader, Emily Meal, Hazel Zyrick and Virgil Mae Brewton.

The Court further finds that a summons and a copy of said notice was sent by the Register of this Court, by registered mail, postage prepaid, marked "FOR DELIVERY ONLY TO THE PERSON

TO WHOM ADDRESSED", and return receipt demanded addressed to the Register of this Court, to all of the parties named in the bill of complaint as claiming an interest in said lands who are alleged to be non-residents of the State of Alabama and whose addresses are set forth in the bill of complaint; and that return receipts were received by the Register, showing service of said summons and notice on the following named of said parties, to-wit: Hattie Patton, Gus Brewton, Jack Brewton, William Durchslag, Bella Durchslag, Emil Durchslag, Ann Durchslag, S & D Investment Company, Lillian Durschlag, Morris Durschlag, Hortense Jacobson, Pearl Keller, Edward Durchslag, Lovey Durschlag, Henry Durchslag, Mollie B. Durchslag, Dora Durschlag, Rella Banovitz, Lillian Reisz, Bernice Kaufman, Lena Rusnak, Florence Miller, Seymour Rusnak, Marie Rusnak, Harl J. Rusnak, Raymond L. Rusnak, Helen Rusnak, Eleanor S. Rusnak, Herman Rusnak, Joseph H. Levee, Marvin Polk, Florence Ziedman, Harriet Polk, Etta K. Ruby, Jack Ruby, Faye Ruby, Gerald Levenfeld, Harry L. Brooks, Lena Goldberg, Goldie Handman, Orville Katz, Ben Katz, Bernice Levee, Joseph Homan, Alice Homan, Milton L. Durchslag, Betty Durchslag and Robert Gassaretto.

The Court further finds that service was duly perfected upon all of the non-resident parties named in said bill of complaint as claiming some interest in said lands adverse to the complainants by mailing to each of said non-resident parties, whose addresses are shown in the bill, the aforesaid notice of the pendency of said bill of complaint, by registered mail, pursuant to statute, and by the aforesaid publication.

The Court further finds that Telfair J. Mashburn, Jr., a member of the Bar of this Judicial Circuit, and who is in all respects competent to act as such, by order of this Court was duly appointed to act as guardian ad litem and attorney for Goldie Handman, shown by the bill of complaint to be a non compos mentis, and also for any and all other minors, and all

persons in the arms a services of the United States of America, and all persons under any legal disability, and all unknown persons or parties who might claim or have any interest in the subject matter of this suit; that said guardian ad litem was duly notified of his appointment and filed an answer on behalf of those for whom he was appointed to represent; and that said guardian ad litem was present in Court at the taking of testimony and upon the submission of this cause for final decree.

The Court further finds from the sworn bill of complaint that the complainants have no knowledge of any party claiming an interest in said lands to be in the military service of the United States of America; and the Court finds that any such parties have been duly and properly represented by the guardian ad litem in this cause and that the provisions of the Soldier's & Sailor's Civil Relief Act have been observed.

The Court further finds that all provisions and requirements of the statutes and the rules of Court governing this type procedure have been observed and met and that this cause was duly and properly at issue as of April 1, 1947, and that no parties have answered said bill of complaint or filed a cross bill, other than the guardian ad litem, who filed an answer, and other than Jack Buck who filed an answer and cross bill, claiming title to 200 acres of said lands.

The Court has carefully considered the pleadings, the documentary evidence, and the other evidence and testimony offered and noted in the note of submission and finds that the allegations of the bill of complaint have been proved and established and that the complainants have established title in fee simple to the lands described in the bill of complaint.

The Court finds that the complainants derive their title to said lands under a chain of title commencing with the Government grant and running to the complaints; that the complainants and those from whom they deraign title have assessed and paid

the taxes on said lands for twenty years next preceding the filing of the bill of complaint; and that no one other than the complainants and those through whom they deraign title has at any time during the twenty year period preceding the filing of the bill of complaint assessed said lands for taxes or paid the taxes thereon, and that the complainants at the time they filed their bill of complaint were in the actual, peaceable possession of the lands the subject of this suit and that no other party was in the actual possession of said lands at said time and that no party or parties other than complainants and their predecessors in title have had any possession of any part of the lands described in said bill for twenty years preceding the filing of said bill of complaint.

The Court finds that the claim of Jack Buck, as disclosed by his answer and cross bill, to the NEW and the SEW of NWE of Section 7, Township 6 South, Range 5 East is unfounded and invalid; that the said Jack Buck bases his alleged claim on a deed executed to him by the State of Alabama on January 15, 1947, which purportedly describes the following, "Na of Section 7, Township 6 South, Range 5 East, less that part redeemed; We of NEW of NW and Ne of Se of NEW of NW :: that the State of Alabama purportedly derived its claim of title to said lands under and by virtue of a tax sale held on September 1, 1933, for 1932 taxes assessed to E. F. Winegar, Trustee; the Court finds and determines that said sale was of the following property on the No. 1, 1932, assessment of E. F. Winegar, Trustee, "No and No of So, being NE of NW, Farm No. 5, Section 7, Township 6 South, Range 5 East, 30 acres", and the Court finds that said assessment did not cover any portion of the lands described in the bill of complaint, and that the said E. F. Winegar, Trustee, at no time during the past twenty years has assessed for taxes any portion of the lands described in the bill of complaint,

The Court further finds and determines that the title, interest or claim of any beneficiaries, or assignees of beneficiaries, under the deed of trust executed by Abe Durschlag and wife, Dora Durschlag, to American-Traders National Bank of Birmingham, is dependent upon a common question of law and fact affecting the right and title of all of the beneficiaries under said trust; that the known beneficiaries, or assignees of beneficiaries, alleged and named in the bill of complaint, are sufficient to fully represent, as class representation, any such unknown beneficiaries or assignees thereof.

WHEREFORE, the Court finds that the equities in the premises are with the complainants and that they are entitled to the relief for which they have prayed in their bill of complaint:

1. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the title to the following described lands, situate in Baldwin County, Alabama, to-wit:

In Township 5 South, Range 4 East:

	Section
NEW of NWW, SWW of SWW, He of SWW, NWW of NEW and SEW of NWW of SEW of NWW, SWW of NEW, and We of SEW of NEW, SEW of NWW, SWW of SWW of SWW of SWW of SWW, and NWW of SWW of NWW, SWW of NWW, NWW of SWW, and NWW of SWW of NWW, SWW of SWW of NWW, SWW of NWW of NWW, NWW of NWW, and NWW of SWW of NWW of SWW	14 20 21 24 25 28 28
In Township 5 South, Range 5 East:	
Es of NEt of NWt, SWt of NEt, and SEt of SEt of Es, except SEt of NEt, and We of We of SEt, SWt, NWt of NWt, and NWt of NEt of SEt of NEt, Es of SEt, and SWt of SEt of Not of NWt, NEt, and Es of SEt of SEt of NEt of NEt of NEt of NEt, We of SEt, SWt of SWt, Es of NWt, SWt of NWt, and NWt of SWt of	10 14 15 22

	Section
SEZ, and SWZ of SWZ	27
Swip of swip of	29
SEZ of SEZ of	<i>5</i> 9
Sa of Swa of	5 <u>1</u>
We of NEE of	53 53
All of	5 <u>4</u>
We, and NEt of	35
S_{2}^{2} of NW_{2}^{1} , N_{3}^{1} of SW_{2}^{1} , E_{2}^{1} , and NE_{2}^{1} of	
NW½ of	36
In Township 6 South, Range 4 East:	
esof swa of nea of	1
SET of NWE, NWE of NWE, SWE of NEE, SEE, and No of SWE of	
NWZ of Suz of	3
of NET of	4
NW of NW of	10 11 13 25
NW2 of	13
Egof SEg and SWg of SEg of	25
SWA of SEA of NWA of SEA of	26 28
NWW of SEZ of We of We, NEZ of NWZ, and NWZ of NEZ of	~0
NET OF NET OF	35
NWZ of NEZ of	56
In Township 6 South, Range 5 East:	
NE&, and SE& of SE& of	1
NW4 of	3
NEA of SEA of	4
NWW of SEA of	6
Eg of SW4, SW4 of SW4, NE2, and SE4	
of NW2 of	7
SWa of SWa, and Sa of SEa of Swa of Swa of Swa, and NE of Swa of	8
Spor Swa of	9 11
SWZ of NWZ of	14
SHE of NHE, No of SWE of NHE. We of	-i
NET OF SET, and SWE of SWE less SWE	
oi same of	15
SW1 of NEt, NW1, and St of Nt of	17
NWA, SEL, and We of NEW of	20 21
DWZ. BWY Of NWW and www.cf grainer	22
Wa of NET, and SEE of NET of	23
All that portion of NW2 west of Black	. 24
water River, and all that portion of	•
AWW OI DWE West of Risck Wator Dittan	
of Sp of	25 27
Er of NEA, SWE of NEE. SEE of NWA.	₩ i
We of NWT, NET of SWE, and SEE of	28
NW2 of NET, No of NW2, SW2 of NW2, and We of SW2 of	29
SET of NEE, No of Sa. and SWA of SWA	NU
	<u> 50</u>
NET, and NWZ of SEZ of	55

Section

In Township 6 South, Range 6 East:

SWA of SEA of	20
SE4 of NW4, and Na of SE4 of	21
Wa of Neadof	28
NEW, NWW of SEG, and all that portion	2
of NW and Swa of SE2 east of Black	
Water River of	29

is vested and is hereby decreed to be vested in the complainants, Bette Price and Miriam Green, in fee simple, subject only to the existing public roads and public road rights of way of Baldwin County and/or the State of Alabama, and of existing easements of public utilities.

2. IT IS FURTHER ORDERED, ADJUDGED AND DEGREED that all title, interest, and all claim of title or interest, in and to the above described lands, or any portion thereof, of the hereinafter named parties, and the heirs and devisees of any of said named parties who are deceased, including any unknown heirs or devisees of said parties, be, and the same is hereby vested in Bette Price and Miriam Green, said parties being the following, to-wit: Sarah K. Scott, Robert Maclay, Alfred B. Maclay, Robert Maclay, Jr., Georgiana Maclay, George H. O'Neal, George H. O'Neal, Jr., Wm. M. Johnson and Thomas G. McCullough, Jr., George W. Robinson, Southern States Land & Timber Company, Ltd., a corporation, Southern Plantation Development Company, a corporation, H. H. Givan, James Dempsey, Joseph Cartier, Moses R. Demming, William Wente, Jr.; Rix M. Robinson, R. N. Risdon, John M. Vahue, Sarah Amanda Vahue, Frank Filer, E. G. Filer, Grace M. Filer, Mary J. Sexton, Hattle Patton, Clara Spader, Gus Brewton, Jack Brewton, Elsie Thames, Emily Neal, Lee Brewton, C. E. Brewton, Hazel Zyrick, Virgil Mae Brewton, William Durchslag, Bella Durchslag, Emil Durchslag, Ann Durchslag, S & D Investment Company, a co-partnership, composed of Louis Susman, William Durchslag and Emil Durchslag, Max Durschlag, Lillian Durschlag, Morris Durschlag, Hortense Jacobson, Harold B. Durschlag, Pearl Keller, Edward Durchslag, Charlotte

Durchslag, Lovey Durschlag, Florence Durchslag, Henry Durchslag, Mollie B. Durchslag, Abe Durschlag, Dora Durschlag, Joseph Rusnak, William Rusnak, Rella Banovitz, Lillian Reisz, Bernice Kaufman, Henry Rusnak, Lena Rusnak, Florence Willer, Irwin Rusnak, Seymour Rusnak, Marie Rusnak, Sam Rusnak, Ella E. Rusnak, Earl J. Rusnak, Raymond L. Rusnak, Helen Rusnak, Eleanor S. Rusnak, Herman Rusnak, Joseph H. Levee, Max A. Polk, Marvin Polk, Florence Ziedman, Harriet Polk, Sam Ruby, Etta K. Ruby, Jack Ruby, Alex Keller, Faye Ruby, Pearl Keller, William A. Levenfeld, Jennie A. Levenfeld, Gerald Levenfeld, Marvin Levenfeld, Betty Levenfeld, Joan Levenfeld, Rose Rusnak, Harry L. Brooks, Florence Brooks, Fannie Katz, Lena Goldberg, Goldie Handman, Orville Katz, Mary Lesak, Ben Katz, Bernice Levee, Leo E. Levee, Josephine Levee, Joseph Homan, Alice Homan, Milton L. Durchslag, Betty Durchslag, and Robert Cassaretto, and Jack Buck.

- 5. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all title, interest, and all claim of title or interest, in and to the above described lands, or any portion thereof, of the parties specifically named in the preceding paragraph hereof, paragraph numbered 2, and the heirs and devisees of any of said parties who may be deceased, including the unknown heirs and devisees of any such deceased parties, and of any other parties, persons and corporations whomsoever be and the same is hereby quieted; and IT IS FURTHER ORDERED, ADJUDGED AND DECREED that they have no interest in, lien or encumbrance upon, right or title to said lands or any portion thereof, and that all doubts and disputes concerning the aforesaid title of complainants be and they are hereby quieted and set at rest.
- 4. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the wife of Alfred B. Maclay as of August 8, 1898, if any, and the wife of Robert Maclay, Jr. as of November 21, 1900, if any, and the wife of George H. O'Neal as of November 13, 1886, if any, have no interest in, lien or encumbrance upon, right or title

to said lands or any portion thereof.

- 5. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that sufficient parties are before the Court to fully represent the interest of any and all parties who have ever had any beneficial or equitable interest in the trust created by the conveyance from Abe Durschlag and wife, Dora Durschlag, to the American-Traders National Bank of Birmingham, which said deed of trust is recorded in Record Book 45 N. S., Pages 116-119, of the records in the Probate Office of Baldwin County, Alabama; and IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said trust has been duly terminated and the legal title to said lands and all of the benefical or equitable interest under said trust is vested in the complainants, Bette Price and Miriam Green, and all right, title or interest of any and all persons or corporations claiming any interest in said lands under and by virtue of said trust is now quieted.
- 6. IT IS FURTHER ORDERED, ADJUDGED AND DECRESO that the Register of this Court shall within thirty days from the rendition hereof file a certified copy of this decree in the office of the Judge of Probate of Baldwin County, Alabama, and that said certified copy shall be recorded in said office in the same book and manner in which deeds are recorded; and it is hereby directed that the recording thereof shall be indexed on the direct index of the deed records of said County in the names of all of the parties who are specifically named in Paragraph No. 2 hereof, and that the recording thereof shall be indexed on the indirect index in the names of Bette Price and Miriam Green.
- 7. IT IS FURTHER ORDERED that the complainants be taxed with the costs of this case, for which execution may issue.

