

573

LEONARD TURPENTINE CORPORATION,  
A corporation,

Complainant,

-vs-

SOUTHWEST QUARTER OF NORTHWEST  
QUARTER (SW $\frac{1}{4}$  OF NW $\frac{1}{4}$ ) OF SECTION  
TWENTY-NINE (29), TOWNSHIP SEVEN  
(7) SOUTH OF RANGE SIX (6) EAST,  
SITUATED IN BALDWIN COUNTY, ALABAMA:  
AURRILLA FELL, UNKNOWN HEIRS OF  
AURRILLA FELL, BALDWIN COUNTY COLON-  
IZATION COMPANY, A CORPORATION, HENRY  
C. BARTLING, AS TRUSTEE, FRED MAU, AS  
TRUSTEE, JOHN STELK AND C. W. FELL,  
AND ANY AND ALL PERSONS, FIRMS OR CORP-  
ORATIONS CLAIMING ANY INTEREST IN THE  
ABOVE DESCRIBED LANDS,

Respondents.

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

Comes the Complainant, the Leonard Turpentine Corporation, a Corporation, organized under the general laws of the State of Alabama, and brings this, its Bill of Complaint against the following described tract of land situated in Baldwin County, Alabama, to-wit:- The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Twenty-nine (29), Township Seven (7) South of Range Six (6) East. And Complainant further brings its Bill of Complaint against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon said lands or any part thereof, and especially against Aurrilla Fell, unknown heirs of Aurrilla Fell, Baldwin County Colonization Company, a Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell, and Complainant respectfully shows unto your Honor as follows:-

FIRST:

That it is in the actual, peaceable, adverse possession of the land hereinabove described, claiming to own the same in its own right in fee simple, and using the same in every

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way that it is susceptible to use.

SECOND:

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

THIRD:

Complainant further shows that it claims the entire fee simple title in and to said lands, having acquired the same by Deed from Wade H. Leonard and Julia W. Leonard, his wife, by Warranty Deed dated March 26th, 1938 and recorded in the Office of the Judge of Probate of Baldwin County, Alabama in 64 N. S., pages 396-8; that the said Wade H. Leonard is one and the same person as W. H. Leonard. Complainant further shows that the said Wade H. Leonard acquired said land by Warranty Deed from S. W. Porter and J. D. Russ, Jr., partners under the firm name and style of Lillian Naval Stores Company, by Deed dated November 4th, 1937 and recorded in the Office of the Judge of Probate of Baldwin County, Alabama in 63 N. S., pages 410-12; that the said Lillian Naval Stores Company acquired said land from the Lillian Turpentine Company by Deed dated February 25th, 1937 and recorded in the Office of Judge of Probate of Baldwin County, Alabama, in 61N. S., pages 588-91; that the said Lillian Turpentine Company acquired said land from Cleveland Fell and wife, as shown by Deed recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in 61 N. S., page 346; that Cleveland Fell acquired said land from E. A. Harrison, by Deed dated March 15th, 1930 and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 49 N. S., page 453; that E. A. Harrison acquired said land from the Baldwin/<sup>Land</sup> Holding Company, Inc., by Deed dated April 22nd, 1929 and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in 48 N. S., page 82.

FOURTH:

Complainant further shows that the title to said lands stand on the record in the Probate Court of Baldwin County, Alabama, in the name of Complainant. Complainant further shows unto your Honor that all of said Defendants, except the Corporation herein named, are over the age of twenty-one years and are non residents of the State of Alabama and that their place

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of residence and Postoffice address is unknown, except as to the following:- John Stelk, whose last known Postoffice address was 82 West Washington Street, Chicago, Illinois. If any of the above named respondents are dead, the names and addresses of their heirs, devisees or grantees, if any, are unknown to Complainant. Complainant further shows unto your Honor that it has used due diligence in trying to ascertain the residences and Postoffice addresses of these several Defendants and has been unable to do so except as to the one given above. Your Complainant further shows unto your Honor that the parties above named as respondents, or their heirs, devisees or grantees, are reputed to claim some right, title or interest in, or encumbrance upon, said lands, and your Orator respectfully calls upon the parties mentioned as respondents in this Bill of Complaint to set forth and specify their title, claim, interest or encumbrance upon the same and how and by what instrument the same is derived and created.

FIFTH:

Complainant further shows unto your Honor that the individuals, firms and corporations as set forth in Exhibit "A" to this Bill of Complaint have assessed and paid taxes on the aforesaid lands for and during the last ten years next preceding the filing of this Bill of Complaint, said Exhibit "A" is hereby made a part of this Bill of Complaint.

SIXTH:

Complainant further shows unto your Honor that it knows of no one other than itself and its predecessors in title as herein set out, who has been in the actual possession of said lands during the last ten years preceding the filing of this Bill of Complaint, and that no one is known to your Complainant to claim this land or any part thereof, or any interest therein, except the Complainant and the Respondents to this proceedings, and Complainant calls upon the several persons mentioned as respondents herein or anyone else interested, to set forth and specify his, her or its claim, title, interest in or encumbrance upon said land, and how and by what instrument or otherwise the same is derived or created.

