The State of Alabama,
Baldwin County

876

J. LEE PALMER
Complainant

vs.

Land described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama, and Michael Threefoot, et al.
Defendant

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

In Equity.

The Complainant by his Attorney, Orvis M. Brown,

requests the oral examination of the following named witnesses, on behalf of the Complainant viz:

J. Lee Palmer and Philip G. Armstrong

said witnesses reside in the County of Baldwin State of Alabama.

Virginia E. Crenshaw who resides at Robertsdale, Baldwin County, Alabama

or, The Register of this Court is suggested as a suitable person to be appointed Commissioner to take the deposition of said witness on such oral examination.

Orvis M. Brown

Solicitor for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
IN EQUITY.

J. LEE PALMER,

Complainant

vs

Land described as Northwest Quarter of the Southeast Quarter of Section Thirty Six, Township Five South of Range Three East, Baldwin County, Alabama; and Michael Threefoot, and His heirs, Colin J. Nicholson, Elizabeth B. Rupert, Aaron Harford, Frances Harford, Fred Harford, Clara A. Harford, John Cunea, Janie A. Cunea, J. C. Rupert, John G. Williams, Thaddeus Green, Thaddeus McNulty, Mary A. McNulty, Carrie McNulty, Charles O. Elstrom, Andrew Tallberg, and Augusta Tallberg, Carl O. Carlson, Susanna Threefoot, John F. Barrow, Susan T. Barrow, Oscar T. Johnson, Carl Olson, and/or their heirs and assigns,

Respondents.

I, Virginia E. Crenshaw, as ~~Register and~~ Commissioner have called and caused to come before me J. Lee Palmer, and Philip G. Armstrong, witnesses named in the requirement for Oral Examination, on the 8th day of March 1940, at the office of Orvis M. Brown in Robertsdale, Alabama, and having first sworn said witnesses to speak the truth, the whole truth, and nothing but the truth, the said witnesses doth depose and say as follows:

Testimony of J. Lee Palmer and Philip G. Armstrong, which is hereto attached and made a part hereof, and herein inserted.

I, Virginia E. Crenshaw, as ~~Register and~~ Commissioner hereby certify that the foregoing depositions on Oral Examination were taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and Orvis M. Brown at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; that I am not of counsel or of kin to any of the parties of said cause, or any manner interested in the result thereof.

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

Given under my hand and seal this 8th day of March 1940.

Virginia E. Crenshaw (L.S.)

TESTIMONY OF J. LEE PALMER

My name is J. Lee Palmer. I am the owner of the lands described as "Northwest Quarter of the Southeast Quarter of Section Thirty-six, Township Five South of Range Three East, Baldwin County, Alabama. I purchased this property under Land Sale Contract attached to the original bill of complaint in this cause of action, contract bearing date of October 26, 1938, being purchased from Philip G. Armstrong, Executor of the Estate of Oscar Johnson, deceased, which land contains forty acres more or less, under the terms of the contract, a copy of which is attached to the bill of complaint marked Exhibit "A". Philip G. Armstrong as Executor of the Estate of Oscar Johnson, deceased, is to convey this property in fee simple to me as soon as this chancery procedure is completed and as soon as the same is completed I am to receive the title and pay the balance in full of the purchase price which I am ready and willing to do just as soon as the decree is signed by the Honorable Judge of this Court removing the cloud from the title to this land. Oscar Johnson, deceased, became the owner of this land by tax deed dated March 18th, 1921 and recorded in Book 30 N.S. page 524 in the Probate Records of Baldwin County, Alabama. This being the deed executed by James M. Voltz, Judge of Probate of Baldwin County, Alabama, to Oscar Johnson and conveying the interest which Carl Olson had in this property during the year of 1913. Carl Olson returned this property during the year 1913 for taxes and failing to pay the taxes thereon it was sold to the State of Alabama on June 1st, 1914 and remained in the State of Alabama until March 18, 1921 at which time James M. Voltz, Judge of Probate, Baldwin County, Alabama conveyed the interest of the Said State and County to Oscar Johnson and the title to the property has remained in Oscar Johnson up until his death in 1929 and after the death of Oscar Johnson in 1929 the title remained in the Estate of Oscar Johnson, Deceased, and more particularly in Philip G. Armstrong as Executor of the Estate of Oscar Johnson, deceased, who according to the terms of the Will of Oscar Johnson, deceased, vests the right and power in Philip G. Armstrong as Executor to convey the property and manage the Estate in the manner that he deems advisable and to the best interest of the Estate. Under this authority he executed the contract with me for the purchase of this property for $1000.00, $200.00 cash and upon the payment of the third $100.00 this chancery procedure was to be completed. The deed from the Estate of Oscar Johnson to me is held in escrow by Orvis M. Brown and a copy of the same is attached to my testimony and marked Exhibit "A" and made a part hereof and is to be delivered to me upon the completion

of this chancery decree at which time I will pay the balance of the purchase price. Since the date of the purchase of this property by Oscar Johnson, deceased, which was on the 18th day of March, 1921 he has assessed the same for taxes and paid the taxes thereonup until his death and after his death it was assessed and paid by Philip G. Armstrong, Executor of the Estate of Oscar Johnson, deceased, and also was paid under this title. During this period of time I have known the lands myself and know that no one other than Oscar Johnson and those holding under him by lease have had any actual possession of this property and that since the date of the contract which I have with Philip G. Armstrong as Executor of the Estate of Oscar Johnson, Deceased, namely, October 26th, 1938, I have had actual peaceable possession of the above described property. This being a tax title there was some question of or cloud on the title and this bill to quiet title is brought for the purpose of removing that cloud. There is no suit pending to test Complainant's title to, interest in or right of possession to this property. I claim the entire fee simple title in and to this land subject to the contract attached to the bill of complaint and Marked Exhibit "A" and my performance thereunder. Actual title to this land stands on the [illegible] of Probate Court of Baldwin County, in the name of the Estate of

in the name of Oscar Johnson, deceased, by Philip G. Armstrong, Executor, which is the next ten years preceding the filing of this bill of complaint Philip G. Armstrong as Executor exercised his rights of possession and ownershipby using the timber on this land and removed the wood from the land as the same was needed.