Done and entered in term time on this the // day of April, 1947.

Circuit Judge

BETTE PRICE AND MIRIAM

GREEN,

IN THE CIRCUIT COURT,

Complainants,

BALDWIN COUNTY,

VS.

ALABAMA.

SARAH K. SCOTT ET AL AND GERTAIN LANDS IN BALDWIN

IN EQUITY.

COUNTY, ALABAMA,

NO. 1813.

Respondents.

. . .

On motion of the solicitors for the complainants, complainants are permitted to withdraw the following original documents and substitute copies therefor, to-wit:

- 1. Original deed executed by Louis Susman et al to Miriam Green and Bette Price dated October 16, 1946.
- 2. Original deed executed by First National Bank of Birmingham as Trustee to Miriam Green and Bette Price, dated May 15, 1946, recorded in Book 108 N. S., Page 103.

This the 1th day of April, 1946.

BETTE PRICE and MIRIAM

IN THE CIRCUIT COURT,

GREEN.

Complainants,

BALDWIN COUNTY,

VS.

ALABAMA.

SARAH K. SCOTT ET AL,

IN EQUITY.

AND CERTAIN LANDS IN

BALDWIN COUNTY, ALABAMA,

Respondents.

TO Jeffer J. Mashburn, ATTORNEY-AT-LAW, GREETINGS:

You are hereby notified that under and by virtue of an order of the Court made and entered in the above entitled cause on the 17 day of January, 1947, you were appointed to represent and act as guardian ad litem for Goldie Handman, a non compos mentis, and also to represent and act as guardian ad litem and attorney for any and all other minors, and all persons in the armed services of the United States of America, and all persons under any legal disability, and all unknown persons or parties who may claim or have any interest in the subject matter of this suit.

Attached hereto and made a part hereof is a copy of the notice of the pendency of the bill of complaint in this cause.

This the 27 day of January, 1947.

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O ANY SHERIFF	OF THE STAT	E OF ALABAMA :		-
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You are hereby com	manded to summe	n - Elsie Thun		•
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ppear and plead, an Circuit Court of Ba	iswer or demur, w	ithin thirty days from the service here	eof, to the Complaint filed in	en e
Circuit Court of Ba	ldwin County, Sta	te of Alabama, at Bay Minette, agains	st	
Circuit Court of Ba	ldwin County, Sta	te of Alabama, at Bay Minette, agains	st	
Circuit Court of Ba	Idwin County, Sta	ithin thirty days from the service here te of Alabama, at Bay Minette, agains AIN LANDS IN BALDWIN COUNTY, PRICE AND MIRIAM GREEN	st	
Circuit Court of Ba	Idwin County, Sta	te of Alabama, at Bay Minette, agains	st	
Circuit Court of Ba	Idwin County, Sta	te of Alabama, at Bay Minette, agains	st	

Jefferson Countys

No. 1813 Page	1947 JAN 27 AM 8 : 4 2
THE STATE of ALABAMA, BALDWIN COUNTY	Defendant lives at
CIRCUIT COURT	RECLIVED IN OFFICE
Bitte Price and	, 194
Miriam Green Plaintiffs vs.	I have executed this summons this
Monte 1-1314. 314	by leaving a copy with
Defendants	
SUMMONS and COMPLAINT	
Filed 1 - 2 - 2 194.9	
Filed 1-22, 1949. Alice J. Aluch Clerk	
Plaintiff's Attorney	Ifall a Mc Formel Sheriff
Defendant's Attorney	7 Ja Ma La Deputy Sheriff
Moore Printing Co., Bay Minette, Ala.	

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STATE OF ALABAMA.
COUNTY OF BALDWIN.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY. NO. 1813

NOTICE OF THE PENDENCY OF A BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons named below, together with any and all other persons claiming any title to, interest in, lien or encumbrance on said lands, described below, or any part thereof, to establish in the complainants filing said bill and hereinafter named the right or title to said lands in fee simple and to clear up all doubts or disputes concerning the same.

The complainants named in said bill of complaint are Bette Price and Miriam Green.

The lands against which said verified bill of complaint is filed are situate, lying and being in Baldwin County, Alabama, and more particularly described as follows:

Tract No. 1

In Township 5 South, Range 4 East:

Wa, and NE를 of

In lownship o south, Range + East.	
	Section
NEW of NWW, SWW of SWW, EW of SWW and NWW of NEW of NEW, sww of NEW, and WW of SEW of NEW, SEW of NWW of SWW of SEW of SWW of SWW of SWW of SWW of SWW of NWW of NWW of NWW of NWW of SWW of NWW of NWW of SWW of NWW of SWW of NEW of SWW of NEW, and SWW of NWW of NWW of SWW of NEW of NEW of NEW of NEW of SWW of SEW of SWW of SEW of SWW of SEW of SWW of SEW of SWW of	11 13 14 20 21 24 25 28 29
SW4 of SW4 of In Township 5 South, Range 5 East:	34
Eg of NEL of NWL, SWL of NEL, and SEL of SEL of El, except SEL of NEL of We of SEL, and SWL of SEL of NEL, El of SEL, and SWL of SEL of Ng of NWL, NEL, and Eg of SEL of NEL, Who of SEL, and SWL of SEL, and SWL of SEL of SWL of SWL of SEL of SWL of	7 8 9 10 14 15 26 27 29 30 31 33 34

Shof NWh, Nh of SWh, and Eh of

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	•
In Township 6 South, Range 4 East:	Section
Ez of SWZ of NEZ of	1
SEA of NWA, NWA of NWA, SWA of NEA, SEA, and NA of SWA	3
NW≵ of SEŁ of	4
No of NE of	10 11
NW of Elof SEL, and SW of SEL of	13 25
SW- OI SEE OI	26
NWI of SEI of NWI of NWI of	2 8 35
NW1 of NE1 of	36
In Township 6 South, Range 5 East:	
NEL, and SEL of SEL of	1
NW of NE of SE of	3 4
NW of SE of	6
Eg of SW4, and SW4 of SW4 of SW4 of	7 8
SW= of SW=, and NE= of SW= of SX= of SX= of SX= of SX= of SX= of	9
SW of NW of	11 14
SEL of NEL, No of SWL of NEL, and No of NEL of SEL	15
SWZ of NEZ, NWZ, and SZ	17
Ng of NW士, SE士; and Wo of NE士 of	20 21
S₩2 of	22
War of NE4, and SE4 of NE4 of NW4 of	23 24
All that portion of NW4 west of Black Water River of	25
St of	27
Es of NES, Swa of NES, SES of NWZ, Wa of NWZ, NES of SWZ, and SES of	28
NWZ Of NEZ, NZ Of NWZ, SWZ Of NWZ.	
and Wa of Swa of Sa, and Swa of Swa of	29 30
NEZ, and NWZ of SEZ of	33
In Township 6 South, Range 6 East:	
SW1 of SE1 of	20
SEZ of NWZ, and No of SEZ of We of NEZ of	21 28
NEL, NWL of SEL, and all that portion of NWL and SWL of SEL east of Black	
Water River of	29
Tract No. 2	
In Township 5 South, Range 4 East:	Section
SE of NW of	11
SE of NW of	12
In Township 5 South, Range 5 East:	
Wa of NWA, and NWA of NEA of	9
SEE of NEE of	10 22
Es of NW2, SW2 of NW2, and NW2 of SW2 of NE2 of NW2 of	
manage of manage of	36

In Township 6 South, Range 4 East:	•
	Section
NW of NE of	35
In Township 6 South, Range 5 East:	
NEZ, and SEZ of NWZ of SZ of SEZ of	7 8
All that portion of NW2 of SW2 west of Black Water River of	25

Tract No. 3

In Township 6 South, Range 5 East:

101120	Double, Hange o East.	Section
SW2 of SW2 of	SW $\frac{1}{4}$ less SW $\frac{1}{4}$ of same of NE $\frac{1}{4}$, and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of	15 22

Said bill of complaint shows that the complainants claim said lands, in fee simple, by virtue of the following deeds or instruments:

- (1) Warranty Deed executed under date of October 3, 1925, by Southern States Lumber Company, a corporation, conveying all of said lands to Abe Durschlag, filed for record in the Office of the Probate Judge of Baldwin County, Alabama, on October 23, 1925, and recorded in Record Book 37 N.S., Pages 345-7.
- (2) Conveyance executed under date of November 30, 1927, by Abe Durschlag and wife, Dora Durschlag, conveying all of said lands to the American-Traders National Bank of Birmingham, Alabama, a corporation, as Trustee, filed for record in the Office of the Probate Judge of Baldwin County, Alabama, on June 18, 1928, and recorded in Record Book 45 N.S., Pages 116-119.
- (3) Certificate of Consolidation of the AmericanTraders National Bank of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, with First National Bank of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, executed by F. G. Awalt, Acting Comptroller of the Currency under date of June 30, 1930, a certified copy of which, certified to by John L. Proctor, Acting Comptroller of the Currency, under date of August 12, 1930, was on January 13, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in said Office on January 17, 1936, in Record Book 58 N.S., Pages 417-418.
- (4) Statutory Warranty Deed executed under date of June 30, 1930, by American-Traders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2262, at Page 573.

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- (5) Quitclaim Deed executed under date of 15th day of May 1946, by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette Price, which said deed was filed for record on June 3, 1946, in the Office of the Judge of Probate of Baldwin County, Alabama, and recorded in Record Book 108 N.S., at Page 103.
- (6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and Wife, Rebecca Susman, and Helen Susman Asher, formerly Helen Susman, and husband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price.

Said bill of complaint also shows that the complainants claim title in fee simple to said lands by virtue of the possession which the complainants and their predecessors in title have had of said lands; also by virtue of the fact that the complainants and those from whom they deraign title have assessed and paid the taxes on said lands for twenty years next preceding the filing of the bill of complaint; also by virtue of the fact that Southern States Lumber Company, from whom the complainants deraign title by mesne conveyances, deraigned its title to said lands in an unbroken chain of record title from the United States of America, except as hereinafter noted.

Said bill of complaint shows that the fee simple title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, in the names of Bette Price and Miriam Green, except that an undivided one-eighth (1/8) interest in Tract No. 1 stands upon said records in the name of Sarah K. Scott; said bill of complaint further shows that title to the SW1 of NE1 of Section 22, Township 6 South, Range 5 East stands upon the records of the Probate Court of said County in the name of George H. O'Neal, Jr., the patentee, unless George H. O'Neal, Jr. is one and the same person as George H. O'Neal, from whom the complainants derive title to said SW2 of NE2 by mesne conveyances.

Said bill of complaint shows that the only persons who have paid taxes upon said lands or any interest therein, within ten years next preceding the filing of the bill of complaint, are the complainants and their predecessors in title or privies in claim.

Said bill of complaint shows that the complainants are in the actual, peaceable possession of portions of said lands and have been in such possession for a period of more than ten years next preceding the filing of the bill of complaint; that no other person is in the actual possession of any portion of said lands; that the only persons known to complainants to have had any possession of any part of said lands within ten years next preceding the filing of the bill of complaint are the complainants and their predecessors in title or privies in claim, except that at one time during said ten year period Ray Brewton, now deceased, had possession of a portion of the NW¹/₄ of NE¹/₄ of Section 10, Township 6 South, Range 4 East.

Said bill of complaint shows that the following named persons claim said lands, or some part thereof, or some interest therein:

- (a) Sarah K. Scott, Alfred B. Maclay, Robert Maclay, Jr., Georgiana Maclay, George H. O'Neal, George H. O'Neal, Jr., Wm. M. Johnson, Thomas G. McCullough, Jr., George W. Robinson, Southern States Land & Timber Company, Ltd., a corporation, Souther Plantation Development Company, a corporation, H. H. Givan, James Dempsey, Joseph Cartier, Moses R. Demming, William Wente, Jr., Rix M. Robinson, R. N. Risdon, Frank Filer, E. G. Filer, Grace M. Filer, Mary J. Sexton, Hattie Patton, Clara Spader, Gus Brewton, Jack Brewton, Elsie Thames, Emily Neal, Lee Brewton, C. E. Brewton, Hazel Zyrick and Virgil Mae Brewton.
- (b) William Durchslag, Bella Durchslag, Emil Durchslag,
 Ann Durchslag, S & D Investment Company, a co-partnership composed
 of Louis Susman, William Durchslag and Emil Durchslag, Lillian Durschlag, Morris Durschlag, Hortense Jacobson, Harold B. Durschlag, Pearl
 Keller, Edward Durchslag, Charlotte Durchslag, Lovey Durschlag, Florence Durchslag, Henry Durchslag, Mollie B. Durchslag, Dora Durschlag, William Rusnak, Rella Banovitz, Lillian Reisz, Bernice Kaufman,
 Lena Rusnak, Florence Miller, Irwin Rusnak, Seymour Rusnak, Marie
 Rusnak, Ella E. Rusnak, Earl J. Rusnak, Raymond L. Rusnak, Herman
 Rusnak, Helen Rusnak, Eleanor S. Rusnak, Joseph H. Levee, Marvin
 Polk, Florence Ziedman, Harriet Polk, Sam Ruby, Etta K. Ruby, Jack
 Ruby, Alex Keller, Faye Ruby, Jennie A. Levenfeld, Gerald Levenfeld,
 Marvin Levenfeld, Betty Levenfeld, Joan
 Harry L. Brooks, Florence Brooks, Lena Goldberg, Goldie Handman,
 Orville Katz, Mary Lesak, Ben Katz, Bernice Levee, Leo E. Levee,
 Josephine Levee, Joseph Homan, Alice Homan,
 Betty Durchslag, and Robert Cassaretto.
- (c) The original beneficiaries and transferees of beneficiaries, and heir or devisees of original beneficiaries or transferees under and by virtue of the deed of trust executed by Abe Durschlag and wife, Dora Durschlag, to The American-Traders National Bank of Birmingham, Alabama, dated November 30, 1927, and recorded in Record Book 45 N.S., Pages 116-119 of the records in the Probate Office of Baldwin County, Alabama; the persons named under subsection (b), above, are made parties as claiming some such interest. The bill of complaint further shows that any other persons who have heretofore or now own or claim an interest under and by virtue of said trust are unknown to complainants after diligent search and investigation. The complainants allege that if there are any such, it is impractical to bring them before this Court; that the title, interest or claim of any such unknown beneficiaries is a contingent one, if it exists, and is dependent upon a common question of law and fact affecting the right and title of all of the beneficiaries under said trust.
- (d) The wife or widow of Alfred B. Maclay, if he were ever married and/or if he is now deceased.
- (e) The wife or widow of Robert Maclay, Jr., if he were ever married and/or if he is now deceased.
- (f) The wife or widow of George H. O'Neal, if he were ever married and/or if he is now deceased.