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bama, making them parties to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law; that your Honor will require notice to be given by registered mail to John Stelk, at his Postoffice address as hereinabove set forth, which notice, together with a copy of the Bill of Complaint and with a Summons to answer, plead or demur to such Complaint within thirty days from the service thereof, shall be issued and sent by the Register to such Defendants by registered mail, postage pre-paid, marked, "For Delivery only to the person to whom addressed", with return receipt demanded addressed to the sending officer.

PRAYER FOR RELIEF.

And Complainant further prays that on a hearing of this cause your Honor will be pleased to establish Complainant's right or title to, and will decree the Complainant is the owner in fee simple of, said lands herein described, and that no other person, firm or corporation has any title to or interest in, or lien or encumbrance upon said lands, or any part thereof, and especially as to Aurrilla Fell, Unknown heirs of Aurrilla Fell, Baldwin County Colonization Company, a Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell, and any and all persons, firms or corporations claiming any interest in the above described lands, and that in said Decree your Honor will cause a certified copy of the Decree to be filed in the Probate Office of Baldwin County, Alabama, to be recorded therein and that in said Decree your Honor will direct in whose name it shall be indexed in the Direct and Indirect Indexes of the Records thereof in said Probate Court of Baldwin County, Alabama, and Complainant further prays for such other, further, different and general relief as in equity may seem just and meet, and Complainant will ever pray, etc.

FOOT NOTE:•

Hubert Rason  
Solicitors for Complainant.

The Respondents herein named and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the property herein described, or any part thereof, are required to answer Paragraphs 1 to 7, inclusive of this Bill of Complaint, but answer under oath is hereby expressly waived.

Hubert Rason  
Solicitors for Complainant.

EXHIBIT "A".

Names of persons who have assessed and paid  
taxes on the lands herein described since 1929.

Leonard Turpentine Corporation

Wade H. Leonard

Lillian Turpentine Company

E. A. Harrison

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

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon—  
JOHN STELK

82 West Washington Street, Chicago, Illinois  
of \_\_\_\_\_ County, to be and appear before the Judge of the Circuit  
Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of  
Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

LEONARD TURPENTINE CORPORATION,  
a Corporation,

against said SOUTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION  
TWENTY NINE, TOWNSHIP SEVEN SOUTH OF RANGE SIX EAST,  
AURILLA FELL, ET AL.,

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

WITNESS, R. S. Duck, Register of said Circuit Court, this 3rd day of  
October, 1939.

R. S. Duck, Register

By: Arthur H. Hays Deputy Register

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

LEONARD TURPENTINE CORPORATION,  
A Corporation,

Complainant,

-vs-

SOUTHWEST QUARTER OF NORTHWEST  
QUARTER OF SECTION TWENTY-NINE,  
TOWNSHIP SEVEN SOUTH OF RANGE  
SIX EAST, IN BALDWIN COUNTY, ALABAMA:  
AURRILLA FELL, UNKNOWN HEIRS OF  
AURRILLA FELL, BALDWIN COUNTY COLON-  
IZATION COMPANY, A CORPORATION, HENRY  
C. BARTLING, AS TRUSTEE, FRED MAU, AS  
TRUSTEE, JOHN STELK AND C. W. FELL,  
AND ANY AND ALL PERSONS, FIRMS OR CORP-  
ORATIONS CLAIMING ANY INTEREST IN THE  
ABOVE DESCRIBED LANDS,

Respondents.

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

It having been made to appear in the above styled cause from the Affidavit of John Chason, one of the Solicitors of Record for Complainant in said cause, that the Defendants in said suit are non-residents of the State of Alabama, a more particular address being unknown, except as to John Stelk, whose address is 82 West Washington Street, Chicago, Illinois.

NOTICE IS HEREBY GIVEN to Aurrilla Fell, unknown heirs of Aurrilla Fell, Baldwin County Colonization Company, a Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk, C. W. Fell and to any and all persons, firms or corporations claiming any interest in, title to, lien or encumbrance upon the lands herein described, that on the 3<sup>rd</sup> day of Oct, 1939 the Leonard Turpentine Corporation, a Corporation, filed its Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, against the following described lands in Baldwin County, Alabama, to-wit:- The Southwest Quarter of Northwest Quarter of Section Twenty-nine, Township Seven South of Range Six East, and against the Defendants therein named and any and all persons, firms or corporations claiming any interest in, title to, lien or encumbrances upon the above described lands, and you are hereby notified to appear and plead, answer or demur within thirty days from the 4<sup>th</sup> day of November, 1939, or a Decree pro

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confesso will be rendered against you;

The Complaint alleges that the title to said lands stands in the name of the Complainant on the Records in the Office of Judge of Probate of Baldwin County, Alabama;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainant to said lands and for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same.