Ifurther show unto your Honor that I have been in actual possession of this land since October 26th, 1938 and that I have made a diligent search and inquiry to ascertain the address ofall the persons, firms and corporations interested in this property and have been unable to locate any of them or to secure the address or whereabouts thereof.

Peaceable possession of this land has been held for ten years prior to the date of the filing of this bill of complaint by the Complainant or those under whom he claims and the taxes have been paid by them on this land for ten years next preceding the filing of this bill of complaint and no other person has paid taxes during this period of time or claimed the same so far as I know or have been able to ascertain and that the allegations contained in the bill of complaint are true and correct in all respects.

J. Lee Palmer

J. Lee Palmer

WITNESS:

Virginia E. Crenshaw

TESTIMONY OF PHILIP G. ARMSTRONG

My name is Philip G. Armstrong. I am the Executor of the Estate of Oscar Johnson, deceased. On October 26th, 1938 I entered into a Land Sale Agreement with J. Lee Palmer whereby J. Lee Palmer was to have possession of the property described as "Northwest Quarter of the Southeast Quarter of Section Thirty-six, Township Five South of Range Three East, Baldwin County, Alabama" at the time of the contract which is attached to the bill of complaint in this cause of action and marked Exhibit "A" and I agreed as Executor of the Estate of Oscar Johnson, deceased, that the title to the property should be placed through the chancery court and a chancery decree obtained on the same in the name of J. Lee Palmer. I have prepared a deed which is held in escrow by Orvis M. Brown as of this date conveying this title to J. Lee Palmer which deed will be delivered upon receipt of this chancery decree and the balance of the money due me as Executor of the Estate of Oscar Johnson, deceased, will be paid at that time.

Oscar Johnson received this property from the State of Alabama by a tax deed executed by James M. Voltz, Judge of Probate, Baldwin County, Alabama, on March 18, 1921. This land was sold in April 1914 to the State of Alabama for the non-payment of taxes which was returned for taxation by Carl Olson during the year of 1913 a copy of which deed is attached to the bill of complaint and marked Exhibit "B." Since the date of the death of Oscar Johnson, deceased, which was during the year 1929 under the last Will and Testament of Oscar Johnson, deceased, I became executor of his estate. Up until that time he had had actual peaceable possession of the land himself and since the date of his death I have had the actual peaceable possession of the land, used wood from the land and used the timber located upon the land and exercised other rights as evidence to the world that I had possession of this property. I remained in the actual peaceable possession of the property until October 26, 1938 at which date I placed in the actual peaceable possession of the property J. Lee Palmer who has had peaceable possession of the property since that date and still continues in actual peaceable possession of the property as of this date.

During the time which I have held possession of the property and during the time when the property was held in the possession of Oscar Johnson no one at any time has made any claim to or made any attempt to secure possession of the same and there is not at this time any suit contesting the right of possession in any Court. This land has been returned for taxes and

Commission To Take Depositions. Printed by The Baldwin Times, Bay Minette.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Virginia E. Crenshaw

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 J. Lee Palmer and Philip C. Armstrong

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

J. Lee Palmer

Complainant

and Lands described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama, and Michael Threefoot, et al.

Defendant,

on oath to be by you administered, upon them

to take and certify the deposition s of the witness es and return the same to our Court, with all Convenient speed, under your hand.

Witness 8th day of March, 1940.

R. L. Duck
REGISTER
By H. C. Smith
Deputy

Commissioner's Fee $ 5.00

Witness' Fees, $

WARRANTY DEED

THE STATE OF ALABAMA)
)
BALDWIN COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of ONE DOLLAR ($1.00) and other good and valuable considerations to us in hand paid by J. LEE PALMER, the receipt whereof is hereby acknowledged, We, PHILIP G. ARMSTRONG, Executor of the Estate of Oscar Johnson, deceased, and PHILIP G. ARMSTRONG, individually, and his wife ELVERA C. ARMSTRONG, AGNES E. UTTER, the signature of the husband whose name is Gustaf W. Utter is dispensed with as provided by in Section 8269 of the Code of Alabama of 1923 providing that where the husband is a non-resident of the State for a period of two years or more, the wife may alienate her land as if she were sole and hereby states that Gustaf W. Utter has been a non-resident of the State of Alabama since July 1935, JOSEPHINE JOHNSON, a widow, do grant, bargain, sell and convey unto the said J. Lee Palmer the following described lands situated in Baldwin County, Alabama, to-wit:

> The Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of Section Thirty-six (36) Township Five (5) South of Range Three (3) East, containing forty (40) acres, more or less, in Baldwin County, Alabama.

TO HAVE AND TO HOLD to the said J. Lee Palmer, his heirs and assigns And we do covenant with the said J. Lee Palmer that we are seized in fee of the above described premises; that We have the right to sell and convey the same; that the said premises are free from all incumbrances; and that we will and our heirs, executors and administrators shall forever WARRANT AND DEFEND the same to the said J. Lee Palmer, his heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS our hand and seals this the 8th day of March, 1940.

PHILIP G. ARMSTRONG (SEAL)
Philip G. Armstrong, Executor Estate Oscar Johnson, Deceased.