This the 22nd day of January, 1947.

_ alice J. seuch

I, Alice J. Duck , Register of the
Circuit Court of Baldwin County, Alabama, in Equity, do
hereby certify that the foregoing is a correct copy of
the notice of the pendency of the bill of complaint in
the above entitled cause.
Given under my hand and the official seal of said
Court on this the 22nd day of January , 1947.
anderson de la companya de la compa La companya de la co
alice J. eluck
Register

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The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of nonnegotiable securities and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct. (Signature of sender) NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of one cent for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and indorsed, and unless chains are filed within the prescribed time limits. (See postmaster for detailed information.) or "Registered O. O. D.") (16)(15) (13)(14)(12)(11) (10) (8) (5) (6) Known or esti-mated cost of ou-(£) (2) Value of any contents on which surcharge is based on value only Total contents Tetal (1) plication of concovered by surcharge Remarks Delivery tents on which *Indorse-Total of items 11 and 12 Amount on entire Fee paid for Postago Special delivery ment on restricte surcharge is based contents of due or value and length of (exclusive of Registry sender if article C. O. D. if fragile NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS -Fee paid on cost of dapli-CLASS haul instead of cost return other charges ice cation, as dis-tinguished from NUMBER OF ARTICLE of duplication. teceipl If of no value, so state the full raine Affix stamp here for additional copies of this hill • Mark "F" if "Fragile." Note. Diagonal mark must be drawn through lines not used. Total number of pieces listed by sender. (Write number here in words) Total number of pieces received at post office. Postmark and date of receipt D. S. GOVERNMENT PRINTING OFFICE and the state of t

(No collection of surcharge is required on international registered mail)

FORM 3877 APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MARTING DOBBLE

(Rev. 10-13-41) APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE (No collection of surcharge is required on international registered mail)

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FORM 3877 APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE (No collection of surcharge is required on international registered mail)

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Form 3877 APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE (No collection of surcharge is required on international registered main

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of commercial insurance placed on the matter to be values of the articles listed, or the known or estimated cost of duplication in the case of nonnegotiable securities and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct registered as stated on this sheet are also correct. NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of one cent for each article listed on each additional copy of the bill. Claims for indomnity may not be still upon a still he are properly packed and indorsed, and unless be paid unless articles are properly packed and indersed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.) (16)(15) (14)(13) (12)Total contents (10) Known or esti-(0) (8) Total (7) mated cost of ducovered by (8) Value of any contents on which surcharge is based on value only (5) pieces of Remarks (4) entepaile (8) plication of conen entire tents on which Total of ilems insurance in contents of *Indorse-Delivet surcharge is based Amount 11 and 12 amount ofor value and length of Special delivery restricted ment on due on cast of dura-Postage haul instead of cost (exclusive of Registry other charges fee paid for atticle -Fee paid sender if cation, as disof duplication. If of no value, so state C. O. D. if fragile NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS relum CLASS ſeo tinguished from the full value receipt or fees) NUMBER OF ARTICLE White Patton V803 w tradedon us Brewfor 607-7th one Jampa Flor mani B 26 Affix stamp here for additional copies of this bill chicogo Nore. Diagonal mark must be drawn through lines not used. 10 • Mark "F" if "Fragile," (Write number here in words) Total number of pieces listed by sender_ Postmark and date of receipt (Name of receiving employee) Total number of piecess received at post office.

U.S. GOVERNMENT PRINTING OFFICE

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full alues of the articles listed, or the known or estimated cost of duplication in the case of nonnegotiable securities and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct.

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3. S. GOVERNMENT PRINTING OFFICE

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE (No collection of surcharge is required on international registered mail)

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Form 3877 APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE (No collection of surcharge is required on international registered mail)

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(ROYL 10-18-41) APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

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	of pieces listed by sender (Write number here in words) pieces received at post office Postmaster, per (Name of receiving employee)														
	t '- 16—8702-1											Postmark and date	e of receipt		

(Rev. 10-13-41) APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE (No collection of surcharge is required on international registered mail)

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		and the second s		10 F	- 1	3 9	\mathcal{H}	<u> </u>		1	A CONTRACTOR OF THE PARTY OF TH			o siminalisto)	sender)		
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NUMB ART		/	(2) REET, AND POST OFFICE ADDRESS	CLASS	or fees)	(5) Registry fee	Fee paid for return receipt	Special delivery fee	due sender if	ment on	(10) Delivery restricted —Fee paid	(11) Yalue of any contents on which surchargo is based on value only or value and length of haul instead of cost of duplication. If of no value, so state	(12) Known or estimated cost of duplication of contents on which surcharge is based on cost of duffication, as distinguished from the full value	(1.3) Total of Hems 11 and 12	(14) Total surcharge on entire contents of article	(15) Yotal contents covered by commercial insurance in amount of—	(16) Remarks
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6	OVERNMENT (PRINTING OFFICE 16—8792-1					٠						3	Postmark and date	of receipt		

THE STATE OF ALABAMA CIRCUIT COURT, BALDWIN COUNTY Baldwin County TERM, 194
TO ANY SHERIFF OF THE STATE OF ALABAMA:
You are hereby commanded to summon Sarak & Scott et al
Virgil Mac Brewton Clara Spader
Emily neal, Hazel Zyrick
to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against
SARAH K. ACOTT ET AL, AND CERTAIN LANDS IN BALDWIN COUNTY, ALABAMA, Defendant
BETTE PRICE AND MIRIAM GREEN
Plaintiff
Witness my hand this ""22nd day of January 1947 There is attached hereto a copy of the notice of the pendency of the Bill of Complaint
n this cause. Alice J. Duch, Clerk

No. J. \$1.3 Page	
THE STATE of ALABAMA,	Defendant lives at
BALDWIN COUNTY	
CIRCUIT COURT	RECEIVED IN OFFICE
	Jan 25
Betta Price and	Jaylow Wilkens Sherif
Miriam Green	
Plaintiffs	I have executed this summons
vs.,	this 3rd day of Feb. 1947
Sarah K. Scott the	
Darun K. Scart Will	Vergil Mac Brewton
	1/1
Defendants	Clara Spader
SUMMONS and COMPLAINT	
	One on the 29.46
Titled 4-2-2 194 7	day of January 1947
Filed 1-22, 194.7. alice & ren c/2Clerk	aldery was theme!
X. Mun C12Clerk	CM A
	Smily Hear and
	Hand By wich
	Hayer Jyuan
Plaintiff's Attorney	Touler 15 Vai
(A)	Sherif
Defendant's Attorney	Taylor Wilkins Sherif
Moore Printing Co., Bay Minette, Ala.	
	f.

ADAMS & GILLMORE ATTORNEYS-AT-LAW GROVE HILL, ALABAMA

April 4, 1947.

Mrs. Alice J. Duck, Register, Bay Minette, Alabama.

RE: Price & Green vs. Certain Lands

Dear Mrs. Duck:

This cause was at issue on April 1. I am tentatively planning on submitting it for decree to Judge Hare on Friday, April 11, 1947.

I want a certificate for the file showing the mailing of the registered notices, the return receipt received, service by Sheriff, publication, etc. Enclosed find certificate for your signature, which conforms to the situation as disclosed by the file. Please sign this certificate and return to me so I will have it available with the file when I submit to Judge Hare.

I would appreciate it very much if you will get this paper back to me by return mail. Please mark the certificate filed as of April 1, 1947. I assume that nothing further has developed in the case, but if there has, please advise.

Yours sincerely,

CBG/K

Enclo.

P. S.

I will attach the registered receipts when you send the above back to me as I see no point in mailing them to you and you having to mail them back.

Don

	FF OF THE STATE OF ALABAMA:
ı are hereby	commanded to summon C. E. BREWTON, 1165 ALBA ST., MOBILE, ALABAMA
-	
A 100 A	to the Complaint filed in
cuit Court	d, answer or demur, within thirty days from the service hereof, to the Complaint filed in of Baldwin County, State of Alabama, at Bay Minette, against
reuit Court	of Baldwin County, State of Alabama, at Bay Minette, against

mobile				-	
» -1.	247				
No. 1813	Page				
THE STATE of A	-	Y .	Defend	ant lives at	:
CIRCUIT (COURT		RECEIVED FLCL	D IN OFFIC	E 194
	ND			Ville	
MIRIAM GREEN vs.	Plaintiffs	this <u>/2</u> ·	have execut	ed this summ	ons 194 <i>7</i> 2
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SUMMONS and Co	OMPLAINT			:	
Filed 1-22-17	, 194		: :		
alice J. M	M.C.A.Clerk				
P	laintisi's Attorney	los	41 fe	mle	Sheriff
Def	endant's Attorney	122	Cornel	De	puty Sheriff

O ANY SHERIF	F OF THE STATE	E OF ALABAM	A :			
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appear and plead	, answer or demur, w	vithin thirty days	s from the service l	iereof, to the Cor	uplaint filed in	
	, answer or demur, w Baldwin County, St				nplaint filed in	
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ne Circuit Court of	Baldwin County, St	ate of Alabama,	at Bay Minette, ag	ainst	·	
ne Circuit Court of	Baldwin County, St	ate of Alabama,	at Bay Minette, ag BALDWIN COUNT	rainst	Defendant	
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N. HIS	Mabile	County.
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No. 1.813	Page	
11	E of ALABAMA, WIN COUNTY	Defendant lives at
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Mirian	r Green Plaintiffs	I have executed this summons
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	Defendants	66 Briton
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Alice	J. Much Clerk	
· /	6 E Brown	
CELVE ON		
1	Plaintiff's Attorney	lv1 +1 +1 fermen
		Sheriff

THE STATE OF ALABAMA CIRCUIT COURT, BALDWIN COUNTY Baldwin County TERM, 194	
TO ANY SHERIFF OF THE STATE OF ALABAMA:	
You are hereby commanded to summonClara Spader, Robertsdale, Ala., Emily Neal Rt.1	· · · · · · · · · · · · · · · · · · ·
Fairhope, Ala., Hazel Zyrick Rt.l., Fairhope, Ala. Virgil Nas Brewton, Rt. l.	
Robertsdale, Ala.	
	a
to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against	
BETTE PRICE AND MIRIAM GREEN	
Plaintiff	
Witness my hand this 22nd day of January There us attached here to a copy of the notice of the pendency of the Bill of Comping this cause. Alack Alack , Clerk	laint

Baldwin John	
THE STATE of ALABAMA, BALDWIN COUNTY	Defendant lives at
CIRCUIT COURT	RECEIVED IN OFFICE
BETTE PRICE AND	, 1942
M.RIAM/GREEN Plaintiffs	I have executed this summons
vs. SARAH K. SCOTT, ET ALS.	this 2-13 194-7 by leaving a copy with
Defendants	Emily neal
SUMMONS and COMPLAINT	It agel Zyrich
iled 1-22, 1942	
alise L. shuck Clerk	
Plaintiff's Attorney	- Januar Wilking Sheriff
· Defendant's Attorney	Fif of John Denuty Showing

Moore Printing Co., Bay Mineite, Als.

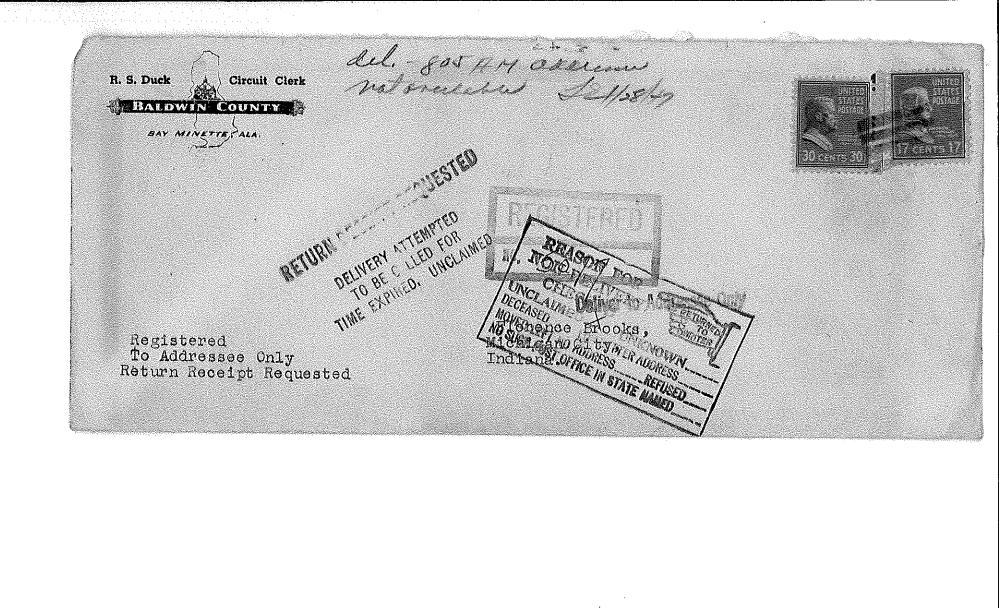
THE STATE OF ALABAMA CIRCUIT COURT, BALDW	VIN COUNTY
Baldwin County (No.1.1012T	ERM, 194
TO ANY SHERIFF OF THE STATE OF ALABAMA:	
You are hereby commanded to summon ELSIE THAMES, Rt. 1. Box 314, BIRMI	NGHAM. ALARAWA
	and the second s
to appear and plead, answer or demur, within thirty days from the service hereof, to the Corthe Circuit Court of Poldwin County, State of Alcheman at Democratic Poldwin Poldwin County, State of Alcheman at Democratic Poldwin Poldw	mplaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against SARAH K. SCOTT, BT ALS, CERTAIN LANDS IN BALDWIN COUNTY, ALABAMA,	Defendant
by BETTE PRICE AND MIRIAM GREEN	
	Plaintiff
Witness my hand this 22nd day of January 194. There is attached here to a copy of the notice of the pendency of the in this cause.	7 Bill of Complaint
lice J. Duch	Clerk

(new) Birmogland	1947 FEB 12
No. 1813 Page	12
THE STATE of ALABAMA, BALDWIN COUNTY	Defendant lives/ats
CIRCUIT COURT	RECEIVED IN OFFICE
BETTE PRICE AND MIRIAM GREEN	Law Could leur Sheriff
Plaintiffs	I have executed this summons
vs.	this194by leaving a copy with
SARAH K. SCOTT, ET ALS.	
Defendants	EXECUTED this the
SUMMONS and COMPLAINT	day of 194 2. by leaving a copy of the within with
Filed 1-22-47 , 194	Horn A
Clerk	HOLT A. McDOWELL, Sheriff, Jefferson County, Alabama
	By J. M. Creat D.S
Plaintiff's Attorney	Sheriff
) Defendant's Attorney	Deputy Sheriff

THE STATE OF ALABAMA No.18	CIRCUIT COURT, BALDWIN COUNTY
TO ANY SHERIFF OF THE STATE OF ALABAM	IA:
You are hereby commanded to summon	aruh K. Scoth
9t als	
to appear and plead, answer or demur, within thirty day the Circuit Court of Baldwin County, State of Alabama,	at Bay Minette, against
·	
	Plaintiff
Witness my hand this day of	January 194 7
28 1226 68236	alice I sench, Clerk

N.								
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CI	RCUIT	COUR	T		RE	CEIVED	IN OFFIC	E
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		Defe	ndants				·	· ·
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Moore Printing Co., Bay Minette, Ala.



