

CHANCERY EXECUTION

BILL OF COSTS

No. 580

debt

VS.

Certain Lands,

PLAINTIFF

DEFENDANT

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$
Filing each bill and other papers	10	00	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%.	5 95
Issuing each subpoena	50		Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof	40		Each notice sent by mail to creditor ...	15
Entering each return thereof	15		Filing receipting for and docketing each claim, etc.	25
For each order of publication	1 00		For all entries on subpoena docket, etc.	50
Issuing Writ of injunction	1 50		For all entries on commission docket, etc.	50
For each copy thereof	50		Making final record. per 100 words	15
Entering each return thereof	15		Certified copy of decree	1 00
Issuing Writ of Attachment	1 00		Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof	15		TOTAL FEES OF REGISTER	1 20
Docketing each case	1 00		FEES OF SHERIFF	
Entering each appearance	25		Serving and returning subpoena on deft. \$1. 50	
Issuing each decree pro confesso on per ser. 1 00	1 00		Serving and returning subpoena for witness	65
Issuing each decree pro confesso on publica 1 00	1 00		Levyng attachment	3 00
Each order appointing guardian	1 00		Entering and returning same	25
Any other order by Register	50		Selling property attached	
Issuing Commission to take testimony	50		Impaneling Jury	75
Receiving and filing	10		Executing Writ of possession	2 50
Endorsing each package	10		Collecting execution for costs	1 50
Entering order submitting cause	50		Serving and returning sci. fa., each	65
Entering any other order of court	25		Serving and returning notice	65
Noting all testimony	50		Serving and returning writ of injunction 1 50	
Abstract of cause, etc.	1 00		Serving and returning writ of exeat. 1 50	
Entering each decree	75		Taking and approving bonds, each	75
For every 100 words over 500	15		Collecting money on execution	
Taking account, etc.	3 00		Making Deed	2 50
Taking testimony, etc	15		Serving and returning application, etc. 1 00	
Each report, 500 words or less	2 50		Serving attachment, contempt of court. 1 50	
For every 100 words over 500	15		TOTAL FEES OF SHERIFF	
Amount claimed less than \$500, etc	2 00		RECAPITULATION	
Issuing each subpoena	25		Register's Fees	11 20
Witness certificate, each	25		Sheriff's Fees	
Issuing execution, each	75		Commissioner's Fees	5 00
Entering each return	15		Solicitor's Fees	
Taking and approving bond, each	1 00		Witness Fees	
Making copy of bill, etc	15		Guardian Ad Litem	36 75
Each notice not otherwise provided for ..	50		Printer's Fees	3 00
Each certificate or affidavit, with seal ..	50		Trial Tax	1 00
Each certificate or affidavit, no seal	25		Recording Decree in Probate Court	
Hearing and passing on application, etc. 3 00	3 00		TOTAL	46 95
Each settlement with Receiver, etc.	3 00			
Examining each voucher of Receiver, etc ..	10			
Examining each answer, etc.	3 00			
Recording resignation, etc.	75			
Entering each certificate to Supreme Court 50	50			
Taking questions and answers, etc	25			
For all other ser relating to such proceedings 1 00	1 00			
For services in proceeding to relieve minors, etc., same fee as in similar cases.				
Commission on sales, etc: 1st \$100, 2 per cent; all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent				
Sub Total Carried Forward				

The State of Alabama, {
Baldwin County }

No. _____
 Circuit Court, In Equity _____ Term, 193 _____

To any Sheriff of the State of Alabama—GREETING:
 You are hereby commanded, That of the goods and chattels, lands and tenements of _____
 _____ Defendant _____
 you cause to be made the sum of _____ Dollars,
 which _____ Plaintiff _____
 recovered of _____ on the _____ day of _____ 193 _____
 by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,
 costs o' suit, and have the same to render to the said _____
 and make return of this Writ and the execution thereof, according to law.

Interest from _____ 193 _____ to date of collection.

Witness my hand, this _____ day of _____ 193 _____

Register

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 580

Term, 192 39

GOTTLIEB WEIL and MARY WEIL Complainant..

vs. certain lands, B. MARSHALL, ET AL, Defendant..