PHILIP G. ARMSTRONG (SEAL)
Philip G. Armstrong, individually

ELVERA C. ARMSTRONG (SEAL)
Elvera C. Armstrong

AGNES E. UTTER (SEAL)
Agnes E. Utter

JOSEPHINE JOHNSON (SEAL)
Josephine Johnson

STATE OF ALABAMA)
BALDWIN COUNTY)

I, Orvis M. Brown, a Notary Public, in and for said State and

County, hereby certify that Philip G. Armstrong, Executor of the Estate of Oscar Johnson, Deceased, and Philip G. Armstrong, individually, and his wife Elvera C. Armstrong, Agnes E. Utter, a married woman, and Josephine Johnson, a widow, whose names are signed to the foregoing conveyance, and who are known to me acknowledged before me on this day that being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

And I do further certify that on the 8th day of March, 1940 came before me the within named Elvera C. Armstrong known to me to be the wife of the within named Philip G. Armstrong, who, being examined separate and apart from the husband touching her signature to the within conveyance acknowledged that she executed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal onthis the 8th day of March, 1940.

ORVIS M. BROWN,
Notary Public, Baldwin County, Alabama.
My commission expires April 2, 1943.

SEAL.

NO._____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

J. LEE PALMER

Complainant

VS.

Land described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama. and Michael Threefoot, et al.

Defendant

Commission To Take Deposition

COMMISSIONER:

Virginia E. Crenshaw

Witnesses:

J. Lee Palmer

Philip G. Armstrong

Endorsed this 8th day of March, 1966
R S Dunlap
Registe
By M E Smith
Deputy

BILL TO QUIET TITLE

J. LEE PALMER, Complainant -vs- LAND DESCRIBED AS NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION THIRTY SIX, TOWNSHIP FIVE SOUTH OF RANGE THREE EAST, BALDWIN COUNTY, ALABAMA: AND MICHAEL THREEFOOT, AND HIS HEIRS, COLIN J. NICHOLSON, ELIZABETH B. RUPERT, AARON HARFORD, FRANCES HARFORD, FRED HARFORD, CLARA A. HARFORD, JOHN CUNEA, JANIE A. CUNEA, J. C. RUPERT, JOHN G. WILLIAMS, THADDEUS GREEN, THADDEUS McNULTY, MARY A. McNULTY, CARRIE McNULTY, CHARLES O. ELSTROM, ANDREW TALLBERG, AND AUGUSTA TALLBERG, CARL O. CARLSON, SUSANNA THREEFOOT, JOHN F. BARROW, SUSAN T. BARROW, OSCAR T. JOHNSON, CARL OLSON, AND/OR THEIR HEIRS AND ASSIGNS, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

Comes your Complainant, J. LEE PALMER, and shows this his Bill of Complaint against the following described tract of land situated in the County of Baldwin, State of Alabama, to-wit: Northwest Quarter of the Southeast Quarter of Section Thirty six, Township five South of Range Three East in Baldwin County, Alabama, containing forty acres, more or less, and Michael Threefoot and his heirs, Colin J. Nicholson, Elizabeth B. Rupert, Aaron Harford, Frances Harford, Fred Harford, Clara A. Harford, John Cunea, Janie A. Cunea, J. C. Rupert, John G. Williams, Thaddeus Green, Thaddeus McNulty, Mary A. McNulty, Carrie McNulty, Charles O. Elstrom, Andrew Tallberg and Augusta Tallberg, Carl O. Carlson, Susanna Threefoot, John F. Barrow, Susan T. Barrow, Oscar T.Johnson, Carl Olson, and/or their heirs and assigns; and Complainant further brings his Bill of Complaint against any and all persons, firms and corporations claiming any title to, interest in, lien or incumbrance upon said land or any part thereof, and Complainant further respectfully shows unto your Honor as follows:

FIRST: That he is in the actual, peaceable possession of the said tract of land heretofore mentioned and has been for the past year claiming to own the same in his own right under a contract of purchase which is hereto attached and marked Exhibit "A". And that those under whom he claims have had actual, peaceable possession of the said tract of land for the past eighteen years, they claiming to own the same in their own right in fee simple;

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

THIRD: Complainant further shows that he claims the entire fee simple title in and to the said land having acquired the same as per attached copy of contract for deed which is marked and made Exhibit "A" and made a part of the same;

FOURTH: Complainant further shows that the title to said land stands on the record of the Probate Court of Baldwin County, Alabama in the name of the Estate of Oscar Johnson, deceased, and that Phillip G. Armstrong, is the executor of the Estate of Oscar Johnson, deceased, and further that your Orator shows unto your Honor that he has a contract to purchase this property which said contract provides for the placing of the title to this property through this Honorable Court; your Orator shows further unto your Honor that Carl O. Carlson, Oscar T. Johnson, Carl Olson and Charles O. Elstrom are reputed to have been the last owners of said land before your Complainant and those under whom he claims and are reputed to claim some right, title or interest in or incumbrance upon the said land and your Orator respectfully calls upon said parties mentioned in this paragraph to set forth and specify their title, claim, interest or incumbrance upon the said land and how and by what instrument the same was derived and created;