No. 4694 Received of Mrs. March	JA] oge tte, A	RT	Je	<u></u>	2		, 19	04/
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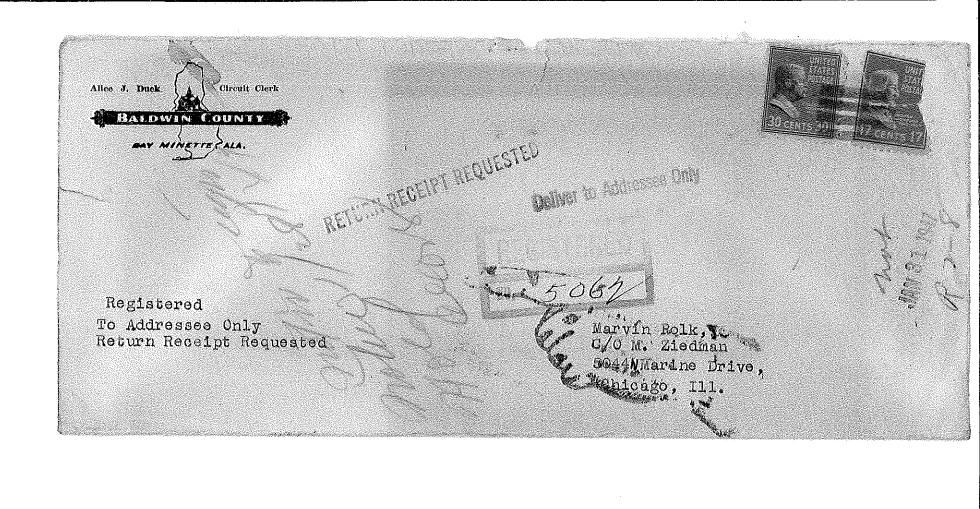
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Case no 1813
Bette Price and Miriam Green
Sarah K. Scatt et al.
Filed 1-22-47

Service on Elsie Thames 2-4-47.

Bay minute
Baldwin Pounty Dea Register.



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BEST COUNTY'S- MES

BEST NEWSPAPER

BAY MINETTE, ALABAMA

NOTICE OF THE PENDENCY OF A BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS

STATE OF ALABAMA. COUNTY OF BALDWIN.

In the Circuit Court of Baldwin Coun-

In the Circuit Court of Baldwin County, Alabama, In Equity, No. 1812.

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons hamed below, together with any and all other persons claiming any title to, interest in, lien or encumbrance on said lands, described below, or any part thereof, to establish in the complainants filling said bill and hereinafter tamed the right or title to said lands in the simple and to clear up all doubts handleputes concerning the same.

But accomplaint are Bette Price and The lands against which said verified.

The lands against which said verified bill of complaint is filed are situate, fying and being in Baldwin County, Alabama, and more particularly described as follows:

Tract No. 1

Tract No. 1

In Township 5 South, Range 4 East:
NE; of NW2, SW1 of SW2, E1 of SW2
and NW2 of NE1 of Section 11; NW1,
SW1 of NE2, and W1 of SE2 of Section
14; E2 of SW2 of Section 20; SE3 of
SW1 of Section 21; SE of SW1, and
NW1 of SW2 of Section 20; SE3 of
NW1 of SW2 of Section 20; SE3 of
NW1 of SW2 of Section 20; NE2 of
NW2 of SW2 of Section 20; NW2, and
NW2 of Sw2 of Section 25; N1 of NW2, SW2
of NW1, N2 of SW2, and N1-3 of S2
of SW2 of Section 29; NE2 of NE2,
SW2 of NE2, W2 of SE4, and SW2
of SE4 of Section 33; SW1 of SW2 of
Section 34.

In Township 5 South Range 5 Fortice

Township 5 South, Range 5 East: Et of NEt of Section 7: NWt, SW2 of Ei of NE2 of Section 7; NW2, SW2 of NE2 and SE2 of SE2 of Section 8; Ei., except SE2 of NE2 of Section 9; Wi of SE2, and SW2 of Section 10; ESE3 of NE4, Ei of SE3, and SW2 of SE3; of Section 14; N3 of NW2, NE2, 2

Q. How may prior authorizato care for women, by VA hospitals have no facilities

hoaking soda: and amove them by rubbing with dry brownish stains still remain, re-

In Township 6 South, Range 5 East:

SW2 of SW2, less SW2 of same of
Section 15; SW2 of NE2, and W2 of
SE1 of Section 22.

Said bill of complaint shows that the
complainants claim said lands, in fee
simple, by virtue of the following deeds
or instruments:

complainants claim said lands, in feesimple, by virtue of the following deeds or instruments:

(1) Warranty Deed executed under date of October 3, 1925, by Southern States Lumber Company, a corporation, conveying all of said lands to A be Durschlag, filled for record in the office of the Probate Judge of Baldwin County, Alabama, on October 25, 1925, and recorded in Record Book 37 N. S., Pages 345-7.

(2) Conyeyance executed under date of November 30, 1927, by Abe Durschlag and wife, Dora Durschlag, conveying all of said lands to the American-Traders National Bank of Birmingham, Alabama, a corporation, as Trustee, filled for record in the Office of the Probate Judge of Baldwin County, Alabama, on June 18, 1928, and recorded in Record Book 5 N. S., Pages 116-119.

(3) Certificate of Consolidation of the American Traders National Bank of Birmingham, located in the City of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, with First National Bank of Birmingham, in the County of Jefferson and State of Alabama, with First National Bank of Birmingham, in the County of Jefferson and State of Alabama, with First National Bank of Birmingham, in the County of Jefferson and State of Alabama, with First National Bank of Birmingham, in the County of Jefferson and State of Alabama.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, BALDWIN COUNTY.

Jaulkaer, being duly sworn, deposes and says that he is the PUBZISHER of THE BALDWIN TIMES, a Weekly Newpsaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

COST STATEMENT

27/0 WORDS @ 41/2 cents - --\$121.95 Estra Cop I hereby certify this is correct, due and unpaid (paid). Publisher.

Was published	in	said newspaper	for 5	∠consecutive	weeks	in	the	following	issues

Date of 1st publication (Jan. 30, 1947 Vol. 58 No. /

6 , 1947 Vol. 58 No. 2 Date of 2nd publication

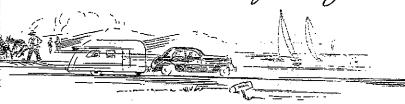
Date of 3rd publication ____, 1947 Vol. 58 No. 3

6. 20, 1947 Vo. 58 No. 4 Date of 4th publication_

Subscribed and sworn before the undersigned this 2 day of Feb. 194 7

Notary Public, Baldwin County.

Publisher.



company, a co-partnership composed of cours Susman. William Durchslag and

Hems, roff fighter for the lost Isəd el rətsub nottos bush adl. Garden Dust Guns

hey have not already done so. won notistions. Association now, hip in the Alabama Crop Im-T Speir county agents for memberhould make application through hg corn, cotton and other seed Farmers interested in certify-Crop Improvement Association

XIEUZIOITA SELOTIOTION

Section 35; NW1 of NE1 of Section

Section 35; NW1 of NE1 of Section 36.

In Township 6 South, Range 5 East:
NE1, and SE1 of SE1 of Section 1;
NW1 of Section 3; NE1 of SE1 of Section 6; E1 of Section 4; NW1 of SE1 of Section 6; E1 of SW2, and SW2 of Section 8; SW1 of SW2, and NW2 of SW2 of Section 7; SW1 of SW1 of Section 11; SW1 of SW1 of Section 11; SW1 of NE1, N3 of SW1 of NE1 of NE2, N3 of SW1 of NE1, N3 of SE2, Section 15; SW2 of NE2, NW1, and S1, Section 17; N1 of Section 20; NW1, SE1, and W2 of NE1 of Section 21; SW2 of NE2 of Section 22; W2 of NE2, and SE1 of NE3 of Section 23; NW2 of Section 24; All that portion of NW1 west of Black Water River of Section 25; Si of Section 27; E1 of NE2, SW2 of NE3, SW2 of NE4, N2 of NW1, W1 of NW1, NE4 of SW2, and SE2 of Section 28; NW2 of NE3, NY of NW2, SW1 of NW2, and W2 of SW2 of Section 29; SE2 of NE2, N3 of Si and SW2 of SW2 of Section 30; NE2, and NW2 of SE2 of Section 30; NE2, SW2 of SE2 of Section

In Township 6 South, Range 6 East:
SWi of SEi of Section 20: SEi of
NWi, and Ni of SEi of Section 21;
Wh of NEi of Section 28; NEi, NWi
of SEi, and all that portion of NWi
and SWi of SEi east of Black Water
River of Section 29.
Tract No. 2

• Inc

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Township 5 South, Range 4 East: SE2 of NW1 of Section 11; SE1 of NW2 of Section 12.

NWI OF Section 14.
Township 5 South, Range 5 East:
Whof Section 9: NWI of NWI; and
NWI of NEI of Section 10: SEI of
NEI of Section 22: Ei of NWI; SWI
Of NWI; and NWI of SWI of Section 26: NEI of NWI of Section 36. P253

tion 26; NE2 of NW2 of Section 35.

The Township 6 South, Range 4 East:

NW2 of NE2 of Section 35.

In Township 6 South, Range 5 East:

NE2, and SE2 of NW2 of Section 7:

S2 of SE2 of Section 8; All that portion of NW2 of SW4 west of Black Water River of Section 25.

The Township 6 South, Range 5 East:

SW2 of SW2, less SW2 of same of Section 15; SW2 of NE2, and W2 of SE2 of Section 22.

SE3 of Section 22.

SE3 of Section 22.

SE3 of Section 22.

SE3 of Section 23.

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SWż of SWż, less SWż of same of Section 15; SWż of NEż, and Wż of SEż of Section 22.
Said bill of complaint shows that the complainants claim said lands, in fee simple, by virtue of the following deeds or instruments:

(1) Warranty Deed executed under date of October 3, 1925, by Southern States Lumber Company, a corporation, conveying all of said lands to A be Durschlag, filed for record in the office of the Probate Judge of Baldwin County, Alabama, on October 23, 1925, and recorded in Record Book 27 N. S., Pages 345-7.

(2) Conveyance executed under date of November 30, 1927, by Abe Durschlag and wife, Dora Durschlag, conveying all of said lands to the American Traders National Bank of Birmingham, Alabama, a corporation, as Trustee, filed for record in the Office of the Probate Judge of Baldwin County, Alabama, on June 18, 1928, and recorded in Record Book 45 N. S., Pages 116-119.

(3) Certificate of Consolidation of the American Traders National Bank of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, with First National Bank of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, a co-partnership composed of Jonis Susman. William Durchslag and Susman.

Company, a co-partnership composed of Louis Susman. William Durchslag and

ALDWI BEST NEWSPAPER

COUNTY'S- MES

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, BALDWIN COUNTY.

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

COST STATEMENT

2710 WORDS @ 4'/2 cents - - \$ /21.95 I hereby certify this is correct, due and unpaid (paid). Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues: n. 30 , 1947 Vol. 58 No. / Date of 1st publication_ 6 1947 Vol. 58 No. 2 Date of 2nd publication_ L. 13 , 1947 Vol. 58 No. 3 Date of 3rd publication_ Feb. 20, 1949 Vo. 58 No. 4 Date of 4th publication_

Subscribed and sworn before the undersigned this 2/day of Jel., 194.7

Notary Public, Baldwin County.

Publisher.

THE STATE OF ALABAMA (STREWLT COURT, BALDWIN COUNTY RAIDWIN COUNTY (No. 133)	e Le linguise est
Baldwin County (1, No. 2, 1, 194	
TO ANY SHERIFF OF THE STATE OF ALABAMA:	
Volt are thereby commanded to summon Marwin Polk	
to appear and please answer or deposts within thirty days from this source hereof, to the Complaint filed in	
Phile Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against	
SARAN E. SUTT ST AL, AND CERTAIN LANCE IN SALDKIN SCHOOL, ALABAMA, Defendant	
by Brits price and mislan green	* * * * * * * * * * * * * * * * * * *
Plaintiff	
Witness my hand this : 2200 day of 2000 the review of the pendency of 100 mills of 0	om Tai wit
18 this course. - alice J. week, Clerk	
geteg v	

NOTICE OF THE PENDENCY OF A BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS

STATE OF ALABAMA,

In the Circuit Court of Baldwin County, Alabama, In Equity, No. 1818.

ty, Alabama, in Equity, No. 1818.

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons named below, together with any and all other persons claiming any title to, interest in, lien or encumbrance or and all other persons claiming any title to, interest in, lien or encumbrance on said lands, described below, or any part thereof, to establish in the complainants filling said bill and hereinafter named the right or title to said lands in fee simple and to clear up all doubts or disputes concerning the same.

The complainants named in said bill of complaint are Bette Price and Miriam Green.

The lands against which said verified bill of complaint is filed are situate, lying and being in Baldwin County, Ala-bama, and more particularly described as follows:

As, ws. or ws. and NE3 of NW1 of Section 35, NW1 of NE1 of Section 36.