That Complainant acquired title to said lands by Deed from Wade H. Leonard and wife to it, which Deed is recorded in 64 N. S., pages 396-8, Probate Records, Baldwin County, Alabama. Complainant claims under following chain of title:- Deed from Lillian Naval Stores Company to Wade H. Leonard, recorded 63 N. S., pages 410-12; Deed from Lillian Turpentine Company to Lillian Naval Stores Company, recorded 61 N. S., pages 588-91; Deed from Cleveland Fell and wife to Lillian Turpentine Company, recorded 61 N. S., page 346; Deed from E. A. Harrison to C. W. Fell, recorded 49 N.S., page 453; Deed from Baldwin Land Holding Company, Inc., to E. A. Harrison, recorded 48 N. S., page 82, all of said Deeds being recorded in the Office of Judge of Probate of Baldwin County, Alabama.

Complainant further alleges in its Bill of Complaint that it is in the quiet and peaceable possession of said lands, claiming to own the same absolutely and in fee simple; that the Complainant and those under whom it claims, have been in possession of said lands for more than ten years next preceding the filing of Bill of Complaint and have paid taxes on the same during said period of time and that no other person, firm or corporation has paid any taxes on said lands during said period.

Witness my hand this 3<sup>rd</sup> day of October, 1939.

*R. S. Duch*

As Register of the Circuit  
Court of Baldwin County, Ala-  
bama. In Equity.

HYBART & CHASON  
Solicitors for Complainant.



I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that I have on the date below, mailed a copy of the within Summons, together with copy of the Bill of Complaint in the within named cause, and/Notice to Non-Residents to John Stelk, at 82 W. Washington St., Chicago, Ill., by Registered mail, postage prepaid, marked for delivery to addressee only, and with return receipt requested.

Dated October 26th, 1939.

*R. S. Duck*  
R. S. DUCK, Register,

THE STATE OF ALABAMA,  
Baldwin County

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 193

Sheriff.

Executed this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ 193

by leaving a copy of the Summons with \_\_\_\_\_

LEONARD TURPENTINE CORPORATION,  
A CORPORATION,

Complainant.

Defendant

vs.  
SOUTH OF NW 1/4 OF SEC. 29, RP.

7S. 66E., Baldwin County,  
Ala., Aurilla Fell, et als,

Respondents.

By \_\_\_\_\_

Deputy Sheriff

Serve On \_\_\_\_\_

Circuit Court of Baldwin County  
IN EQUITY

No. 573

Summons

HYBART & CHASON  
Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

NOTICE.

LEONARD TURPININE CORP.,  
A corporation,

Complainant,

-vs-

SOUTHWEST QUARTER OF  
NORTHWEST QUARTER OF  
SECTION TWENTY-NINE,  
TOWNSHIP SEVEN SOUTH OF  
RANGE SIX EAST,  
AURILLA TWP, Twp 11,

Respondents.

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

Filed October 3rd, 1939

*R. S. Dreck, Register*  
*By - Pauline Thompson, Deputy*

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that I have on the date below, mailed a copy of the within Summons, together with copy of the Bill of Complaint in the within named cause, and/Notice to Non-Residents to John Stelk, at\*82 W. Washington St., Chicago, Ill., by Registered mail, postage prepaid, marked for delivery to addressee only, and with return receipt requested.

Dated October 26th, 1939.

*R. S. Duck*  
R. S. DUCK, Register,

THE STATE OF ALABAMA,  
Baldwin County

Received in office this

day of \_\_\_\_\_, 193

Sheriff.

Executed this \_\_\_\_\_ day of

\_\_\_\_\_, 193

by leaving a copy of the Summons with

Defendant

Sheriff

By

Deputy Sheriff

Serve On

Circuit Court of Baldwin County  
IN EQUITY

No. 573

Summons

LEONARD TURPENTINE CORPORATION,  
A CORPORATION,

Complainant.

VS.

SU<sup>4</sup> OF NW<sup>1</sup>4 OF SEC. 29, TP.

7S. R6E.. Baldwin County,

Ala., Aurilla Fell, et als,

Respondents.

HYBART & CHASON

Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

NOTICE.

LEONARD TURPENTINE CORP.,  
A corporation,

Complainant,

-vs-

SOUTHWEST QUARTER OF  
NORTHWEST QUARTER OF  
SECTION TWENTY-NINE,  
TOWNSHIP SEVEN SOUTH OF  
RANGE SIX EAST,  
AURILLA TWP, TP 11,

Respondents.

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

Filed October 3rd, 1939

*R.S. Dreck, Register*

*By - Wallace Thompson, Deputy*

TESTIMONY OF S. W. PORTER

My name is S. W. Porter. I am over the age of Twenty-one years, and a resident of Foley, Baldwin County, Alabama, having been such a resident for fourteen years. I am familiar with the Southwest Quarter of the Northwest Quarter of Section Twenty-nine, Township Seven South, Range Six East, in Baldwin County, Alabama. The Leonard Turpentine Corporation, who recently filed its Bill of Complaint against the above described lands and against the persons, firms and corporations named therein is a corporation organized under the laws of the State of Alabama, and was such a corporation at the time of the filing of said Bill of Complaint. The corporation was at the time of the filing of its Bill of Complaint in said cause, and still is, in the actual, peaceable, adverse possession of said lands claiming to own the same in its own right in fee simple and using the same in every way that it is susceptible to use; that no suit was pending to test its title to, interest in, or right to possession of said lands at the time of the filing of said Bill of Complaint; that the said Leonard Turpentine Corporation acquired said lands by deed from Wade H. Leonard, and wife, said deed being dated March 26th, 1938 and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in 64 N. S., pages 396-8; that the said Wade H. Leonard is one and the same person as W. H. Leonard; that the said Wade H. Leonard acquired said lands as shown in the Bill of Complaint. I am personally acquainted with the lands above described, and was at one time part owner of the same; that the Leonard Turpentine Corporation has used due diligence in trying to learn the names and addresses of any person, firm or corporation claiming to own said lands and whether or not any of them be dead; that the said Leonard Turpentine Corporation, and those under whom it claims, have been paying taxes on the lands above described for and during the last ten years next preceding the filing of said Bill of Complaint and it, and those under whom it claims, have been in the actual, peaceable,