FIFTH: Complainant further shows unto your Honor that the above named individuals, firms or corporations have not assessed or paid taxes upon the aforesaid land during the past fifteen years and that during the past seventeen years, namely, from 1922 to 1939, taxes were paid and assessed on this property in the name of Oscar Johnson, and Oscar Johnson by Phillip G. Armstrong, Executor; that during the year of 1913 Carl Olson assessed this property but did not pay taxes and that the land remained in the State until 1921 at which time the State of Alabama sold this land to Oscar Johnson who is now deceased and Phillip G. Armstrong is the Executor of the said Estate and has contract to sell this property to your Complainant according to the terms of the contract hereto attached and marked Exhibit "A" and your Complainant shows further that during the past ten years no one has been in the actual, possession of this land aforesaid under any claim or title from or in the name of any of the Respondents to this Bill of Complaint and that your Complainant has been in the possession, actual and peaceable, of the same for the past year and that Phillip G. Armstrong, Executor of the Estate of Oscar Johnson has been in the actual possession and peaceable possession of the same for the past ten years. Complainant further shows unto your Honor that Phillip G. Armstrong, Executor of the Estate of Oscar Johnson, deceased, has assessed the

property, that he has paid the taxes upon the said land within the last ten years in which time the title of the same was held in the name of the Estate of Oscar Johnson, deceased by Phillip G. Armstrong as Executor, which ten years were next preceding the filing of this Bill of Complaint.

SIXTH: Complainant further shows unto your Honor that he knows of no one other than himself who has been in the actual possession of said land and that no one is known to your Complainant to claim this land or any part thereof and any interest therein except the Complainant and the Respondents in the preceding paragraphs and the Complainant calls upon the Respondents herein or any one else interested to set forth and specify his, her or its title, claim interest or incumbrance upon the said land and how and by what instrument or otherwise the same is derived and created. Complainant further avers that he has made a diligent search and inquiry to ascertain the address of all persons, firms and corporations herein interested and whether or not any of them be dead and if dead, to ascertain the names and addresses of their heirs, devisees, successors and assigns and the grantee of such deceased person. That in this investigation and inquiry Complainant has had a complete Abstract of Title on said real estate made of the records of Baldwin County, Alabama, that he has made a diligent inquiry in the neighborhood of said land as to the ownership of the said land, the possession of the same and the whereabouts of any and all persons who are interested in said land or may be interested in the same and who may claim any interest therein. That in making said inquiry in the neighborhood of the said land he has inquired of all old settlers and people who are acquainted with the history of the community and the residents so far as your Complainant has learned, that Carl Olson's address is Silverhill, Alabama and that Carl O. Carlson's address is probably Silverhill, Alabama if not deceased, the others are otherwise unknown.

SEVEN: Complainant further shows unto your Honor that he received his title to the above described property by land sale contract dated the 26th day of October, 1938 executed by Phillip G. Armstrong as Executor of the Estate of Oscar Johnson, deceased, and that Oscar Johnson received his title to the above described property by tax deed dated March 18th, 1921 and executed by James M. Voltz, Judge of Probate, Baldwin County, Alabama, a copy of which contract is hereto attached and marked Exhibit "A" and a copy of which tax deed is hereto attached and marked Exhibit "B", which said tax deed constitutes a cloud upon the title of the above described land, and that it is necessary that this action be taken in order to clear the title of the above described property

from this shadow on the title and other incumbrances which may be against the title to the above described land.

PRAYER FOR PROCESS

TO THE END THEREFORE, that equity may be had in the premises Complainant prays that your Honor will cause the usual writ of process to issue to the above named Respondents in the usual form and according to the practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law, and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama authorizing the quieting of title by proceedings in rem and that this Honorable Court will also order that notice be given of the filing of this Bill of Complaint to Michael Threefoot and his heirs, Colin J. Nicholson, Elizabeth B. Rupert, Aaron Harford, Frances Harford, Fred Harford, Clara A. Harford, John Cunea, Janie A. Cunea, J. C. Rupert, John G. Williams, Thaddeus Green, Thaddeus McNulty, Mary A. McNulty, Carrie McNulty, Charles O. Elstrom, Andrew Tallberg and Augusta Tallberg, Carl O. Carlson, Susanna Threefoot, John F. Barrow, Susan T. Barrow, Oscar T. Johnson, Carl Olson, and/or their heirs and assigns, individually, and the heirs of the above named Respondents, and by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint requiring them to plead, answer or demur to the same within the time required by law.

PRAYER FOR RELIEF

And Complainant prays further that upon the hearing of this cause your Honor will be pleased to establish Complainant's right of title to and will decree that Complainant is the owner in fee simple of the said lands above described and that no one, person, firm or corporation have any title to, or interest in or lienor incumbrance upon the said land or any part thereof and in the said decree your Honor will cause a certified copy of the decree to be filed in the Probate Officeof the County of Baldwin, State of Alabama, and have it recorded therein and that the said decree your Honor will direct in whose name it shall be indexed in the direct indexes and in whose name it shall be indexed in the indirect indexes of the records thereof, in the said Probate Office of Baldwin County, Alabama and Complainant prays further that such other, further or different and general relief be given him as in equity may seem just and meet and Complainant will ever pray, etc.

J. Lee Palmer
Complainant.

Solicitor for Complainant.

FOOT NOTE: All persons claiming any title to, interest in, lien or incumbrance upon the property described in the foregoing Bill of Complaint or any part thereof will be required to answer to paragraphs one to seven inclusive but answer under oath is hereby expressly waived.

J. Lee Palmer
Complainant

Solicitor for Complainant.

AFFIDAVIT

STATE OF ALABAMA)
)
BALDWIN COUNTY)

Personally appeared before me, Virginia E. Crenshaw, a Notary Public in and for said State and County, J. LEE PALMER who upon oath deposes and says:

That he is the Complainant in the foregoing Bill of Complaint in the above styled cause, and therefore does make this his oath: that the facts stated in the foregoing bill of complaint upon his knowledge are true; that he is informed as to the facts stated upon information and belief as stated therein and verily believes, and so states, that the same are true.