In this cause it appears to the Register, R. S. Duck, that the order of publi-
cation heretofore made in this cause, was published for four consecutive weeks, commencing on the
19th day of October, 192 39, in the Baldwin Times
a newspaper published in Bay Minette Alabama, that a copy of said order was posted
at the Court House door in Baldwin County, on the 19th day of
October 192 39, and

And it now further appearing to the Register R. S. Duck, that the said
B. Marshall, ~~et al.~~ Anna T. Marshall, Anna Marshall, the Unknown
Heirs of Anna Marshall; Carl F. Lang, Ernst B. Marshall; ~~and any~~

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 B. Marshall, et al.

This 19th day of December 192 39

R. S. Duck

Register.

of Baldwin County, Alabama, in the Direct Index in the name of Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall, Anna Marshall, and the unknown heirs of Anna Marshall, and in the Indirect Index in the name of Gottlieb Weil and Mary Weil.

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

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

Done at Monroeville, Monroe County, Alabama, on the 29th day of January, 1940.

A. M. Hare
Judge of the Twenty-First Judicial Circuit
of Alabama.

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO Miss O'Byrne Jones

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

as witnesses in behalf of Complainants in a cause pending in our Circuit

Court of Baldwin County, of said State, wherein Gottlieb Weil and Mary Weil

are Complainants

and SW 1/4 of NW 1/4 of NE 1/4 of Section 30, Township 7 South, Range 5 East, et al.

are Defendant,

on oath to be by you administered, upon

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 24th day of January, 1940

R.S. Duch

REGISTER

Commissioner's Fee \$ 5.00

Witness' Fees, \$ _____

GOTTLIEB WEIL and MARY
WEIL,

Complainants,

VS.

THE SOUTHWEST QUARTER OF THE
NORTHWEST QUARTER OF THE NORTH-
EAST QUARTER OF SECTION 30,
TOWNSHIP 7 SOUTH, RANGE 5 EAST,
IN BALDWIN COUNTY, ALABAMA;
BRUNO MARSHALL, ANNA T. MARSHALL,
ANNA MARSHALL, THE UNKNOWN HEIRS
OF ANNA MARSHALL; CARL F. LANG;
ERNST B. MARSHALL; AND ANY OTHER
PERSON, FIRM OR CORPORATION CLAIM-
ING ANY RIGHT, TITLE TO, INTEREST
IN OR ENCUMBRANCE UPON SAID SOUTH-
WEST QUARTER OF THE NORTHWEST
QUARTER OF THE NORTHEAST QUARTER,
OF SECTION 30, TOWNSHIP 7 SOUTH,
RANGE 5 EAST, IN BALDWIN COUNTY,
ALABAMA,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Respondents, Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall, Anna Marshall, and the unknown heirs and devisees of Anna Marshall, have no estate, right, claim, interest in or encumbrance upon the following described lands or any part thereof, to-wit:

The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the full fee simple title to said lands, to-wit: The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, is vested absolutely in the Complainants, Gottlieb Weil and Mary Weil.

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

Quit Claim Deed.

Moore Printing Co.

THE STATE OF ALABAMA,

Exhibit "A"

Baldwin COUNTY.

THIS DEED made this 4th day of August 1937

between Frederick Bruckmann and Antonie Bruckmann, his wife parties of the first part, and Gottlieb Weil and Mary Weil, his wife parties of the second part

WITNESSETH, that the parties of the first part, in consideration of One Dollar and other good and valuable consideration DOLLARS to them in hand paid by the parties of the second part, the receipt of which is hereby

acknowledged, have remised, released and quit-claimed and by these presents do remise, release and forever quit-claim unto the said parties of the second part their heirs and assigns forever, all the real property in Baldwin County, Alabama,

described as follows to-wit: The southwest quarter (SW 1/4) of the Northwest quarter (NW 1/4) of the northeast quarter (NE 1/4) of section thirty (30), township seven (7) south, range five (5) east containing ten (10) acres, more or less

TO HAVE AND TO HOLD the said released premises unto the said Gottlieb Weil and Mary Weil, his wife, their heirs and assigns forever; So that neither the party of the first part their heirs or assigns nor any other person in trust for them

or in their name shall or will, can or may, by any ways or means whatsoever, hereafter, have or claim any right or title thereto; BUT THAT the said parties of the first part their heirs and assigns, each and every one of them from all estate, right, title, interest or claim, and demand whatsoever, in or to the said premises, or any part thereof, are, is, and shall be, by these presents, FOREVER EXCLUDED AND DEBARRED.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Frederick Bruckmann (Seal) Antonie Bruckmann (Seal)

GOTTLIEB WEIL and
MARY WEIL,

Complainants,

VS.