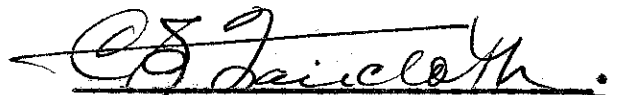
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adverse possession of said lands during that period of time. In the investigation made by the Leonard Turpentine Corporation for the purpose of ascertaining the residences and addresses of all persons, firms and corporations named in said Bill of Complaint, and whether or not any of them were dead, and if dead, to ascertain the names and addresses of their heirs, devisees, successors, assigns and grantees, the Leonard Turpentine Corporation had a complete Abstract of Title made from the records of Baldwin County, Alabama, and made inquiry in the neighborhood of said lands as to the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or may be interested in said lands, or who claim any interest therein. In this inquiry, it inquired through its agents, of the old settlers there and of persons who were acquainted with the history of the community near said lands and the residents thereof.

S. W. Parker

TESTIMONY OF C. S. FAIRCLOTH

My name is C. S. Faircloth. I am over the age of twenty-one years and a resident of Baldwin County, Alabama, residing at Lillian. I am the secretary of the Leonard Turpentine Corporation, a Corporation, which said Corporation filed its Bill of Complaint against the Southwest Quarter of the Northwest Quarter of Section Twenty-nine, Township Seven South, Range Six East, Baldwin County, Alabama, and against the parties named therein. The said Leonard Turpentine Corporation was at the time of the filing of its Bill of Complaint, and still is a corporation, duly incorporated under the laws of the State of Alabama, with its principal place of business at Lillian, Alabama; that said Corporation was at the time of the filing of its Bill of Complaint in said cause and still is in the actual, peaceable, adverse possession of said land above described, claiming to own the same in its own right in fee simple and using the same in every way that it is susceptible to use; that there was no suit pending to test Complainant's title to, interest in or its right to possession of said land; that the said Leonard Turpentine Corporation, and those under whom it claims, have been in the actual, peaceable, adverse possession of said land, paying taxes on the same for more than ten years next preceding the filing of its Bill of Complaint in said cause; that it acquired said land by deed as shown in the Bill of Complaint; that there is no other person in the actual possession of this land, nor any part thereof. I am personally familiar with the land involved in this suit.

C. S. Faircloth.

THE STATE OF ALABAMA }  
Baldwin County

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

Leonard Turpentine Corporation, COMPLAINANT  
a Corporation  
VS.

Aurrilla Fell, et al and certain lands RESPONDENTS

I, Fannie Marie Britton

as Register-~~and~~ Commissioner

have called and caused to come before me S. W. Porter and C. S. Faircloth

witness~~s~~ named in the Requirement for Oral Examination, on the 5th day of December  
1939, at the office of Hybart & Chason

in Bay Minette, Alabama, and having first sworn said witness~~s~~ to speak the truth,

the whole truth, and nothing but the truth, the said S. W. Porter and C. S.

Faircloth doth depose and say as follows:



ORAL EXAMINATION

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

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

Given under my hand and seal, this 5th day of December, 1939.

Fannie Marie Britton (L. S.)

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**THE STATE OF ALABAMA**  
**Baldwin County**

**IN CIRCUIT COURT, IN EQUITY**

Leonard Turpentine Corporation

a Corporation Complainant

Vs.

Aurrilla Fell, et al and

Certain Lends Respondent

**ORAL DEPOSITION**

Filed Dec 5, 1939

RSW:ck Register  
RECORDED IN 117 Book 12 Pages

Record \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register \_\_\_\_\_

# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No. 573  
LEONARD TURPENTINE CO.,  
a corp., Complainant.

VS. CERTAIN LANDS, ET ALS.,  
Respondents.