J. Lee Palmer
J. LEE PALMER

Sworn to and subscribed to before me a Notary Public whose seal is hereto affixed this 10th day of October, 1939.

Virginia E. Crenshaw
NOTARY PUBLIC, BALDWIN
COUNTY, ALABAMA.
My commission expires Aug.1/43

Seal.

Exhibit "A"

LAND SALE CONTRACT

STATE OF ALABAMA)
BALDWIN COUNTY)

ARTICLES OF AGREEMENT, made this 26th day of October, 1938 between PHILIP G. ARMSTRONG, Executor of Estate of Oscar Johnson, deceased, of Silverhill, Baldwin County, Alabama, party of the first part, and J. LEE PALMER of Robertsdale, Baldwin County, Alabama, party of the second part.

WITNESSETH, That if the said party of the second part shall first make the payments and perform the covenants hereafter mentioned on his part to be made and performed, the said party of the first part hereby covenants and agrees to convey and assure to said party of the second part the fee simple, clear of all incumbrances whatever, by good and sufficient Warranty Deed, the lot, piece or parcel of land situated in the County of Baldwin, State of Alabama, known and described as follows, to-wit:

"Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of Section Thirty-six (36) Township Five (5) South of Range Three (3) East, all in Baldwin County, Alabama, containing forty (40) acres, more or less".

and the said party of the second part hereby covenants and agrees to pay to the said partyof the first part the sum of ONE THOUSAND($1000.00) DOLLARS in the manner following, to-wit: Two Hundred ($200.00) cash on the execution of this agreement and the execution of the agreement constitutes receipt of the payment of the said two hundred dollars and the balance of Eight Hundred ($800.00) Dollars to be paid on or before November 1st, 1943.

It is hereby understood and agreed that should this land be redeemed or for any reason title to the same prove to be of no value and not merchantable then the party of the first part hereby agrees to refund to the party of the second part the down payment of Two Hundred Dollars. It is further understood and agreed that there is to be no interest charged for the first year on this money. Party of first part to refund any money spent for improvements by second party should title prove defective.

It is further understood and agreed by and between the parties to this contract that the title to this land is to be placed through the Chancery Court at any time that the next payment of One Hundred Dollars ($100.00) is made by the party of the second part which expense is to be paid by the party of the first part. It is further hereby understood and agreed by and between the parties to this contract that the balance remaining unpaid of Eight Hundred ($800.00) Dollars is to draw interest at Six per cent per annum payable annually on the amount remaining unpaid from time to time which interest is to start running after the first year from the date of this instrument and the party of the second part agrees to pay all taxes, assessments, or impositions that may be legally levied or imposed upon said land, subsequent to the year 1938. In case of failure of said party of the second part to make either of the payments or any part thereof, or perform any of the covenants on his part hereby made and entered into, this contract shall at the option of the party of the first part be forfeited and determined and the party of the second part shall forfeit all payments made by him on this contract and such payments shall be retained by the said party of the 1st part in full satisfaction and in liquidation of all damages by him sustained, and he shall have the right to re-enter and take possession of the premises aforesaid.

The party of the second part is to have possession of this property from the date of this instrument hence.

It is mutually agreed by and between the parties hereto that the time of payment shall be material and the essence of this contract; and that all covenants and agreements herein contained shall extend to and be obligatory upon the heirs, executors, administrators and assigns of the respective parties.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and seals the day and year first above written.

Philip G. Armstrong (Seal)
Executor Estate Oscar Johnson,
Deceased.
J. Lee Palmer (Seal.

STATE OF ALABAMA)
BALDWIN COUNTY)

I, Orvis M. Brown, a Notary Public in and for said County and State, hereby certify that Philip G. Armstrong, Executor of the Estate of Oscar Johnson, deceased, andJ. Lee Palmer whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26th day of Octoner, 1938.

Orvis M. Brown
Notary Public.

T A X E S

NW¼ of SE¼ Sec. 36 T5S r3E, Baldwin County, Alabama.

1934:- Marked paid, assessed Philip G. Armstrong, Exr. Estate of Oscar Johnson #3, Beat 9, Assessment 55. Also back taxes for 1932.

1935:- Marked paid, assessed Philip G. Armstrong, Exr. Estate of Oscar Johnson #3, Beat 9, Assessment 51.

1936:- Marked paid, assessed Philip G. Armstrong, Exr. Estate of Oscar Johnson #3, Beat 9, Assessment 51.

1937:- Marked paid, assessed Philip G. Armstrong, Exr. Estate of Oscar Johnson #3, Beat 9, Assessment 58.

1938:- Marked paid, assessed Philip G. Armstrong, Exr. Estate of Oscar Johnson #2, Beat 9, Assessment 56.

1939:- Assessed Philip G. Armstrong, Exr. Estate of OscarJohnson #2, Beat 9, Assessment 56.

Taxes due October 1,1939
Delinquent January 1, 1940.

Bill of Complaint

Filed Oct. 10, 1938
R.S. Denk, Register
By Mullis Kingsley, Deputy

LEGAL NOTICE

J. Lee Palmer, Complainant.
vs.
Land described as northwest quarter of the southeast quarter of section thirty-six, township five south of rang three east, Baldwin County, Alabama: and Michael Threefoot, and his heirs, Colin J. Nicholson, Elizabeth B. Rupert, Aaron Harford, Frances Harford, Fred Harford, Clara A. Harford, John Cunea, Janie A. Cunea, J. C. Rupert, John G. Williams, Thadeus Green, Thaddeus McNulty, Mary A. McNulty, Carrie McNulty, Charles O. Eistrom, Andrew Tallberg, and Augusta Tallberg, Carl O. Carlson, Susanna Threefoot, John F. Barrow, Susan T. Barrow, Oscar T. Johnson, Carl Olson, and or their heirs and assigns, Respondents.