1 Township 6 South, Range 5 East:
NE2, and SE2 of SE3 of Section 1; NW2 of Section 3, NE1 of SE3 of Section 1; NW2 of Section 3, NE2 of SE3 of Section 4; NW2 of Section 3, NE2 of SW3 of Section 7; SW3 of SW1 of Section 8; SW2 of SW2 and NW2 of Section 8; SW2 of SW2 and NE2 of SW3 of Section 9; Si of SW2 of Section 11; SW3 of NW2 of Section 14; SE3 of NE2, N3 of SW2 of NE2 and Nh of NE3 of SW3 of NE3 end Si Section 15; SW3 of NE3 NW3, and Si Section 15; SW3 of NE3 NW2, and Si Section 17, Ny of Section 20; NW4, SE2 and W3 of NE3 of Section 20; NW3, and SE3 of NE3 of Section 23; NW3 of Section 24; All that portion of NW1; west of Black Water River of Section 25; Si of Section 27; Ei of NW4, was of NE4, SW3 of NE4, SE2 of NW4, W1 of NW2, NE3 of NE3, SW2 of NE3, and SE2 of Section 28; NW4 of Section 29; SE3 of NE4, Ni of Section 29; SE3 of NE4, Ni of Si and SW2 of SW2 of Section 30; NE2, and NW2 of SW2 of Section 20; SE3 of NW4, and Ni of SE4 of Section 21; Wi of NE3 of Section 21; Wi of NE3 of Section 21; Wi of NE3 of Section 22; SE3 of NW3, and NW2 of SE3 of Section 20; SE3 of NW4, and Ni of SE4 of Section 21; Wi of NE3 of Section 25; SE3 of NW3, and Ni of SE4 of Section 21; Wi of NE3 of Section 28; NE3, NW3 of SE4 of Section 20; SE3 of NW4, and Ni of SE4 of Section 21; Wi of NE3 of Section 28; NE3, NW3 of SE4 of Section 20; SE3 of NW3, and SW4 of SE3 east of Black Water Tract No. 2

1 Township 5 South, Eanse 4 East:

Tract No. 2

Trace No 2.

Township 5 South, Range 4 East: SE2 of NW2 of Section 11, SE2 of NW2 of Section 12.

Township 5 South, Range 5 East: W1 of Section 9: NW2 of NW2, and NW2 of Section 20: E2 of NW2; SW2 of NW2, SW2 of NW2, SW2 of NW2, SW2 of NW2, and NW2 of Section 26: NE2 of NW2 of Section 26: NE2 of NW2 of Section 36.

Township 6 South, Range 4 East: NW2 of NE2 of Section 35.

Township 6 South, Range 5 East: NW2 of NE2 of Section 35.

Township 6 South, Range 5 East: NE2; and SE2 of NW2 of Section 7.

Se of SE2 of Section 3; All that portion of NW2 of Section 25.

Trace No. 3

Tract No. 3

In Fownship 6 South, Range 5 East:

SW2 of SW3, less SW2 of same of
Section 15; SW2 of NE2, and W2 of
SE2 of Section 22.

Said bill of complaint shows that the
complainants claim said lands, in fee
simple, by virtue of the following deeds

instruments:

or instruments:

(1) Warranty Deed executed under date of October 3, 1925, by Southern States Lumber Company, a corporation, conveying all of said leads to A be Durschlag, filed for record in the office of the Probate Judge of Baldwin County, Alabama, on October 23, 1925, and recorded in Record Book 37 N. S., Pages 345-7.

(2) Conveyance executed under date of November 30, 1927, by Abe Durschlag, and wide, Dora Durschlag, conveying all of said lands to the American Traders National Bank of Birming

Traders National Bank of Birming Tracers National Bank of Billing, ham, Alabama, a corporation, as Trustee, filed for record in the Office of the Probate Judge of Baldwin County, Alabamas, on June 25, 1928, and recorded in Record Book

1928, and recorded in Record Book

5 N. S., Pages 116-119;

Certificate of Consolidation of the
American Traders National Bank of
Birmingham, located in the City of
Birmingham, in the County of Jefferson and State of Alabama, with
First National Bank of Birmingham, First National Bank of Birmingham, located in the City of Birmingham, bill in the County of Briston and State of Alabama; executed by F. G. Await, Acting Comptroller of the Currency under date of June 30, 1980, a certified copy of which, certified to by John L. Proctor, Acting Comptroller of the Currency, under date of August 12, 1930, was on January 13, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded dependent of the County, Alabama, and recorded in said Office on January 17, 1836, law

(4) Statutory Warranty Deed executed under date of June 30, 1930, by American Traders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2862, at Page 573.

No. 2262, at Page 573.

(5) Quitelaim Deed executed under date of 15th day of May, 1946; by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette Price; which said deed was filed for record on June 3, 1946, in the Office of the Judge of Probate of Baldwin County, Alabama, and Precorded win County, Alabama, and recorded in Record Book 108 N. S., at Page

(6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and wife, Rebecca Susman and Helen Susman, asher, formerly Helen Susman, and husband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price

Said bill of complaint also shows that

The lands against which said verified it of complaint is filed are situate, ing and being in Baldwin County, Alama, and more particularly described follows:

Trace No. 1

Township 5 South, Range 4 East:
NE; of NW; SW; of SWi, Ep of SWi, and NW; of NE; of Section 11; NW;, SWi of NW; SWi, Ep of SWi, and NW; of NE; of Section 11; NW;, SWi of NE; of Section 12; Sh of SWi, and NW; of Section 21; Sh of SWi, and NW; of Section 21; Sh of SWi, and NW; of Section 25; Ni of NW; swi, and NW; of Section 25; Ni of NW; swi of Section 25; Ni of NW; of Section 25; Ni of NW; of Nection 26; Ni of NW; of Section 27; NW; of NE; and SWi of NW; of Section 28; Ni of NW; of Section 28; Ni of NW; of Section 28; Ni of NW; of Ni of Section 28; Ni of Ni of Section 29; Ni of Ni of Ni of Section 29; Ni of Ni of

plainants and their predecessors in title or privies in claim.

Said bill of complaint shows that the complainants are in the actual, peaceable possession of portions of said lands and have been in such possession for a period of more than ten years next preceding the filling of the bill of complaint; that no other person is in the actual possession of any portion of said lands; that the only persons known to complainants to have had any possession of any part of said lands within ten years next preceding the filling of the bill of complaint are the complainants and their predecessors in title or privies in claim, except that at one time during said ten year period. Ray Breyton, now deceased, had possession of a portion of the NW2 of NE2 of Section 10, Township 6 South, Range 4 Past.

Said bill of complaint shows that the

Said bill of complaint shows that the following named persons claim said lands, or some part thereof, or some interest therein:

interest therein:

(a) Sarah K. Scott, Alfred B. Maclay, Robert Maclay, Jr., Georgiana Maclay, George H. O'Neal, Jr., Wm. M. Johnson, Thomas G. (McCullough, Jr., George W. Robinson, Southern States Land & Timber Company, Ltd., a corporation, Southern Plantation Development Company, a corporation, H. Givan James Dempsey, Joseph Cautier, Moses P. Demping, William Wente, Jr. Rix M. Robinson, R. N.

Wente Jr. Rix M. Robinson, R. N. Risdon, Frank Filer, E. G. Filer, Grace M. Filer, Mary J. Sexton, Hattle Patton, Clara Spader, Gus Brewton, Jack Brewton, Elsie Thames, Emily Neal, Lee Brewton, C. E. Brewton, Hazel Zyrick and Virgil Mae Brewton.

Lee Brewton, C. E. Brewton, Hazel Zyrick and Virgil Mae Brewton.

(b) William Durchslag, Bella Durchslag, Emil Durchslag, Bella Durchslag, Emil Durchslag, Ann Durchslag, Composed of Louis, Susman. William Durchslag and Emil Durchslag, Morris Durchlag, Hortense Jacobson, Harold B. Durchslag, Lovey Durschlag, Florence Durchslag, Lovey Durschlag, Mollie B. Durchslag, Lovey Durschlag, Mollie B. Durchslag, Dora Durschlag, William Rusnak, Rella Banovitz, Lillian Reisz, Bernice Kaufman, Lena Rusnak, Florence Miller, Irwin Rusnak, Seymour Rusnak, Marie Rusnak, Raymond L. Rusnak, Herman Rusnak, Helen Rusnak, Elaanor S. Rusnak, Toseph H. Levee, Marvin Polk, Florence Ziedman, Harriet Polk, Sam Ruby, Etta K. Ruby, Jennie A. Levenfeld, Gerald Levenfeld, Joan Levenfeld, Betty Levenfeld, Joan Levenfeld, Betty Levenfeld, Joan Levenfeld, Betry Levenfeld, Goldberg, Goldie Handman, Orville Katz, Mary Lesak, Ben Katz, Bernice Levee, Leo E. Levee, Josephine Levee, Joseph Mary Lesak, Ben Katz, Bernice Levee, Leo E. Levee, Josephine Levee, Joseph Roman, Alice Homan, Miton L. Durch-slag, Betty Durchslag, and Robert Cassaretto.

(c) The original beneficiaries and transferees of beneficiaries, and heir or devisees of original beneficiaries or or devisees of original beneficiaries or transferees under and by virtue of the deed of trust executed by Abe Durschlag and wife, Dora Durschlag, to The Emerican-Traders National Bank of Birmingham, Alabama, dated November 30, 1927, and recorded in Record Book 45 N. S. Pages 116-118 of the records in the Probate Office of Baldwin County, Alabama; the persons named under subsection (b), above, are made parties as claiming some such interest. The bill of complaint further shows that any others persons who hat we heretofore or bill of complaint further shows that any other persons who have heretofore or now own or claim an interest under and by virtue of said trust are unknown to complainants after differnt search and investigation, the complainants allege that if there are any such, it is impractical to bring them before this Court, that the title, interest or claim of any such unknown beneficiaries is a contingent one, if it exists, and is dependent upon a common question of law and fact affecting the right and

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Township 6 South, Range 5 East: Nei, and Sei of Sel of Section 1; NWi of Section 2; Nei of Section 6; East of Section 4; NWi of Sel of Section 6; East of Swi, and SWi of Sel of Section 7; SWi of SWi of Section 7; SWi of SWi of Section 17; SWi of Swi of Section 19; Si of SWi of Section 11; SWi of Swi of Swi of Swi of Swi of Swi of Section 12; Swi of Swi of Swi of Swi of Swi of Swi of Nei, Ni of Swi of Nei, and Ni of Nei, Ni of Swi of Nei, and Ni of Nei, Ni of Swi of Nei, and Ni of Nei of Section 15; Swi of Nei of Nei, Ni of Swi of Nei, and Ni of Nei of Section 11; Swi of Nei of Section 12; Swi of Section 20; Nwi, Sei, and Wi of Nei of Section 21; Swi of Nei of Section 22; Nwi of Section 24; All that portion of Ni of Nei of Section 25; Si of Section 27; Ei of Nei, Swi of Nei, Sei of Nwi, wi of Nwi, Nei of Nei, Swi of Nei, Sei of Nwi, wi of Nwi, and Sei of Section 28; Nwi of Nei, Ni of Nwi, Swi of Nwi, and Swi of Swi of Section 29; Sei of Nei, Ni of Nwi, and Ni of Swi of Section 29; Sei of Nei, and Swi of Sei of Section 30; Nei, and Ni of Sei of Section 30; Nei, and Ni of Sei of Section 21; Wi of Nei, and Ni of Sei of Section 21; Wi of Nei, and Ni of Sei of Section 21; Wi of Nei, and Ni of Sei of Section 21; Wi of Nei, and All hat portion of Nwi, and Swi of Sei east of Black Water Hiver of Section 29.

Tract No. 2

1 Township 5 South, Range 4 East: Sei of Nwi of Swi of Section 29.

Township 5 South, Range 4 East: Sei of Nwi of Nwi of Section 29.

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Tract No. 2

In Township 5 South, Range 4 East:
SE; of NW; of Section 11; SE; of
NW; of Section 12.

In Township 5 South, Range 5 East:
Wh of Section 9; NW; of NW; and
NW; of NE; of Section 10; SE; of
NE; of Section 22; E; of NW; SW;
of NW; and NW; of SW; of Section 26; NE; of NW; of Section 36.
In Township 6 South, Range 4 East:
NW; of NE; of Section 35.
In Township 6 South, Range 4 East:
NE; and SE; of NW; of Section 7.
Si of SE; of Section 8; All that portion of NW; of Section 25.

Tract No. 3

tion of NW1 of SW2 west of Black Water River of Section 25.

Tract No. 2

In Township 6 South Range 5 East:
SW3 of SW3, less SW1 of same of Section 15; SW2 of NE3, and W2 of SE2 of Section 22.

Said oill of complaint shows that the complainants claim said lands, in fee simple, by virtue of the following deeds or instruments:

(1) Warranty Deed executed under date of October 3, 1925, by Southern States Lumber Company, a corporation, conveying all of said lands to A.b.e Durschlag, filed for record in the office of the Probate Judge of Baldwin County, Alabama, on October 23, 1925, and recorded in Record Book 37 N. S. Pages 345-7.

(2) Conyeyance executed under date of November 30, 1927, by Abe Durschlag and wife, Dora Durschlag, conveying all of said lands to the American Traders National Bank of Birmingham, alabama, a corporation, as Trustee, filed for record in the Office of the Probate Judge of Baldwin County, Alabama, on June 28, 1928, and recorded in Record Book 45 N. S. Pages 116-119.

(3) Certificate of *Consolidation of the American Traders National Bank of Birmingham, located in the City of Birmingham, in the County of Jefferson and State of Alabama, executed by F. G. Awalt, Acting Comptroller of the Currency under date of June 30, 1930, a certified copy of which, certified to by John L. Proctor, Acting Comptroller of the Currency under date of June 30, 1930, a certified copy of which, certified to by John L. Proctor, Acting Comptroller of the Currency under date of Baldwin County, Alabama, and recorded in said Office on January 13, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in said Office on January 17, 1938, in Record Book 58 N. S. Pages 417-418.

lands and have been in such possession for a period of more than ten year next preceding the filing of the bill of complaint; that no other person is in the actual possession of any portion of said lands; that the only persons known to complainants to have had any possession of any part of said lands within ten years next preceding the filing of the bill of complaint are the complainants and their predecessors in title or privies in claim, except that at one time during said ten year period Ray Brewton, now deceased, had possession of a portion of the NW2 of NB2 of Section 10, Township 6 South, Range 6 Bast.

Said bill of complaint shows that the

Said bill of complaint shows that the following named persons claim said lands, or some part thereof, or some interest therein:

(a) Sarah K. Scott. Alfred B. Maclay, Robert Maclay, Jr., George H. O'Neal, George H. O'Neal, George H. O'Neal, Jr., Wm. M. Johnson, Thomas G. McCullough, Jr., George W. Robinson, Southern States Land & Timber Company, Ltd., a corporation, Southern Plantation Development Company, a corporation, H. Givan, James Dempsey, Joseph Carlier, Moses R. Demming, William Wente, Jr., Rix M. Robinson, R. N. Risdon, Frank Filer, E. G. Filer, Grace M. Fller, Mary J. Sexton, Hattle Patton, Clara Spader, Gus Brewton, Jack Brewton, Bisle Thames, Emily Neal, Lee Brewton, C. E. Brawton Hazel Zyrick and Virgil Mae Brewton.