PLAINTIFF  
DEFENDANT

## BILL OF COSTS

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$
Filing each bill and other papers	\$ 10	1.30		9.15
Issuing each subpoena	50	.50	For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Issuing each copy thereof	40	.40	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Entering each return thereof	15	.15	Each notice sent by mail to creditor	15
For each order of publication	1 00		Filing receipting for and docketing each claim, etc.	25
Issuing Writ of injunction	I 50		For all entries on subpoena docket, etc.	50
For each copy thereof	50		For all entries on commission docket, etc.	50
Entering each return thereof	15		Making final record. per 100 words	15
Issuing Writ of Attachment	I 00		Certified copy of decree	1 00
Entering each return thereof	15		Report of divorce to State Health Office (Acts 1915)	50
Docketing each case	1 00	1.00		
Entering each appearance	25	.25	TOTAL FEES OF REGISTER..	20.05
Issuing each decree pro confesso on per ser.	1 00	1.00	FEES OF SHERIFF	
Issuing each decree pro confesso on publica	1 00	1.00	Serving and returning subpoena on deft.	\$1 50
Each order appointing guardian	I 00		Serving and returning subpoena for witness	65
Any other order by Register	50		Levying attachment	1 50
Issuing Commission to take testimony	50	.50	Entering and returning same	25
Receiving and filing	10	.10	Selling property attached	75
Endorsing each package	10	.10	Impanelling Jury	75
Entering order submitting cause	50	.50	Executing Writ of possession	2 50
Entering any other order of court	25	.25	Collecting execution for costs	1 50
Noting all testimony	50	.50	Serving and returning sci. fa., each	65
Abstract of cause, etc.	I 00	.50	Serving and returning notice	65
Entering each decree	75	.75	Serving and returning writ of injunction	1 50
For every 100 words over 500	15	.15	Serving and returning writ of exeat	1 50
Taking account, etc.	3 00	.60	Taking and approving bonds, each	75
Taking testimony, etc	15		Collecting money on execution	2 50
Each report, 500 words or less	2 50		Making Deed	1 00
For every 100 words over 500	15		Serving and returning application, etc.	1 50
Amount claimed less than \$500, etc	2 00		Serving attachment, contempt of court.	1 50
Issuing each subpoena	25			
Witness certificate, each	25		TOTAL FEES OF SHERIFF	20.05
Issuing execution, each	75		RECAPITULATION	
Entering each return	15		Register's Fees	20.05
Taking and approving bond, each	1 00		Sheriff's Fees	
Making copy of bill, etc	15		Commissioner's Fees	
Each notice not otherwise provided for	50		Solicitor's Fees	
Each certificate or affidavit, with seal	50	.50	Witness Fees	
Each certificate or affidavit, no seal	25		Guardian Ad Litem	29.25
Hearing and passing on application, etc.	3 00		Printer's Fees	3.00
Each settlement with Receiver, etc.	3 00		Trial Tax	1.25
Examining each voucher of Receiver, etc	10		Recording Decree in Probate Court	3 00
Examining each answer, etc.	3 00			
Recording resignation, etc	75			
Entering each certificate to Supreme Court	50			
Taking questions and answers, etc	25			
For all other ser relating to such proceedings	1 00			
For services in proceeding to relieve minors, etc., same fee as in similar cases.				
Commission on sales, etc: 1st \$100, 2 per cent; all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.				
Sub Total Carried Forward		9.15	TOTAL	55.50

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

TO Fannie Marie Britton

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

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

is Complainant and Aurrilla Fell, et al and certain lands

are Defendant,<sup>S</sup>

on oath to be by you administered, upon \_\_\_\_\_

to take and certify the deposition<sup>S</sup> of the witness<sup>es</sup> and return the same to our Court, with all convenient speed, under your hand.

Witness 5th day of December, 19 39.

R. S. Duck

REGISTER

By H. E. Smith  
Deputy

Commissioner's Fee \$ \_\_\_\_\_

Witness' Fees. \$ \_\_\_\_\_

Leonard Turpentine Corporation,

a Corporation, Complainant,

vs.

Aurrilla Fell, et al & Certain Lands,

Defendants.

CIRCUIT COURT OF  
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 26th day of October 1939, a copy of the Bill of Complaint filed in this cause was sent to John Stelk at 82 W. Washington Street, Chicago, Illinois

Defendant, 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; and that on the 1st day of November 1939, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said John Stelk

Defendant.

This the 5th day of December 1939

R B Duck Register.

By W E Smith  
Deputy

DECREE PRO CONFESSO OF PUBLICATION

THE STATE OF ALABAMA, )

CIRCUIT COURT, IN EQUITY.

BALDWIN COUNTY. )

No. 572

Term, 1939

Leonard Turpentine Corporation, a Corporation, Complainant  
Vs. Aurrilla Fell, et al & Certain Lands, Defendants.

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 5th day of October, 1939, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Bay Minette, Baldwin County, on the 5th day of October, 1939, and

And it now further appearing to the Register R. S. Duck, that the said Aurrilla Fell, Unknown heirs of Aurrilla Fell, Baldwin County Colonization, A Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register R. S. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Southwest Quarter of Northwest Quarter of Section Twenty-nine, Township Seven South, Range Six East, situated in Baldwin County, Alabama: Aurrilla Fell, Unknown heirs of Aurrilla Fell, Baldwin County Colonization Company, A Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell, and any and all persons, firms or corporations claiming any interest in the above described lands.

This 5th day of December, 1939.

R. S. Duck  
Register.

By H. E. Smith  
Deputy

Motion for Decree Pro Confesso on Publication.

THE STATE OF ALABAMA, ) CIR CUIT COURT, IN EQUITY.  
BALDWIN COUNTY. ) No. 573, Term, 193

Leonard Turpentine Corporation, a Corporation, Complainant

Vs.