THE SOUTHWEST QUARTER
OF THE NORTHWEST QUARTER
OF THE NORTHEAST QUARTER
OF SECTION 30, TOWNSHIP
7 SOUTH, RANGE 5 EAST, IN
BALDWIN COUNTY, ALABAMA,
ANNA T. MARSHALL, BRUNO
MARSHALL, ANNA MARSHALL,
THE UNKNOWN HEIRS OF ANNA
MARSHALL, CARL F. LANG,
ERNST B. MARSHALL, AND ANY
OTHER PERSON, FIRM OR COR-
PORATION CLAIMING ANY RIGHT,
TITLE TO, INTEREST IN OR
ENCUMBRANCE UPON SAID SOUTH-
WEST QUARTER OF THE NORTHWEST
QUARTER OF THE NORTHEAST QUAR-
TER OF SECTION 30, TOWNSHIP 7
SOUTH, RANGE 5 EAST, IN BALDWIN
COUNTY, ALABAMA,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

It having been made to appear in the above cause by the affidavit of Hubert M. Ball, Solicitor of Record and Agent of the Complainants in the above cause, that the Respondents to the Bill of Complaint in said cause are non-residents of the State of Alabama, a more particular address being unknown; that the Complainants, Gottlieb Weil and Mary Weil own said land, to-wit: The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, in fee, having acquired the same by conveyance from Frederick Bruckmann and Antonie Bruckmann, his wife, and that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, the County in which said lands lie, in the names of Gottlieb Weil, Mary Weil, Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall, and that no person has paid taxes upon said lands during the past ten years other than the said Complainants, Gottlieb Weil and Mary Weil, and Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall, and that no one has had possession of said lands during the past ten

years other than the said Gottlieb Weil and Mary Weil and those through whom they claim: Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall.

It is therefore ordered, and notice is hereby given, that said Respondents, Bruno Marshall, Anna T. Marshall, Anna Marshall, the unknown heirs of Anna Marshall, Carl F. Lang, Ernst B. Marshall and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon said Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, appear in this Court and plead, answer or demur to the Bill of Complaint in this cause filed on or before the 18th day of November, 1939, ~~on~~ on their having failed to do so at the expiration of thirty days from said date, a decree pro confesso be taken against them.

It is further ordered that the said Register of this Court have this order published in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks, and further that a copy of said notice, certified by the Register as being correct recorded as a Lis Pendens in the Office of the Probate Judge of Baldwin County, Alabama.

IN WITNESS WHEREOF, I, R. S. Duck, as Register, have hereunto set my hand and seal on this the 18th day of October, 1939.

R. S. Duck
Register of Circuit Court of Baldwin County, Alabama.

BERBE, HALL & BERBE,
Solicitors.

STATE OF ALABAMA, }

BALDWIN COUNTY. }

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the above is a full, true, correct and complete copy of an order and notice published in the Baldwin Times, Bay Minette, Alabama, in the matter of Gottlieb Weil and Mary Weil, Complainant, vs. The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, et al., Respondents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this 20th day of October, 1939.

R. S. Duck
Register of the Circuit Court of
Baldwin County, Alabama.

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

LEGAL NOTICE

In the Circuit Court of Baldwin County, Alabama, In Equity.
Gottlieb Weil and Mary Weil, Complainants, Vs. The Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, Anna T. Marshall, Bruno Marshall, Anna Marshall, the unknown heirs of Anna Marshall, Carl F. Lang, Ernst B. Marshall, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon said Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, Respondents.

If having been made to appear in the above cause by the affidavit of Hubert M. Hall, Solicitor of Record and Agent of the Complainants in the above cause, that the Respondents to the Bill of Complaint in said cause are non-residents of the State of Alabama, a more particular address being unknown; that the Complainants, Gottlieb Weil and Mary Weil own said land, to-wit: The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, in fee, having acquired the same by conveyance from Frederick Bruckmann and Antonie Bruckmann, his wife, and that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama, the County in which said lands lie, in the names of Gottlieb Weil, Mary Weil, Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall, and that no person has paid taxes upon said lands during the past ten years other than the said Complainants, Gottlieb Weil and Mary Weil, and Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall, and that no one has had possession of said lands during the past ten years other than the said Gottlieb Weil and Mary Weil and those through whom they claim: Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall.