(b) William Durchslag, Bella Durch slag, Emil Durchslag, Bella Durch slag, Emil Durchslag, Morris Durchslag, Hortense Jacobson, Heroid B. Durschlag, Pearl Keller, Edward Durchslag, Hortense Jacobson, Heroid B. Durschlag, Henry Durchslag, Hortense Jacobson, Heroid B. Durschlag, Henry Durschlag, William Rusnak, Rella Banovitz, Lillian Durchslag, Henry Durchslag, Milliam Bunsak, Rella Banovitz, Lillian Resz, Bernice Kaufman, Lena Rusnak, Florence Miller, Irwin Rusnak, Seymour Rusnak, Marie Rusnak, Ella E. Rusnak, Rari J. Rusnak, Raymond L. Rusnak, Helen Rusnak, Eleanor S. Rusnak, Joseph H. Levee, Marvin Polk, Florence Ziedman, Herriet Polk, Sam Ruby, Etta K. Ruby, Jack Ruby, Alex Keller, Fave Ruby, Jennie A. Levenfeld, Betty Levenfeld, Marvin Levenfeld, Betty Levenfeld, Marvin Levenfeld, Betty Levenfeld, Mary Lesak, Ber Katz, Bernice Levee, Leo E. Levee, Josephine Levee, Joseph Homan, Alice Homan, Milton L. Durchslag, Edity Durchslag, and Robert Casacitto.

(c) The original beneficiaries and transferees under and by virtue of the deed of trust executed by Abe Durschlag and wife, Dora Durschlag, to The American-Traders National Bank of Birmingham, Alabama, datad November 20, 1927, and recorded in Record Book 25 N. S., Pages Helly of the recording in the Probate Office of Baldwin County, Alabama; the persons named under transferees under and by virtue of said trust are unknown to complainants after dilly on the serie

MPROVE Yours VISION and 2 APPEARANCE Registered Doctor 254 Dauphin St. MOBILE, ALA.

nere I sit ... by Joe Marsh.

Advertisement

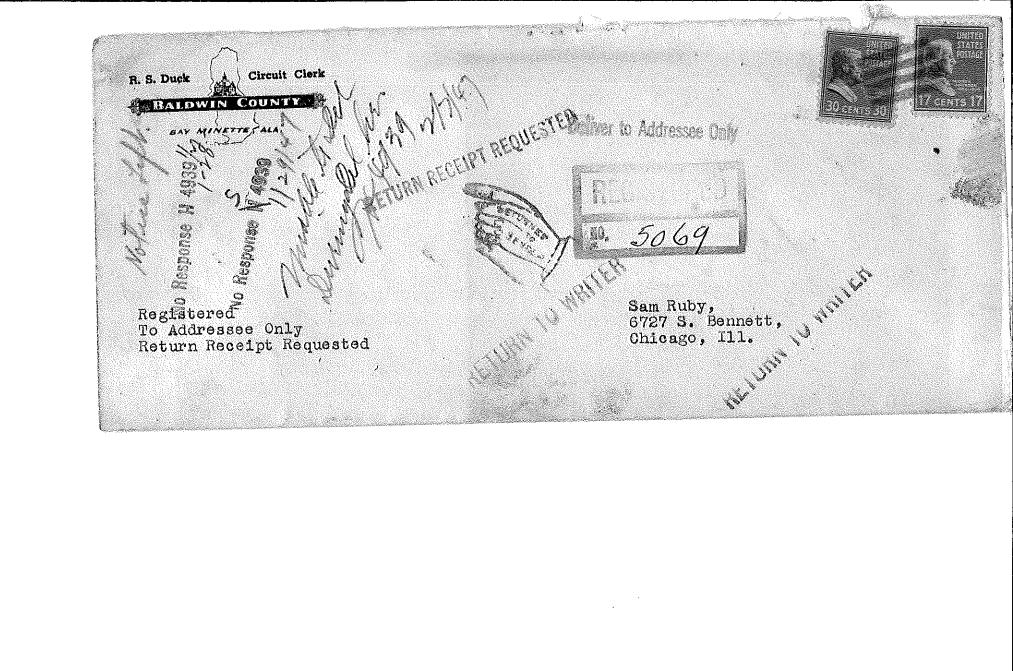
lleanliness Makes A Hit With Vicitor

shape; he mentioned cleanliness and law observance in particular. I explained that the Alabama Committee of the United States Brewess Foundation could take considerable credit.

From where I sit, maintaining wholesome retail beer outlets—as pleasant places to meet your friends—is just another way of making a good impression on people who visit our grand state.

Joe Marsa

MITTEE U. S. BREWERS FOUNDATION 215 MOORE BUILDING, MONTGOMERY A



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You are her	eby commanded to sun	umon — — — — — — — — — — — — — — — — — — —		SPEN.	
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	blead answerondemu urt of Baldwin County				Complaint filed in
	erect at ally are				, Defendant
7 18 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	4474 1 1	108 and 11262a			
					Plaintiff

THE STATE OF ALABAMA (No.1-	CIRCUIT COURT, BALDWIN COUNTY TERM, 194
TO ANY SHERIFF OF THE STATE OF ALABA	MA :
You are hereby commanded to summon — 💝	Sam Ruby
to appear and plead, answer or demur, within thirty da	[4] (1) [4] [4] [4] [4] [4] [4] [4] [4] [4] [4]
the Circuit Court of Baldwin County, State of Alabama	a, at Bay Minette, against, Defendant

	Plaintiff
Witness mysbandalds in the state of the stat	alice J. Duck, Clerk

NOTICE OF THE PENDENCY OF A BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS

COUNTY OF BALDWIN.

In the Circuit Court of Baldwin County, Alabama, In Equity, No. 1813.

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons named below, together with any and all other persons claiming any title to, interest in, lien or encumbrance, on said lands, described below, or any part thereof, to establish in the complainants filling said bill and hereinatter named the right or wife to said lands in fee simple and to clear up all doubts or disputes concerning the same.

The complaint are Batte Price and Miriam Green.

The lands against which said verified bill of complaint is filed are situate lying and being in Baldwin County, Alabama, and more particularly described as follows:

Tract No. 1

(4) Statutory Warranty Deed executed under date of June 30, 1933, by American-Traders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2282, at Page 573.

(5) Quitclaim Deed executed under date of 15th day of May, 1946, by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette Price, which said deed was filled for record on June 3, 1948, in the Office of the Judge of Probate of Baldwin County, Alabama, and recorded in Record Book 108 N. S., at Page 103.

(6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and wife Rebecca Susman and Helen Susman sher, formerly Helen Susman, and husband, Norman, Asher, conveying all of said lands to Miriam Green and Bette Price.

susman, and husband, Norman Asher conveying all of said lands to Miriam Green and Bette Price.

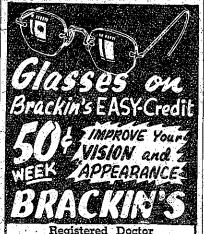
If of complaint is filed are situate, ing and being in Baldwin County, Alama, and more particularly described; follows:

Track No. 1

Township 5 South, Range 4 Bast:
NE of NW1, Sw1 of Sw1, Eh of Sw1 and NW1 of NE of Section 11; NW1, Sw1 of NW2, Sw1 of NW2, Eh of Sw2 of Section 11; NW2, Sw2 of NE of Sw2 of Section 11; NW2, Sw2 of Sw2 of Section 20; SE1 of Sw2 of Section 24; Nh of Sw2 of Section 24; Nh of Nw2, Sw2 of Sw2, and NW2, Section 29; NE2 of NW2, and NW2, Section 29; NE2 of NW2, Sw2 of Sw2, and Sw2 of Sw2, and Sw2 of NE2, Eh of Section 3; Sw2 of Sw2 of

B. O'Neal, from whom the complainants of the Course, the conveyances and transferse or original beneficiaries and transferses of the Probate Judge of Baldwin County, Alabama, on June 18, 1928, and recorded in Record Book 45 N. S., Pages 116-119.

O'Certificate of Consoldation of the American Traders National Bank of Birmingham, in the County of Jefferson and State of Alabama, with First, National Bank of Birmingham, located in /the City of Birmingham, in the County of Jefferson and State of Alabama, with the County of Pefferson and State of Alabama, with the County of Pefferson and State of Alabama, with the County of Pefferson and State of Alabama, and State of Alabama, and State of Alabama, with the County of Pefferson and State of Alabama, and State of Alabama, and State of Alabama, and State of Alabama, executed by F. G. Awalt, Acting Comptroller of the Currency under date of June 30, 1930, a certified copy of which certified to by John L. Proctor, Acting Comptroller of the Currency under date of June 30, 1930, a certified in the Probate Office of Baldwin County, Alabama, and recorded in said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in Said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in Said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in Said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in Said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in Said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, and recorded in Said Office on January 17, 1936, filed in the Probate Office of Baldwin County, Alabama, with pre



Registered Doctor 254 Dauphin St. MOBILE, ALA.

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shape; he mentioned cleanliness and law observance in particular. I explained that the Alabama Committee of the United States Brewers Foundation could take considerable credit. considerable credit.

From where I sit, maintaining wholesome retail beer outlets—as pleasant places to meet your friends—is just another way of making a good impres-sion on people who visit our grand state.

goe Marsh

MITTEE—U. S. BREWERS FOUNDATION

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NOTICE OF THE PENDENCY OF A BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS STATE OF ALABAMA.

COUNTY OF BALDWIN.

In the Circuit Court of Baldwin County, Alabama, In Equity No. 1813.

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons named below, together with any and all other persons claiming any title to, interest in, lien or encumbrance on said lands, described below, or any part thereof, to establish in the complainants filing said bill and hereinafter named the right or title to said lands in fee simple and to clear, up all doubts or disputes concerning the same.

The complainants named in said bill of complainar are Bette Price and Miriam Green.

28; Wi of Wi, and NEi of NWi of Section 35; NWi of NEi of Section 36.

Township 6 South, Range 5 East: NEi, and SEi of SEi of Section 1; NWi of Section 3; NEi of Section 1; NWi of Section 3; NEi of Section 6; Ei of Swi, and SWi of Swi of Section 6; Ei of Swi, and Swi of Swi of Section 7; Swi of Swi of Swi of Section 9; Si of Swi, and Nei of Swi of Section 9; Si of Swi of Section 11; Swi of Nwi of Section 14; SEi of NEi, Ni of Swi of Nei of Swi, and Ni of NEi, Nwi, and Si, Section 15; Swi of NEi, Nwi, and Si, Section 15; Swi of NEi, Nwi, and Si, Section 17; Ni of Section 20; Nwi, Sei, and Wi of NEi of Section 23; Nwi of Nei, and Si, Section 15; Swi of Nei of Nei, of Section 24; All that portion of Nwi west of Black Water River of Section 25; Si of Section 27; Ei of Nei; Swi of Nei, Sei of Nwi, wi of Nwi, Nei of Swi, and Sei of Section 28; Nwi of Nwi, and Si of Section 29; Sei of Nei, Ni of Swi of Nwi, and Wi of Section 29; Sei of Nei, Ni of Si, and Swi of Section 20; Sei of Section 21; Wi of Sei, and Ni of Si of Section 20; Sei of Nei, and Ni of Si of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nei, and Nwi of Sei of Section 20; Sei of Nwi, and Nwi of Sei of Section 20; Sei of Nwi, and Nwi of Sei of Section 20; Sei of Nwi, and Nwi of Sei of Section 20; Sei of Nwi, and Nwi of Sei of Section 20; Sei of Nwi, and Swi of Section 28; Nwi of Sei, and all that portion of Nwi and Swi of Sei east of Black Water River of Section 29.

Township 5 Section 129

(4) Statutory Warranty Deed executed under date of June 30, 1930, by American-Traders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2262, at Page 573.

No. 2262, at Page 573.

(5) Quitclaim Deed executed under date of 15th day of May, 1946, by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette Price, which said deed was filed for record on June 3, 1946, in the Office of the Judge of Probate of Baldwin County, Alabama, and recorded in Record Book 108 N. S., at Page 103.

(6) Quitclaim Deed executed under date

(6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and wife, Rebecca Susman, and Helen Susman Asher, formerly Helen Susman, and husband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price.

The complainants named in said bill of complaint are Bette Price and Miriam Green.

The lands against which said verifies bill of complaint is filed are situate, lying and being in Baldwin County, Alabama, and more particularly described as follows:

In Township 5 South, Range 4 East: Now 1 No

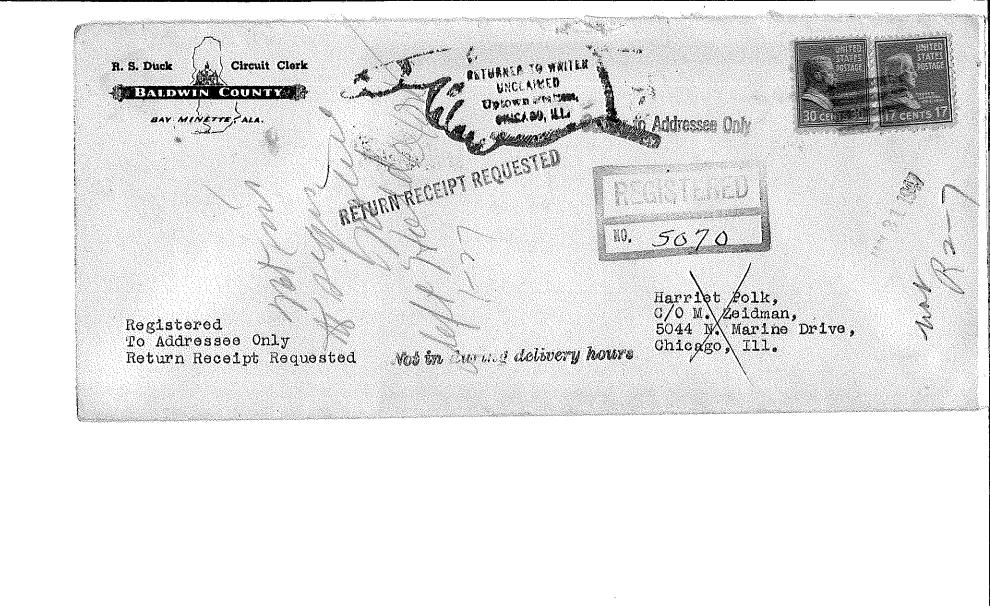
plainants and their predecessors in title or privies in claim.