Aurrilla Fell, et al and Certain Lands, Defendants

Motion is hereby made for a Decree Pro Confesso against Southwest Quarter of Northwest Quarter of Section Twenty-nine, Township Seven South of Range Six East, situated in Baldwin County, Alabama: Aurrilla Fell, Unknown Heirs of Aurrilla Fell, Baldwin County Colonization Company, a Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell, and any and all persons, firms or corporations claiming any interest in the above described lands, Defendants in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 5th day of December, 1939

Wayland R. Rouse  
Solicitors

746 Code

Leonard Turpentine Corporation,

a Corporation,

Complainant,

vs.

Aurrilla Fell, et al & Certain Lands,

Defendants.

THE STATE OF ALABAMA,  
Baldwin COUNTY.

CIRCUIT COURT, IN EQUITY.

Term, 19

I, R. S. Duck Register of the Circuit Court of

Baldwin County, of the State of Alabama, hereby certify that on the affidavit

of John Chason, as one of the Solicitors for Complainant

on the 5th day of October 1939, an order of publication was made to

John Stelk, et al

who are non-residents

~~who reside at~~

and was published in the Baldwin Times

a newspaper published in Bay Minette, Alabama once a week, for four

consecutive weeks, commencing on the 5th day of October 1939, requiring

the said Defendants

to answer or demur to the Bill of Complaint in the cause on the 4th day of November

1939, or in thirty days therefrom a decree Pro Confesso may be taken against them

And that a copy of said order was forwarded by mail, on the 26th day of October

1939, addressed to John Stelk, 82 W. Washington Street, Chicago, Illinois

at

and that one other copy of said order was posted at the Courthouse door of said County for four consecutive weeks,

commencing on the 5th day of October 1939

R S Duck

Register.

By H. E. Smith

Deputy

LEONARD TURPENTINE CORPORATION,  
A Corporation,

Complainant,

-vs-

SOUTHWEST QUARTER OF NORTHWEST  
QUARTER (SW $\frac{1}{4}$  OF NW $\frac{1}{4}$ ) OF SECTION  
TWENTY-NINE (29), TOWNSHIP SEVEN  
(7) SOUTH OF RANGE SIX (6) EAST,  
SITUATED IN BALDWIN COUNTY, ALABAMA:  
AURRILLA FELL, UNKNOWN HEIRS OF  
AURRILLA FELL, BALDWIN COUNTY COLON-  
IZATION COMPANY, A CORPORATION, HENRY  
C. BARTLING, AS TRUSTEE, FRED MAU, AS  
TRUSTEE, JOHN STELK AND C. W. FELL,  
AND ANY AND ALL PERSONS, FIRMS OR CORP-  
ORATIONS CLAIMING ANY INTEREST IN THE  
ABOVE DESCRIBED LANDS,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause coming on to be heard is submitted for final decree upon the Bill of Complaint with exhibit attached thereto, notice of publication, affidavit of publication, decree pro confesso on publication against said Defendants, and the testimony as noted by the Register. And it appearing to the Court that the Leonard Turpentine Corporation, a Corporation, is in the actual, peaceable, adverse possession of the following described real estate situated in Baldwin County, Alabama, to-wit:

The Southwest Quarter of Northwest  
Quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Twenty-  
nine (29), Township Seven (7) South,  
Range Six (6) East.

being the same lands as heretofore described in the caption of this decree, and against which this proceeding is brought, claiming to own the same in its own right in fee simple and using the same in every way that it is susceptible of.

And it further appearing that no suit is pending to test complainant's title to, interest in, or its right to possession of said lands.

And it further appearing to the Court that all parties interested in said lands, together with the defendants whose names are set forth in the Bill of Complaint have had due notice of these proceedings by publication for the length of time as prescribed by law and the rules of this Court, and the Court understanding the same is of the opinion that Complainant is entitled to the relief prayed for in its Bill of Complaint.



IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Complainant is the owner in fee simple of the lands described in this decree, and that no other person, firm or corporation has any title to, or interest in, or lien or incumbrance upon said lands or any part thereof, and especially is this so as to the defendants whose names are set forth in the caption to this decree.

IT IS ORDERED, ADJUDGED AND DECREED that any claim, lien, title to, or interest in, or incumbrances upon the aforesaid lands, or any part thereof that Aurrilla Fell, Unknown Heirs of Aurrilla Fell, Baldwin County Colonization Company, a Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell hold or claim to hold, are a cloud upon the title of the Complainant in this cause as to the aforesaid lands, and that their said title to, interest in, lien or incumbrance upon said lands or any part thereof are hereby decreed to be null and void and as such are removed as a cloud upon the title of Complainant to the aforesaid lands and that such title to, interest in, lien or incumbrance upon said lands or any part thereof, held by the aforesaid defendants, or any of them, are hereby removed and held for naught as being void and of no force and effect, as said defendants have no interest in, title to, lien or incumbrance upon said lands, or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be recorded in the Office of the Judge of Probate of Baldwin County, Alabama, and that said decree shall be indexed on the direct index in the name of Leonard Turpentine Corporation, a Corporation, and that it shall be indexed on the indirect index of the records of Baldwin County, Alabama, in the name of Aurrilla Fell, Unknown Heirs of Aurrilla Fell, Baldwin County Colonization Company, a Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell, and that the Register of this Court shall within thirty days from the rendition of this decree file said certified copy of this decree in the Office of the Judge of Probate for record and tax the expense thereof as a part of the cost of this proceeding, and that the Probate Judge shall record such copy in the same book

(page three)

and manner in which deeds are recorded and index the same as said decree orders and directs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Leonard Turpentine Corporation, a Corporation, be and is taxed with the cost of this proceeding, for which execution may issue.