It is therefore ordered, and notice is hereby given; that said Respondents, Bruno Marshall, Anna T. Marshall, Anna Marshall, the unknown heirs of Anna Marshall, Carl F. Lang, Ernst B. Marshall and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon said Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, appear in this Court and plead, answer or demur to the Bill of Complaint in this cause filed on or before the 18th day of November, 1939, or on their having failed to do so at the expiration of thirty days from said date, a decree pro confesso be taken against them.

It is further ordered that the said Register of this Court have this order published in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks, and further that a copy of said notice, certified by the Register as being correct recorded as a Lis Pendens in the office of the Probate Judge of Baldwin County, Alabama.

In witness whereof, I, R. S. Duck, as Register, have hereunto set my hand and seal on this the 18th day of October, 1939.

R. S. DUCK, Register of Circuit Court of Baldwin County, Alabama.
By NAN ALICE THOMPSON, Deputy Register.
BEEBE, HALL & BEEBE, Solicitors. 38-4t

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

Gottlieb Weil and Mary Weil vs. certain lands

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

<i>October 19, 1939</i>	Vol. <u>50</u> No. <u>38</u>
<i>" 26, 1939</i>	Vol. <u>50</u> No. <u>39</u>
<i>November 2, 1939</i>	Vol. <u>50</u> No. <u>40</u>
<i>" 9, 1939</i>	Vol. <u>50</u> No. <u>41</u>

re the undersigned this 8 day of

1939

J. H. Faulkner
R. S. Duck

J. H. Faulkner
Publisher

GOTTLIEB WEIL and
MARY WEIL,

Complainants,

VS.

THE SOUTHWEST QUARTER
OF THE NORTHWEST QUARTER
OF THE NORTHEAST QUARTER
OF SECTION 30, TOWNSHIP
7 SOUTH, RANGE 5 EAST, IN
BALDWIN COUNTY, ALABAMA,
ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

The Complainant wishes to take, orally, the testimony on behalf
of the Complainants of the following named witnesses; Mary Weil and Hubert
M. Hall.

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

Dated this 26th day of December, 1939.

Beeler & Bue
G. H. Bue
Solicitors for Complainant.

GOTTLIEB WEIL and
MARY WEIL,

Complainants,

VS.

THE SOUTHWEST QUARTER OF
THE NORTHWEST QUARTER OF
THE NORTHEAST QUARTER OF
SECTION 30, TOWNSHIP 7
SOUTH, RANGE 5 EAST, IN BALD-
WIN COUNTY, ALABAMA, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Notice is hereby given that the Complainant will, on the 24th day of January, 1940, before Miss O'Byrne Jones, as Special Commissioner, take the testimony, orally, of the following witnesses on behalf of the Complainant; Mary Weil and Hubert M. Hall.

Dated this 26th day of December, 1939.

Beulah Jones
Hubert M. Hall
Solicitors for Complainant.

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GOTTLIEB WEIL and MARY WEIL,

Complainants,

VS.

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 5 EAST, IN BALDWIN COUNTY, ALABAMA; BRUNO MARSHALL, ANNA T. MARSHALL, ANNA MARSHALL, the UNKNOWN HEIRS OF ANNA MARSHALL; CARL F. LANG; ERNST B. MARSHALL; AND ANY OTHER PERSON, FIRM OR CORPORATION CLAIMING ANY RIGHT, TITLE TO, INTEREST IN OR ENCUMBRANCE UPON SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 5 EAST, IN BALDWIN COUNTY, ALABAMA,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

Comes your Complainants, GOTTLIEB WEIL and MARY WEIL, and present this their Bill of Complaint against that certain tract of land in Baldwin County, Alabama, described as follows; The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East, and against Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall, and against Anna Marshall, if she be living, or if she be dead, against her heirs and devisees, and against any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said land or any part thereof, respectfully represent and show unto your Honor and this Honorable Court as follows;

1. That your Complainants are over twenty-one years of age and residents of Elberta, in Baldwin County, Alabama; that they are the owners in fee simple of and in the actual possession of said lands in Baldwin County, Alabama, described as follows, to-wit; The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East.
2. That no suit is pending to test the Complainants' title to, interest in, or their rights to the possession of said land.
3. That the Complainants obtained title to said lands by purchase

from Frederick Bruckmann and Antonie Bruckmann, his wife, by deed dated August 4th, 1937, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 62 NS, page 473.