Said bill of complaint shows that the complainants are in the actual, peaceable possession of portions of said lands and have been in such possession for a period of more than ten years next preceding the filing of the bill of complaint; that no other person is in the actual possession of any portion of said lands; that the only persons known to complainants to have had any possession of any part of said lands within ten years next preceding the filing of the bill of complaint are the complainants and their predecessors in title or privies in claim, except that at one time during said ten year period Ray Brewton, now deceased, had possession of a portion of the NW2 of NE2 of Section 10, Township 6 South, Range 4 Bast.

Said bill of complaint shows that the

and SE2 of NDE of Section 23: NW2 of Section 24: All that portion of NW2 west of Black Water River of Section 25: S\$ of Section 27: FB of NE3: SW2 of NE3: SE2 of NW4. was of NE4: SE2 of NE3: SW2 of NW2 and SW2 of NW3. and W2 of SW2 o

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NOTICE OF THE PENDENCY OF A BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS

STATE OF ALABAMA.

COUNTY OF BALDWIN.

In the Circuit Court of Baldwin County, Alabama, In Equity. No. 1813.

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons named below, together with any and all other persons claiming any title to, interest in, dien of encumbrance on said lands, described below, or any part thereof, to establish in the complainants filing said bill and hereinatter named the right of title to said lands in fee simple and to dear the all doubts or disputes concerning the same.

The complainants named in said bill of complainants maked in said bill of complainants maked in said bill of complaint are Bette Price and Miriam Green.

The lands against which said verified bill of complaint is, filed are situate, lying and being in Baldwin County, Alabama, and more particularly described as follows:

Tract No. 1.

In Township 5 South Range 4 Bast: NE2 of NW: SWI-50 W Bast SWI-50 SWI

The lands against which said verified till of complaint also shows that being in Baidwin County, Alabama, and more particularly described as follows:

Track No. 1.

In Township 5 South Targe 4 [Bast: Neg of NW4, SW1675 SW2, D3 of William Creen and Bette Price.

Said bill of complaint also shows that being in Baidwin County, Alabama, and more particularly described as follows:

Track No. 1.

In Township 5 Noth Targe 4 [Bast: Neg of NW4, SW1675 SW2, D3 of William Creen and Bette Price.

Said bill of complaint also shows that the new following the price of Sw16 of NW4, SW167 SW2, D3 of William Creen and Bette Price.

Said bill of complaint also shows that the produced section 14: Neg of NW4, SW167 SW2, D3 of William Creen and Bette Price.

Said bill of complaint also shows that the produced section 14: Neg of NW4, SW167 SW2, d3 of NW4, NW4 of NW2, Sw160 SW167 of Sw160 SW167 Sw160 Sw160 Sw160 SW167 Sw160 Sw16 Section 26; NWH, of Set of Section 28; Wh of Wh, and NEA of NWA, of Section 36.

In Township 6 South, Range 5 East:
NEA, and SEE of SEE of Section 1;
NWA of SECTION 3; NEE of SEA of Section 4; NWA of SEA of SECTION 6; EARLY OF SWA, and SWA of SWA of SEA of Section 7; SWA of SWA of SWA of SWA of SWA, and NEA of SWA of Section 7; SWA of SWA of Section 17; SWA of SWA of SWA of Section 17; SWA of NEA OF SWA of NEA OF SEA, NA OF SWA OF NEA OF NEA OF SEA, NA OF SEA, AND WA OF NEA OF NEA

(4) Statutory Warranty Deed executed under date of June 30, 1930, by American-Traders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2262, at Page 573.
(5) Quitclaim Deed executed under date of 15th day of May, 1946, by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette Price, which said deed was filed for record on June 3, 1946, in the Office of the Judge of Probate of Baldwin County, Alabama, and recorded in Record Book 108 N. S., at Page 103.

103.

(6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and wife, Rebecca Susman, and Helen Susman Asher, formerly Helen Susman, and busband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price.

Said bill of complaint shows that the following named persons claim said lands, or some part thereof, or some interest therein:

lands, or some part thereof, or some interest therein:

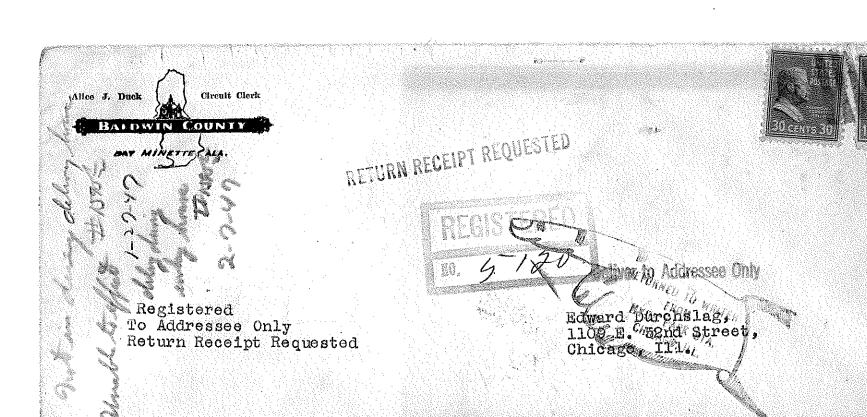
(a) Sarah K. Scott, Alfred B. Maclay, Robert Maclay, Jr., Georgiana Maclay, George H. O'Neal, George H. O'Neal, Jr., Wm. M. Johnson, Thomas G. McCullough, Jr., George W. Robinson, Southern States Land & Timber Company, Ltd., a corporation, Southern Plantation Development Company, a corporation, H. H. Givan, James Dempsey, Joseph Cartier, Moses, R. Demming, William Wenter, Mr. Robinson, R. N. Risdon, Frank Filer, E. G. Filer, Grace M. Filer, Mary J. Sexton, Hattie Patton, Clara Spadet, Gus Brewton, Jack Brewton, Elsie Thames, Emily Neal, Lee, Brewton, C. E. Brewton, Hazel Zyrick and Virgil Mae Brewton.

(b) William Durchslag, Bella Durch-

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THE STATES TATES.	TE OF ALABAM?	GIRCUIT	COURT, BALDW	
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SOMMONS AND COMPLAINT

NOTICE OF THE PENDENCY OF A and BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS

STATE OF ALABAMA. COUNTY OF BALDWIN.

In the Circuit Court of Baldwin County, Alabama, In Equity. No. 1813.

ty, Alabama, In Equity. No. 1813.

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons named below, together with any and all other persons claiming any title to, interest in, lien or encumbrance on said lands, described below, or any part thereof, to establish in the complainants filing said bill and hereinafter named the right or title to said lands in fee simple and to clear up all doubts or disputes concerning the same.

The complaint are Bette Price and Miriam Green.

The lands against which said verified

The lands against which said verified bill of complaint is filed are situate, lying and being in Baldwin County, Alabama, and more particularly described as follows:

as follows:

Tract No. 1

In Township 5 South, Range 4 East:
NE of NW1, SW2 of SW2, E\$ of SW2
and NW2 of NE\$ of Section 11; NW3,
SW1 of NE\$, and W2 of SE\$ of Section 13; NE\$, SE\$ of NW4 of SEction 14; E\$ of SW\$ of Section 20; SE\$ of
SW2 of Section 21; S\$ of SW1, and
NW2 of Sw2 of Section 22; S\$ of SW1, and
NW2 of Sw2 of Section 24; N2 of
N\$ of Sw2 of Section 24; N2 of
N\$ of Sw2 of Section 24; N2 of
N\$ of Sw2 of Section 25; N2 of NW1, SW2
of NW4, N3 of SW3, and N1-3 of S\$
of NW2 of Section 25; NE\$, and SW2
of NW4, Section 25; NE\$, and SW2
of NW4, Section 29; NE\$ of NE\$,
SW2 of NE\$; W2 of SE\$; and SE\$
of SE\$ of Section 33; SW2 of SW2 of
Section 34.

In Township 5 South, Range 5 East

SER, and NF of SWA Section A. N. of NEA of Section 10: NWA of Section 11: NWA of Section 11: NWA of Section 12: NWA of Section 13: EA of SEA and SWA of SEA of Section 26; NWA of SEA of Section 26; NWA of SEA of Section 28; WA of WA and NEA of NWA of Section 35; NWA of NEA of Section 36.

Section 35; NW1 of NE1 of Section 36.

Township 6 South Range 5 East:
NE1, and SE2 of SE4 of Section 1;
NW2 of Section 3. NE2 of SE2 of Section 4. NW2 of Section 3. SE2 of Section 6. SE3 of Section 7; SW1 of SW2 of Section 7; SW2 of SW2 of Section 7; SW2 of SW2 of Section 7; SW2 of SW2 of Section 9; S1 of SW2 of Section 14; SE3 of NE3, N2 of SW2 of NE2 of NE3, N2 of SW2 of NE2; Section 15; SW2 of NE3, N2 of SW2 of NE2; SW2 of NE3, N2 of SW2 of NE2; and N2 of Section 15; SW3 of NE3, NW2 of NE3, Section 15; SW3 of NE3, NW2 of NE3, Section 15; SW3 of NE3, NW3 of Section 24; All that portion of NW2 west of Black Water River of NE2; SW3 of NE3, Section 25; SW3 of NE3, SW3 of NE3, SW3 of NE3, SW3 of NE3, SW3 of NW2 of NW3, NE3 of Section 27; E3 of NW2 of NW3, NE3 of SW3, and SE2 of Section 28; NW2 of NW3, NB3 of NW3, NB3, NB3 of NW3, NB3, NB3 of NB4, NB3 of NW3, and NW3 of SE3 of Section 30; NB3, and NW3 of SE3 of Section 30; NB3, and NW3 of SE3 of Section 20; SE3 of NW3, and NW3, and NB3 of SE4 of Section 21; W4 of NB3, NB of SE4 of Section 21; W4 of NB3, NB of SE4 of Section 21; NW3, and NB4 of SE4 of Section 21; NW4, and NB4 of SE4 of Section 21; NW3, and NB4 of

Swg or SEt of Section 20; SEt of NW1 and N1 of SEt of Section 21: W1 of NEt of Section 28; NE1, NW1 of SEt, and all that portion of NW1 and SW1 of SEt east of Black Water River of Section 29:

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River of Section 29:

Tracerve

Pears in Township South Range 2 Bast:
Sin Township South Range 4 Bast:
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Sin Township South Range 5 Bast:
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Wi of Section 12:
In Township 5 South Range 5 Bast:
Wi of Section 29; NW1 of NW2, and
NW2 of NE2 of Section 10: SEI of
NE2 of Section 22; Bi of NW2; SW2
of NW2, and NW2 of Sw2 of Section 26: NW2 of NE2 of NW3 of Section 35.
In Township 6 South, Range 4 Bast:
NW2 of NE2 of NW2 of Section 7:
Si of SEI of Section 3; All that portion of NW2 of Section 25:
Water River of Section 25.

Tracer No. 3

(4) Statutory Warranty Deed executed under date of June 30, 1930, by American-Traders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2262, at Page 578.

No. 2252. at Page 573.

(5) Quitclaim Deed executed under date of 15th day of Mey, 1946, by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette Price, which said deed was filed for record on June 3, 1946, in the Office of the Judge of Probate of Baldwin County, Alabama, and recorded in Record Book 108 N. S., at Page 103.

103.

(6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and wife, Rebecca Susman, and Helen Susman Asher, formerly Helen Susman, and husband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price.

Said bill of complaint also shows that the complainants claim title in fee simple to said lands by virtue of the possession which the complainants and their predecessors in title have had of said lands; also by virtue of the fact that the complainants and those from whom they deraign title have assessed and paid the taxes on said lands for twenty years next preceding the filing of the bill of complaint; also by virtue of the fact that Southern States Lumber Company, from whom the complainants deraign title by mesne conveyances, deraigned its title to said lands in an unbroken chain of record title from the United States of America, except as hereinafter noted.

Said bill of complaint shows that the Said bill of complaint also shows that

of SE; of Section 33; SW; of SW; of Sw; of Section 34.

1 Township 5 South, Range 5 East:
E; of NE; of Section 7; NW; of NE; of Section 8; E; of NE; of Section 10; SE; and SW; of SE; and SW; of SE; and SW; of Section 10; SE; and SW; of SE; and SW; of SE; of SE; of SE; of Section 10; SE; of Section 14; N; of NW; NE; of Section 16; NE; of NE;

derive title to said SWi of NE2 by mesne conveyances.

Said pith of complaint shows that the only persons who have paid faxes upon said lands or any interest therein, within ten years next preceding the filing of the bill of complaint, are the complainants and their predecessors in title or privies in claim.

Said bill of complaint shows that the complainants are in the actual peaceable possession of portions of said lands and have been in such possession for a period of more than ten years next preceding the filing of the bill of complaint; that no other person is in the actual possession of any portion of said lands; that the only persons known to complainants to have had any possession of, any peat of said lands within ten years next preceding the filing of the bill of complaint are the complainants and their predecessors in title or privies in claim, except that at one time during said ten year period Ray. Brewton, now deceased, had possession of a portion of the NW1 of NE2 of Section 10, Township 6 South, Range 4 East.

Said bill of complaint shows that the following named persons claim said

(b) William Durchslag, Bella Durchslag, Emil Durchslag, Ann Durchslag, S & D Investment siag, Emil Durchslag, Ann Durchslag, Company, a co-partnership composed of Louis Susman. William Durchslag and Emil Durchslag, Lillian Durschlag, Morris Durschlag, Horfense Jacobson, Harlold B. Durschlag, Pearl Keller, Edward Durchslag, Charlotte Durchslag, Lovey Durschlag, Florence Durchslag, Henry Durchslag, Mollie B. Durchslag, Dora Durschlag, William Rusnak, Rella Banovitz, Lillian Reisz, Bernice Kaufman. Goldberg, Goldie Handman, Orville Katz, Mary Lesak, Ben Katz, Bernice Levee, Leo E. Levee, Josephine Levee, Joseph Homan, Alice Homan, Mitton L. Durch-slag, Betty Durchslag, and Robert Cas-saretto. original beneficiaries. (c) The

ansferees, of theneficiaries, and week sees of original beneficiaries transferees under and by virtue of the deed of trust executed by Abe Dursch-lag and wife, Dora Durschlag, to The American-Traders National Bank of Birlag and wife, Dora Dursching, to the American-Traders National Bank of Birmingham. Alabama, dated November 30, 1927, and recorded in Record Book 45° N. S., Pages 116-118 of the records in the Probate Office of Baldwin County, Alabama; the persons named under subsection (b), above, are made parties as claiming some such interest. The bill of complaint further shows that any other persons who have heretofore or now own or claim an interest under and by virtue of said trust, are unknown to, complainents after diligent search and investigation, the complainants allege that if there are any such, it impractical to bring them before this Court; that the title, Interest or claim of any such unknown beneficiaries is a contingent one, if it exists, and is dependent upon a common question of law and fact affecting the right and title of all of the hearfficiaries under

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Said bill of complaint shows that the following named persons claim said lands, or some part thereof, or some interest therein:

interest therein:

(a) Sarah K. Scott, Alfred B. Maciay, Robert Maciay, Jr., Georgiana Maciay, George H. O'Neal, George H. O'Neal, Jr., Wm. M. Johnson, Thomas G. McCullough, Jr., George W. Robinson; Southern States Land & Timber Company, Ltd., a corporation, Southern Plantation Development Company, a corporation, H. H. Givan, James Dempsey, Joseph Cartier Moses R. Demming, William Systems of The Cartier Moses R. Demming, William Systems of Plantation Plantat

Mrgdor, Frank Flier, E. G. Flier, Crace M. Filer, Mary J. Sexton, Hattle Pat-ton, Clara Spader, Gus Brewton, Jack Brewton, Elsie Thames, Emily Neal, Lee Brewton, C. E. Brewton, Hazel Zyrick and Virgil Mae Brewton.