Dated at Monroeville, Alabama, this 11<sup>th</sup> day of December, 1939.

  
\_\_\_\_\_  
Judge

RECORDED

No. 8-14878

THE STATE OF ALABAMA,

Baldwin County,

CIRCUIT COURT, IN EQUITY.

Leonard Turpentine Corp-

oration, a Corporation,

Complainant,

vs.

Aurilla Fell, et al, &

Certain Lands,

Defendants.

CERTIFICATE OF PUBLICATION.

Filed in office this 5th

day of June 1934

R. S. Duck

Register

By: H. S. Smith  
Clerk

No. \_\_\_\_\_

Page: \_\_\_\_\_

STATE OF ALABAMA,

BAIRD WIN COUNTY.

CIRCUIT COURT, IN EQUITY

Leonard Turpentine Corporation  
a Corporation,

Complainant,

vs.

Aurilla Fell; et al &  
Certain Lands,

Defendants.

MOTION FOR DECREE PRO CONFESSO  
ON PUBLICATION.

Filed Sept, 1939

R. S. Dumas  
Register.  
By N. E. Dumas  
Attorneys

Recorded \_\_\_\_\_

No. \_\_\_\_\_

RECORDED  
8-87842

CIRCUIT COURT OF BALDWIN  
COUNTY, ALA.

In Equity.

Leonard Turpentine Corporation,

a Corporation,

Complainant,

vs.

Aurilla Fell, et al & Certain

lands,

Defendants.

Decree Pro Confesso After  
Notice By Registered Mail.

Filed in office this 5th day of

1929

Register

*W. R. Duck*  
*By the Court*

Entered in O. B. \_\_\_\_\_

Page \_\_\_\_\_

RECORDED 8-87972  
NO. \_\_\_\_\_

**THE STATE OF ALABAMA**

**Baldwin County**

**CIRCUIT COURT**

Leonard Turpentine Corporation,  
a Corporation

**Complainant**

**vs.**

Aurriella Fell, et al and  
certain lands

**Defendants**

**Commission To Take Deposition**

**COMMISSIONER:**

**Witnesses:**

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ Term, 193\_\_\_\_\_

Leonard Turpentine Corporation, a Corporation \_\_\_\_\_, Complainant

Vs.

Aurrilla Fell, et al & Certain Lands \_\_\_\_\_, Defendant

To R. S. Alush \_\_\_\_\_, Register :

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

\_\_\_\_\_ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Hybart & Chason  
Solicitor for Complainant.

Leonard Turpentine Corporation,  
 a Corporation,  
 Complainant,  
 vs.  
 Aurrilla Fell, et al and Certain  
 Lands,  
 Respondents

THE STATE OF ALABAMA  
 Baldwin County

IN EQUITY

Circuit Court of Baldwin County

*Ans. G. H. Smith  
 11/11/13*

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Summons,  
 Certificate of Publication, Affidavit of Publication, Motion for  
 Decree Pro Confesso on Publication, Decree Pro Confesso on Publication,  
 Decree Pro Confesso after Notice by Registered Mail, Commission  
 to take Deposition, Certificate of Commissioner, Request for Decree  
 in Vacation and Testimony of S. W. Porter and C. S. Faircloth.

and in behalf of Defendant upon \_\_\_\_\_

*R. S. Duck*

Register.  
*Ry 102 Smith*  
*Reput*



RECORDED

No. 2-488

**The State of Alabama**  
**BALDWIN COUNTY**

**IN EQUITY**  
**Circuit Court of Baldwin County**

LEONARD TURPENTINE CORPORATION,

A Corporation,

Complainant

vs.

AURRILLA FELL, ET AL and

CERTAIN LANDS,

Respondents.

**NOTE OF TESTIMONY**

Filed in ~~Open~~ Court this 5th

day of December 1939

R S Duck

REGISTER

MOORE PRINTING CO., BAY WINEYER, ALA.

Agnes E. Smith  
Deputy

No. \_\_\_\_\_

Page \_\_\_\_\_

**The State of Alabama,**

Baldwin County.

**CIRCUIT COURT, IN EQUITY**

LEONARD TURPENTINE CORPORATION,

a Corporation,

Vs.

Complainant,

Aurrilla Fell, et al & Certain

Lands,

Defendants.

**REQUEST FOR DECREE IN  
VACATION**

Filed Dec. 5, 1939

RS Duck

Register.

By ME Smith

Permit

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

Statement

# THE BALDWIN TIMES

BAY MINETTE, ALABAMA

11/3

1939

Gen. R. S. Duck

Advertising:

Leonard Turpentine Corp.  
Via - Certain lands, etc.