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

It having been made to appear in the above cause from the Affidavit of J. Lee Palmer, the Complainant in this said cause, that the Respondents in said cause, namely Carl Olson is a resident of Silverhill, Alabama.

Notice is hereby given to Michael Threefoot and his heirs, Colin J. Nicholson, Elizabeth B. Rupert, Aaron Harford, Frances Harford, Fred Harford, Clara A. Harford, John Cunea, Janie A. Cunea, J. C. Rupert, John G. Williams, Thaddeous Green, Thaddeus McNulty, Mary A. McNulty, Carrie McNulty, Charles O. Elstrom, Andrew Tallberg and Augusta Tallberg, Carl O. Carlson, Susanna Threefoot, John F. Barrow, Susan T. Barrow,

AFFIDAVIT OF PUBLICATION

I, Frank V. Barchard

Editor of The Onlooker, published at Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Oct. 26, 19 39, and ending with the issue dated Nov. 16, 1939.

Frank V. Barchard

Subscribed and sworn to before me this 22 day of February, 1940.

My Commission Expires Sept. 12, 1943

Notary Public.
Baldwin County, Ala.

8550 REQUEST FOR DECREE IN VACATION. Moore Ptg. Co.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 576 Spring Term, 1930

J. LEE PALMER, Complainant

Vs.

Land described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama and Michael Threefoot, etal., Defendant

To R. S. Duck, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Orvis M. Brown 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~~.

Orvis M. Brown
Solicitor for Complainant.

8581. NOTE OF TESTIMONY

MOORE PRINTING CO., SAY MINETTE, ALA.

J. LEE PALMER

vs.

Land described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama; and Michael Threefoot, et al.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Motion for Decree Pro Confesso on Publication, Decree Pro Confesso and Testimony of J. Lee Palmer and Philip G. Armstrong

and in behalf of Defendant upon

R S Wucks
Register.
By H. C. Smith
Deputy

RECORDED 2,526

No. 576

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

J. LEE PALMER

VS.

Land described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama; and Michael Threefoot, et al

NOTE OF TESTIMONY

Filed ~~in Open Court~~ this 11th

day of March 1940

R S Wenck

REGISTER

MOORE PRINTING CO., BAY MINETTE, ALA.

Ex 2D

J. LEE PALMER, Complainant -vs- LAND DESCRIBED AS NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION THIRTY SIX, TOWNSHIP FIVE SOUTH OF RANGE THREE EAST, BALDWIN COUNTY, ALABAMA: AND MICHAEL THREEFOOT, AND HIS HEIRS, COLIN J. NICHOLSON, ELIZABETH B. RUPERT, AARON HARFORD, FRANCES HARFORD, FRED HARFORD, CLARA A. HARFORD, JOHN CUNEA, JANIE A. CUNEA, J. C. RUPERT, JOHN G. WILLIAMS, THADDEUS GREEN, THADDEUS McNULTY, MARY A. McNULTY, CARRIE McNULTY, CHARLES O. ELSTROM, ANDREW TALLBERG, AND AUGUSTA TALLBERG, CARL O. CARLSON, SUSANNA THREEFOOT, JOHN F. BARROW, SUSAN T. BARROW, OSCAR T. JOHNSON, CARL OLSON, AND/OR THEIR HEIRS AND ASSIGNS, Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

This being the day heretofore set by the Court for the hearing of the Complainant's motion for an order directing the publication of notice of the proceedings to quiet title in the above styled cause and upon consideration of such motion by the Court it is the order and judgment of the Court that the said motion be and it is hereby granted and directed that the Honorable Robert S. Duck, Register of the Chancery, Baldwin County, Alabama and he is hereby directed to publish the said legal ad in the Foley Onlooker, a weekly newspaper published at Foley, Alabama, in Baldwin County for four consecutive weeks.

F. W. Hare
Judge of the Twenty First
Judicial Circuit.

DECREE PRO CONFESSO OF PUBLICATION

Moore Ptg Co

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 576 Spring Term, 1940

J. LEE PALMER Complainant

vs. Michael Threefoot, et al. Defendant

Land described as NW¼ of SW¼ Sec. 36 T5S R3E, Baldwin County, Alabama, and

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 26 day of October, 1939, in the Onlooker a newspaper published in Foley, Baldwin County, Alabama, that a copy of said order was posted at the Court House door in Bay Minette, Baldwin County, on the Twenty sixth day of October 1939, and November 16th, 1939

And it now further appearing to the Register R. S. Duck, that the said Defendants

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

This 7th day of March 1940

R. S. Duck Register.

By A. E. Smith Deputy

LIS PENDENS NOTICE

Notice is hereby given that on this 10th day of October, 1939 J. Lee Palmer has filed in the Circuit Court of Baldwin County, Alabama, in equity, his Bill of Complaint against the following described land in Baldwin County, Alabama, to-wit: Northwest Quarter of the Southeast Quarter, Section Thirty Six, Township Five South of Range three East in Baldwin County, Alabama and against the following named Defendants, viz: Michael Threefoot, and his heirs, Colin J. Nicholson, Elizabeth B. Rupert, Aaron Harford, Frances Harford, Fred Harford, Clara A. Harford, John Cunea, Janie A. Cunea, J. C. Rupert, John G. Williams, Thaddeus Green, Thaddeus McNulty, Mary A. McNulty, Carrie McNulty, Charles O. Elstrom, Andrew Tallberg and Augusta Tallberg, Carl O. Carlson, Susanna Threefoot, John F. Barrow, Susan T. Barrow, Oscar T. Johnson, Carl Olson and/or their heirs and assigns.