Durschlag, William Rusnak, Rella Banovitz, Lillian Reisz, Bernice Kaufman, Lena Rusnak, Florence Miller, Irwin Rusnak, Seymour Rusnak, Marie Rusnak, Ella, E. Rusnak, Barl J. Rusnak, Raymond L. Rusnak, Helen Rusnak, Eleaner S. Rusnak, Joseph H. Levece, Marvin Polk, Florence Ziedman, Harriet Polk, Sam Ruby, Etta K. Ruby, Jack Ruby, Alex Keller, Faye Ruby, Jennie A. Levenfeld, Gerald Levenfeld, Marvin Levenfeld, Betty Levenfeld, Joan Levenfeld, Rose Rusnak, Harry L. Brooks, Florence Brooks, Lena Goldberg, Goldie Handman, Orville Katz,

Tract No. 3

In Township 6 South, Range 5 East:
SW2 of SW4, leas SW2 of same of
Section 15: SW2 of NE4, and W2 of
Section 15: SW2 of NE4, and W2 of
Section 15: SW2 of NE4, and W2 of
SE2 of Section 22.

Said bill of complaint shows that the
complainants claim said lands, in fee
simple, by virtue of the following deeds
or instruments:
(1) Warranty Deed executed under date
of October 3, 1925, by Southern States
Lumber Company a corporation, conveying all of said lands to A be
Durschlag, filed for record in the
office of the Probate Judge of Baldwin County, Alabama, on October
23, 1925, and recorded in Record
Book 37 N. S. Pages 345-7.
(2) Conveyance executed under date of
November 30, 1927, by Abe Durschlag,
and wife, Dora Durschlag, conveying
all of said lands to the AmericanFrace Swatchest Balk of Elements
fram, Slabana, a corporation, as
Trustee, filed for record in the Office of the Probate Judge of Baldwin County, Alabama, on June 18,
1923, and recorded in Record Book
45 N. S., Pages 116-119.
(3) Certificate of Consolidation of the
American Traders National Bank of
Birmingham, in the County of Jefferson and State of Alabama, with
First National Bank of Birmingham,
in the County of Jefferson, and State
of Alabama, executed by F. G. Awalt,
Acting Comptroller of the Currency
under date of June 30, 1830, 2 certificate
of the Currency, under date of Ausfied copy of which certified to by John L. Proctor, Acting Comptroller, of the Currency, under date of Aug-ust 12, 1930, was on January 13, 1936, filed in the Probate Office of Bald-win County, Alabama, and recorded in said Office on January 17, 1936, in Record Book 58 N. S., Pages 417-

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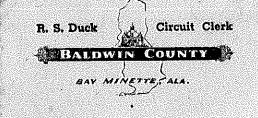
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RETURN RECEIPT REQUESTED

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by —	AND UNITED THE DALLOWIN COUNTY, ALAGAMA, D INCOME PRIOR AND MINIAM CREEN	efendant
на <u>годи</u> На <u>годи</u>		Plaintiff
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, Legal Notice

NOTICE OF THE PENDENCY OF A BILL OF COMPLAINT TO QUIET TITLE TO CERTAIN LANDS STATE OF ALABAMA.
COUNTY OF BALDWIN.

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COUNTY OF BALDWIN.

In the Circuit Court of Baldwin County, Alabama, In Equity, No. 1813.

Notice is hereby given of the pendency of a bill of complaint in the above styled Court against those certain lands described below and those certain persons named below, together with any and all other persons claiming any title to, interest in, lien or encumbrance on said lands, described below, or any part thereof, to establish in the complainants filling said bill and hereinafter named the right or title to said lands in fee simple and to clear up all doubts or disputes concerning the same.

The complainants named in said bill of complaint are Bette Price and Miriam Green.

The lands against which said verified

or disputes concerning the same. The complainants named in said bill of complaint are Bette Price and Miriam Green.

The lands against which said verified bill of complaint is flied are situate, lying and being in Baldwin County, Alabama, and more particularly described as follows:

Tract No. 1

In Township 5 South, Range 4 East:
NE's of NW1, SW2 of SW1, E2 of SW2 and NW2 of NE2 of Section 11; NW2, SW2 of NW2, SW2 of SW3 and NW2 of NE3 and W3 of Section 12; SE2 of SW3 and NW3 of NE3, and W3 of SE3 of Section 13; NE4, SE4 of NW1 of Section 14; E3 of SW2 of Section 20; SE2 of SW3 of Section 21; SY3 of Section 24; E3 of SW3, and NW3 of SW2 of Section 25; NY2 of NW3, SW3 of NW3, NY of SW3, and NN-3 of Sy3 of Section 25; NY3 of NW3, SW3 of NW3, SW3 of Section 34.

In Township 5 South, Range 5 East:
E3 of NE3 of Section 7; NW2 of NE3, and SE3 of SE3 of Section 10; SE3 of NE4 of Section 10; SE3 of SE3 of SE4 of Section 10; SE3 of SE4 and SW3 of SE3 of SE4 of Section 15; NE3, and E4 of SE4 of Section 15; NE3, and E5 of SE3 and SW3 of Section 26; SE3, and SW4 of SW4 of Section 27; SW3 of SE3 of SE4 of Section 36.

In Township 6 South, Range 6 Section 36.

In Township 6 South, Range 7 Section 37; SW3 of SE4 of Section 38; All of Section 38; All of Section 38.

In Township 6 South, Range 4 East:
Ph of SW3, and E6 of Section 1; SE4 of Section 1; SW3 of SE4 of Section 2; SW3 of SE4 of Section 1; SW3 of SE4 of Section 2; SW3 of SE4 of Section 1; SW4 of SE4 of Section 1; SW4 of SE4 of Section 1; SW4 of SE4 of Section 2; SW4 of SE4 of Section 1; SW4 of SE4 of Section 1; SW4 of SE4 of Section 2; SW4 of SE4 of Section 1; SW4 of SE4 of Section 2; SW4

Section 26; NW2 of SE2 of Section 28; Wis of WH, and NE1 of NW4 of Section 36; NW2 of NE2 of Section 36; NW2 of NE2 of Section 36; NW2 of SE2 of Section 36; NE2 of SE2 of Section 1; NW2 of Section 3; NE2 of SE2 of Section 1; NW2 of Section 3; NE2 of SE2 of Section 6; Ed of SW2, and SW2 of Section 6; Ed of SW2, and SW2 of Section 7; SW2 of SW2 of Section 7; SW2 of SW2 of Section 9; SW2 of SW2, and NE2 of SW2 of Section 9; SW2 of NE2 of SW2, and NE2 of SW2 of NE2 of Section 17; NY of Section 20; NW2 of Section 17; NY of Section 20; NW2 of NE2 of Section 24; All that portion of NW2 west of Black Water River of Section 25; SY of Section 27; Ed of NW2 of NW2, NE2 of SW2, and SE2 of NW2 of NW2, NE2 of SW2, and SE2 of NW2, NE2 of SW2 of Section 28; NW2 of NE2, N2 of NW2, SW2 of NW2, and NY2 of SW2 of Section 30; NE2, and SW2 of SW2 of Section 30; NE2, and NW2 of SW2 of Section 30; NE2, and NW2 of SE2 of Section 31.

Township 5 South, Range 6 East: SW2 of SE2 of Section 21.

Wh of NE2 of Section 20; SE2 of NW2 and SW2 of SE2 of Section 21.

Wh of NE2 of Section 20; SE2 of NW2 and SW2 of SE2 of Section 21.

Wh of Section 20; SE2 of Section 30; NE2 of NW2, and NW2 of Section 22.

Township 5 South, Range 6 East: SW2 of Section 12.

Township 5 South, Range 5 East: W2 of Section 12.

Township 6 South, Range 5 East: NW2 of NE2 of Section 12.

Township 6 South, Range 6 East: NW2 of NE2 of Section 35.

Township 6 South, Range 6 East: NW2 of NE2 of Section 35.

Township 6 South, Range 6 East: NW2 of NE2 of Section 35.

Township 6 South, Range 6 East: NW2 of NE2 of Section 35.

Township 6 South, Range 6 East: NW2 of NE2 of Section 5.

Township 6 South, Range 6 East: NW2 of NE2 of Section 5.

Township 6 South, Range 6 East: SW2 of Section 5.

Township 6 South, Range 6 East: SW2 of SW2 of Section 15.

Township 6 South, Range 6 East: SW2 of SW2 of Section 15.

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Tract No. 3
In Township 8 South, Range 5 East:
SW2 of SW2, less SW2 of same of
Section 15; SW2 of NE2, and W2 of
SE2 of Section 22.
Said bill of complaint shows that the
complainants claim said lands, in fee
simple by virtue of the following deeds
or instruments:

simple, by virtue of the following deeds or instruments:
(1) Warranty Deed executed under date of October 3, 1925, by Southern States Lumber Company, a corporation, conveying all of said lands to Abe Durschlag, filed for record in the office of the Probate Judge of Bald-

(4) Statutory Warranty Deed executed under date of June 30, 1930, by American-Fraders National Bank of Birmingham, conveying all of said lands and all powers and trusts with reference thereto to The First National Bank of Birmingham which said deed is recorded in the Office of the Probate Judge of Jefferson County, Alabama, in Deed Volume No. 2262, at Page 573.

No. 2262, at Page 573.

Quitclaim Deed executed under date of 15th day of May, 1946, by The First National Bank of Birmingham, as Trustee, conveying all of said lands to Miriam Green and Bette. Price, which said deed was filed for record on June 3, 1946, in the Office of the Judge of Probate of Baldwin County. Alabama, and recorded in Record Book 108 N. S., at Page. 103.

Quitclaim Deed executed under data

103.

(6) Quitclaim Deed executed under date of October 16, 1946, by Louis Susman and wife, Rebecca Susman and Helen Susman Asher, formerly Helen Susman, and husband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price.

Helen Susman Asher, formerly Helen Susman, and husband, Norman Asher, conveying all of said lands to Miriam Green and Bette Price.

Said bill of complaint also shows that the complainants claim title in fee simple to said lands by virtue of the possession which the complainants and their predecessors in title have had of said lands; also by virtue of the fact that the complainants and those from whom they deraign title have assessed and paid the taxes on said lands for twenty years next preceding the filing of the bill of complaint; also by virtue of the fact that Southern States Lumber Company, from whom the complainants deraign title by mesne conveyances, deraigned its title to said lands in an unbroken chain of record title from the United States of America, except as hereinafter noted.

Said bill of complaint shows that the fee simple title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, in the names of Bette Price and Miriam Green, except that an undivided one-eighth (1/8) interest in Tract No. 1 stands upon said records in the names of Section 22. Township 6. South, Range 5 Bast stands upon the records of the patentee, unless George H. O'Neal, Jr., the sone and the same person as George H. O'Neal, from whom the complainants derive title to said SW4 of NE2 by mesne conveyances.

Said bill of complaint shows that the complainants and their predecessors in title or privies in claim.

Said bill of complaint shows that the complainants and their predecessors in title or privies in claim.

Said bill of complaint shows that the complaint; that no other person is in the actual possession of portions of said lands and have been in such possession for any part of said lands, withing the complaint; that no other person is in the actual possession of any portion of said lands, or some part thereof, or some interest therein;

Said bill of complaint sho

Said bill of complaint shows that the following named persons claim said lands, or some part thereof, or some interest therein:

lands, or some part thereof, or some interest therein;

(a) Sarah K. Scott, Alfred B. Maclay, Robert Maclay, Jr., Georgiana Maclay, George H. O'Neal, Jr., Win M. Johnson, Thomas G. McCullough, Jr., George W. Robinson, Southern States Land & Timber Company, Ltd., a corporation, Southern Plantation Development Company, a corporation, H. H. Givan, James Dempsey, Joseph Cartler, Moses R. Deinming, William Wente, Jr., Rix M. Robinson, R. N. Risdon, Frank Filer, E. G. Filer, Grace M. Filer, Mary J. Sexton, Hattle Patton, Clara Spader, Gus Brewton, Jack Brewton, Elsie Thames, Emily Neal, Lee Brewton, C. E. Brewton, Hazel Zyrick and Virgil Mae Brewton.

(b) William Durchslag, Bella Durch-

Lee Brewton, C. E. Brewton, Hazel Zyrick and Virgil Mae Brewton.

(b) William Durchslag, Bella Durchslag, Emil Durchslag, Ann n Durchslag, Emil Durchslag, Ann n Durchslag, Se D Investment Company, a co-partnership composed of Louis Susman. William Durchslag and Emil Durchslag, Hortense Jacobson, Hariold B. Dürschlag, Florence Jacobson, Hariold B. Dürschlag, Florence Durchslag, Lovey Durschlag, Charlotte Durchslag, Lovey Durschlag, Florence Durchslag, Henry Durchslag, Mollie B. Durchslag, Dora Durschlag, William Rusnak, Rella Banovitz, Lillian Reisz, Bernice Kaufman, Dena Rusnak, Florence Miller, Irwin Rusnak, Seymour Rusnak, Marie Rusnak, Ella E. Rusnak, Earl J. Rüsnak, Raymond L. Rusnak, Herman Rusnak, Helen Rusnak, Eleanor S. Rusnak, Joseph H. Levee, Marvin Polk, Florence Ziedman, Harriet Polk, Sam Ruby, Etta K. Ruby, Jack Ruby, Alex Keller, Faye Ruby, Jennie A. Levenfeld, Gerald Levenfeld, Marvin Levenfeld, Betty Levenfeld, Joan Levenfeld, Bose Rusnak, Harry L. Brooks, Florence Brooks, Lena Goldhere, Goldie Handman, Orville Katz.