650 Words @  $4\frac{1}{2}$ ¢ →

\$29.25

Job Printing:

**LEGAL NOTICE**

In the Circuit Court of Baldwin County, Alabama: In Equity.  
**LEONARD TURPENTINE CORPORATION**, A Corporation,  
 Complainant, Vs. Southwest Quarter of Northwest Quarter of Section Twenty-nine, Township Seven South of Range Six East, in Baldwin County, Alabama: Aurrilla Fell, unknown heirs of Aurrilla Fell, Baldwin County Colonization Company, a Corporation, Henry C. Bartling, as Trustee, Fred Mau, as Trustee, John Stelk and C. W. Fell, and any and all persons, firms or corporations claiming any interest in the above described lands, Respondents.

It having been made to appear in the above styled cause from the Affidavit of John Charles and

visiting his parents here.  
 Chandel Buxton of Loxley is  
 were Belorest visitors Sunday.  
 John Robert and Ots Wiggins  
 the Sanders, in New Life.  
 end with her daughter, Mrs. Mat-  
 Mrs. Carrie Cox spent the week-  
 Neal Adams.  
 with her parents, Mr. and Mrs.  
 of Greenville, spent last week  
 Mrs. Elie Harper and children  
 week-end with home folks.  
 Roy Arant of Mobile, spent the  
 visited home folks recently.  
 Oscar Brown of Grand Bay,  
 last week.  
 ed his brother and family here  
 Alec Carpenter of Mobile visit-  
 family recently.  
 Secour, visited the J. E. Wood  
 Jewell and Mr. Jewell of Bon  
 Mrs. Zee Vee Long and Dorothy  
 Business College.  
 Montgomery to attend Massey's  
 Lila Mae Ruple left Sunday for  
 penter Station.  
 leans is a business visitor in Car-  
 Marcey Carpenter of New Or-  
 afternoon.  
 girls with a picture show Friday  
 Cross Roads 4-H Club boys and  
 W. H. Johnson entertained the  
 parents are cordially invited.  
 Friday night, Oct., 20. All the  
 hold their regular meeting next  
 • The Cross Roads P-T-A will

**CROSS ROADS**

Let truck: Pensacola Buggy Works  
 rolet truck: Gordon Motor Co.  
 Jim Stewart, Bon Secour, Chev-  
 rolet truck: Foley Motor Co.  
 Harley H. Orem, Bay Minette,  
 Chevrolet truck; Wilson Chevro-  
 L. G. Crosby, Semimole, Dodge  
 truck; Guy Yeaste, Pensacola.  
 L. G. Crosby, Semimole, Dodge  
 truck; Guy Yeaste, Pensacola.  
 L. G. Crosby, Semimole, Dodge  
 truck; Guy Yeaste, Pensacola.  
 L. G. Crosby, Semimole, Dodge  
 truck; Guy Yeaste, Pensacola.

Published Every Thursday

**THE BALDWIN TIMES**

ISHED IN THE LAND OF THE GOLDEN SATSUMA  
 SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE  
 ADVERTISING RATES GIVEN ON APPLICATION

BAY MINETTE, ALA.

**AFFIDAVIT OF PUBLICATION**

STATE OF ALABAMA,  
 BALDWIN COUNTY,

*J. H. Faulkner*

being duly sworn, deposes and says that he is

the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay

Minette, Baldwin County, Alabama; that the notice hereto attached of

*Leonard Turpentine Corporation*

*vs*

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

<i>October 5, 1939</i>	Vol. 50	No. 36
<i>" " 12, "</i>	Vol. 50	No. 37
<i>" " 19, "</i>	Vol. 50	No. 38
<i>" " 26, "</i>	Vol. 50	No. 39

undersigned this 3 day of

9

*J. H. Faulkner*

Publisher

THE BALDWIN TIMES

STATEMENT OF RECEIPTS

*paid November 3, 1935*  
*R.S. Dicks, Reporter*

RECEIVED OF

[Faint, mostly illegible text, likely a ledger or list of receipts]

BILL OF COMPLAINT

LEONARD TURPENTINE CORP.,  
A Corporation,

Complainant,

VS.

SOUTHWEST QUARTER OF  
NORTHWEST QUARTER OF  
SECTION TWENTY-NINE,  
TOWNSHIP SEVEN SOUTH  
OF RANGE SIX EAST,  
AURRILLA FELL, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed October 3rd, 1939

*R. S. Dorch* Register  
*By: Hubert Johnson*  
LAW OFFICES

HYBART & CHASON

BAY MINETTE, ALABAMA

RECORDED

2-487+488

FINAL DECREE

LEONARD TURPENTINE CORP.,  
A Corporation,

Complainant,

-VS-

SOUTHWEST QUARTER OF  
NORTHWEST QUARTER OF  
SECTION TWENTY-NINE,  
TOWNSHIP SEVEN SOUTH,  
RANGE SIX EAST, AURRILLA  
FELL, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed Dec 14-1939

LAW OFFICES  
HYBART & CHASON  
BAY MINETTE, ALABAMA

*R S Duch*  
*Register*