The prayer of said Bill is to have declared in the said J. Lee Palmer the title to the aforesaid lands, and the claim, interest, title, lien or incumbrance of all persons whosoever to be declared a cloud upon the title of the said J. Lee Palmer to said land and be appropriately decreed to be removed therefrom.

Dated this 10th day of October, 1939.

Solicitor for J. Lee Palmer.

J. LEE PALMER, Complainant -vs- LAND DESCRIBED AS NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION THIRTY SIX, TOWNSHIP FIVE SOUTH OF RANGE THREE EAST, BALDWIN COUNTY, ALABAMA: AND MICHAEL THREEFOOT, AND HIS HEIRS, COLIN J. NICHOLSON, ELIZABETH B. RUPERT, AARON HARFORD, FRANCES HARFORD, FRED HARFORD, CLARA A. HARFORD, JOHN CUNEA, JANIE A. CUNEA, J. C. RUPERT, JOHN G. WILLIAMS, THADDEUS GREEN, THADDEUS McNULTY, MARY A. McNULTY, CARRIE McNULTY, CHARLES O. ELSTROM, ANDREW TALLBERG, AND AUGUSTA TALLBERG, CARL O. CARLSON, SUSANNA THREEFOOT, JOHN F. BARROW, SUSAN T. BARROW, OSCAR T. JOHNSON, CARL OLSON, AND/OR THEIR HEIRS AND ASSIGNS, Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

D E C R E E

This cause is submitted on the original bill of complaint; notice of publication; motion for decree pro confesso and decree pro confesso against the Defendants named in the said bill, and the testimony of J. Lee Palmer and Philip G. Armstrong.

Thepleadings and the evidence in this cause show that the land "the Northwest Quarter of Southeast Quarter, Section Thirty-six, Township Five South of Range Three East, Baldwin County, Alabama", which said lands are located in Baldwin County, State of Alabama, and which were assessed to Estate of Oscar Johnson by Philip G. Armstrong, Executor, for the years 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, and 1939 and that J. Lee Palmer received title to the above described property by deed in escrow bearing the date of February 21st, 1940 executed by Philip G. Armstrong, Executor of the Estate of Oscar Johnson, deceased, Philip G. Armstrong, individually, Elvera C. Armstrong, Agnes E. Utter and Josephina Johnson, a widow, and J. Lee Palmer who is the Complainant in this suit, and those under whom he claims, have been in possession of the said land, claiming to own the same for more than ten years prior to the filing of the bill of complaint in this suit, namely, from the year 1921, and that said Complainant and those under whom he claims have paid taxes for more than ten years prior to the filing of the bill of complaint in this suit, and that no other person, firm or corporation has paid any taxes on the same during that period of time; that there is no suit pending to test the complainant's title to, interest in, or right of possession of said lands; that the said property stands in the name of J. Lee Palmer according to the above recited deed which is held in escrow.

And that the taxes on this property have been paid by the Estate of Oscar Johnson, Deceased, by Philip G. Armstrong, Executor, during the period of time from the year 1929 to date, which Estate executed the deed to your Complainant herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complainant, J. Lee Palmer is the absolute owner of the following described property, to-wit: The Northwest Quarter of the Southeast Quarter of Section Thirty-six, Township Five South of Range Three East, Baldwin County, Alabama, in fee simple, in his own right, and that no other person, firm orcorporation, has any interest, right and title, lien or incumbrance on said lands held by any one other than the Complainant are hereby and herein declared null and void, and are decreed to be a cloud upon the title of Complainant and removed as such. That a certified copy of this decree be filed in the Probate Office of Baldwin County, Alabama and recorded therein, and that it be indexed on the records in the office of the said Judge of Probate Court in the name of Philip G. Armstrong, Executor of Estate Oscar Johnson, deceased, and in the indirect indexes in the name of J. Lee Palmer.

It is further ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs of this proceeding.

DATED this 12th day of March 1940.

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

EQUITY COST BILL

Moore Printing Co., Bay Minette, Ala.

The State of Alabama, BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Baldwin Term, 1940

J. Lee Palmer Complainant

No. 576 vs.

Certain Lands, Celia J. Nicholson Respondents

BILL OF COSTS

REGISTER'S FEES	AMOUNT	
Fees in Circuit Court— Docketing Cause, One fee only of 1.00	1	00
Issuing Summons on Bill, each ..... .50*		
Issuing Copies Thereof, each ..... .40		
Entering Return of Same, each ..... .15		
Orders of Publication to Non-Residents, each 1.00*	1	00
Filing Bill or Other Paper, each ..... (9) .10		90
Copies of Same, Per 100 Words ..... .15		
Entering Appearances, each ..... .25*		
Issuing Writs of Injunction, Ne Exeat, each 1.50		
Issuing Copies Thereof, each ..... .50		
Entering Return of Same, each ..... .15		
Decrees Pro Confesso, each 1.00*	1	00
Order Appointing Guardian Ad Litem, each 1.00*		
Issuing Commissions to Take Testimony, each ..... .50		50
Taking Testimony, Per Day 1.50		
Taking Testimony, Per 100 words ..... .20		
Receiving and Filing Depositions, each pkg., ... .10		10
Indorsing Depositions Published, each pkg., ... .10		10
All Entries on Commission Docket, Each Cause ..... .50		
Entering Order Submitting Cases for Decree, each ..... .50		50
Other Orders of Court, each ..... .25		
Noting Testimony on Hearing of Cause, each ..... .50		
Entering Decrees, of 500 Words of Less, each ..... .75		75
Per 100 words over 500 ..... .15		
Taking Accounts, etc., on Ref., per Day 3.00*		
Taking Testimony on Reference Relating to Trustee, etc., per 100 words ..... .15		
Reference and Reports, each 2.00*		
Reports of 500 Words or Less 2.50		
Per 100 Words over 500 ..... .15		
Issuing Subpoenas for Witnesses, each ..... .25		
Issuing Witness Certificates, each ..... .25		
All Entries on Subpoena Docket, each Cause ..... .50		
Taking and Approving Bonds, each 1.00		
Making Complete Record, per 100 Words ..... .15	4	15
Hearing, etc., Regarding Appointment of Receiver or Trustee 3.00		
Settlements with Receiver or Trustee, each 3.00		
Examining Vouchers in Settlements, each ..... .10		
Examining Answers on Exceptions, each Answer 3.00		
Removal Disabilities on Non-Age		
Commissions on Sales		
Making Deeds to Property Sold, each 2.00		
Receiving and Paying Out Money Other Than That Arising from Sales		
Certificates or Affidavits, with Seal, each ..... .50		
Certificates or Affidavits without Seal, each ..... .25		
Issuing Scire Facias or other Notice, each ..... .50		
Other Orders of Register, except Cont., each ..... .50		
Entering Certificates of Supreme Court, each ..... .50		
Transcript for Supreme Court, per 100 words, each ..... .15		
Additional Copies, per 100 words ..... .05		
Appeal Bond, each 1.00		
Certificate of Appeal, each ..... .50		
Notice of Appeal, each ..... .50		
Report to State Board of Health, each case ..... .50		
Certificate of Judgment, each ..... .25		
Issuing Executions, each ..... .75		
Entering Returns Thereof, each ..... .15		
Total Register's Fees	10	00

SHERIFF'S FEES:	AMOUNT	
Summoning on Bill, Each Defendant 1.50		
Executing Writ of Injunction, or Ne Exeat, each 1.50		
Executing Subpoenas for Witnesses, each ..... .65		
Executing Writs of Possession, each 5.00		
Executing Scire Pacias or Notice, each 1.50		
Taking and Approving Bonds, each 1.00		
Impaneling Jury ..... .75		
Collecting Execution for Costs Only, each 1.50		
Sheriff's Commissions		
Total Sheriff's Fees		

SUMMARY OF FEES, COSTS, AND JUDGMENT

Fees in Circuit Court—		
Register's Fees	10	00
Ex-Register's Fees		
Sheriff's Fees		
Ex-Sheriff's Fees		
Witness Fees		
Commissioner's Fees V. E. Crenshaw	5	00
Guardian Ad Litem		
Publisher's Fees Foley Onlooker	25	93
Solicitor's Fees		
Court Reporter's Fees, Per Day or fraction thereof .5.00		
Trial Tax 3.00	3	00
Fees and Costs in Inferior Court:		
Clerk of Inferior Court Fees		
Sheriff's Fees		
Witness Fees		
Total Fees and Costs in Inferior Court	43	93
Total Fees and Costs		
Judgment	1	00
Total Fees, Costs, and Judgment	44	93

Total Fees and Costs plus recording decree by clerk to be added to your check

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194____

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

No. 576 Page ____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

J. Lee Patterson

vs. Plaintiff____

William Thornton, Robin G.

Defendant____

EQUITY COST BILL

____ Term, 19____

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

Moore Printing Co., Bay Minette, Ala.

No. ..... Page .....

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

.....

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J. LEE PALMER

vs.

Lands described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama, and Michael Threefoot, et al.

.....

DECREE PRO CONFESSO OF PUBLICATION

Issued March 9th 1940.

R. S. Duck

Register.

Recorded in ..... Record

Vol. ..... Page .....

.....

Register.

Moore Printing Company, Bay Minette, Ala.

Lis Pendens Notice

State of Alabama,
Baldwin County. } Probate Court.

Filed in office this day of OCT 10 1939
at 3 PM and duly recorded
in Lis Pendens Book No. 1 at page 181
and I certify that $ cts. Deed
tax and $ cts. Mtge tax, has
been paid as required by law.

W. D. Coleman
Judge of Probate.

Filed Oct. 10, 1939
A. S. Deck, Register
By Audrie Hanson, Deputy.

Avis M. Brown
Pldlc

30

RECORDED 3-5-19

Decree. 2,526

Filed March 18, 1940
R.S. Deck, Register

THE FOLEY ONLOOKER ROBERTSDALE NEWS-HERALD

Foley, Ala., _____, 193____

BARCHARD PUBLISHING CO.

Avis M. Brown

Robertsdale Ala.

HIGH QUALITY JOB PRINTING

		Brought Forward				
		Legal	25	93		
		J. Lee Palmer vs Lou				

8601. Motion for Decree Pro Confesso on Publication.

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 576 Spring, Term, 1930

J. LEE PALMER, Complainant

Vs.

Land described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama, and Michael Threefoot, et al Defendant

Motion is hereby made for a Decree Pro Confesso against Land described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama, and Michael Threefoot, et al Defendant 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 7th day of March 1930

Solicitor.

746 Code

No. 576 Page

State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

J. LEE PALMER

Complainant

Vs.

Lands described as NW¼ of SE¼ Sec. 36 T5S R3E, Baldwin County, Alabama, and Michael Threefoot, et al.

Defendant

Motion for Decree Pro Confesso On Publication.

Filed March 9th, 1940

R S Duck

Register.

Recorded in Record,

Vol. Page

Register.

MOORE PRINTING CO., BAY MINETTE, ALA.