4. That the title to said land claimed by the Complainants stands upon the records in the Probate Court of Baldwin County, Alabama, in the names of Gottlieb Weil, Mary Weil, Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall.

5. That no one has, at any time within ten years next preceding the filing of this Bill of Complaint, paid any taxes upon said lands or any interest therein, other than your Complainants, Gottlieb Weil and Mary Weil; and Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall; that no one has had any possession of said land, or any part thereof, during said period, except your Complainants and those through whom they claim.

6. That the only persons known by your Complainants to claim said lands or any part thereof, or any interest therein, are: Gottlieb Weil and Mary Weil of Elberta, in Baldwin County, Alabama; Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall, all non-residents of the State of Alabama, and whose addresses are unknown; that a diligent search and inquiry has been made from residents in the vicinity of said land, the Post Master and Cashier, and residents of Elberta, in Baldwin County, Alabama, and the records at Bay Minette, the County Seat of Baldwin County, Alabama, to ascertain the present addresses of said parties, and whether or not Anna Marshall is living or dead, and if dead, the names, ages and addresses of her heirs, and they are unknown; that from such information obtainable all the Respondents are over twenty-one years of age and non-residents of the State of Alabama.

WHEREFORE, your Complainants pray that this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall and the unknown heirs of Anna Marshall, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon said lands, to-wit: The Southwest quarter of the Northwest quarter of the Northeast quarter of Section 30, Township 7 South, Range 5 East,

in Baldwin County, Alabama, or any part thereof, to be made party respondents to this Bill of Complaint, and by appropriate process require them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances to the said land and to each part thereof, is vested in your Complainants, as against Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall, Anna Marshall, the unknown heirs of Anna Marshall, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the said lands or any part thereof, and that all doubts and disputes concerning the same be cleared up. And your Complainants pray for such other, further, different or general relief as in equity and good conscience shall seem mete and proper.

Bruno Marshall
Solicitors for Complainants.

FOOT NOTE:

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

Bruno Marshall
Solicitors for Complainants.

STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

Before me, the undersigned authority, in and for said County, in said State, personally appeared HUBERT M. HALL, who is known to me, and who having been by me first duly sworn, deposes and says, that he is the Solicitor of record and agent of the Complainants, Gottlieb Weil and Mary Weil, in the above styled cause, and duly authorized by them to make this oath and that the facts stated in the foregoing bill of complaint upon knowledge are true and that he is informed as to the facts stated upon information and belief as there-

in stated and verily believes, and so states, that the same are true.

Hubert M Hall

Sworn to and subscribed before me
this 18th day of October, 1939.

O'Byrne Jones
Notary Public Baldwin County, Ala.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____, Term, 193__

GOTTLIEB WEIL and MARY WEIL, _____, Complainant..

Vs.

CERTAIN LANDS, B. MARSHALL, ET AL. _____ Defendant..

Motion is hereby made for a Decree Pro Confesso against $SW\frac{1}{4}$ of $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 30, ..
T7S, R5E, B. MARSHALL, 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 19th _____ day of December _____ 193 9..

Becher & Sons Becher
by *Becher* _____ Solicitor.

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

BALDWIN

County.

No.

Term, 19

GOTTLIEB WEIL AND MARY WEIL

Complainant.

vs.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 30, T7S, R5E, ET AL.

Defendant.

Personally appeared before me, R. S. DUCK

Register of said Court, J. H. Faulkner

who, being duly sworn by me, deposes and says that he is the publisher of the Baldwin Times

a newspaper published in

Baldwin

County, Alabama, and that the Order of Publication in a cause wherein

Gottlieb Weil and Mary Weil

Complainant

and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 30, T7S, R5E, ET AL.

Defendant.

was published for four consecutive weeks in said newspaper, commencing on the 19th day of

October

19 39

, and ending on the

9th

day of

November

19 39

J. H. Faulkner

Publisher.

Sworn to and subscribed before me, this 19th

day of

December

1939

R. S. Duck

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

GOTTLIEB WEIL and MARY WEIL _____, Complainant

Vs.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 30, T7S, R5E, ET AL. _____, Defendant

To R. S. DUCK _____, Register :

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

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

Beebe, Hall & Beebe

W. J. ...

Solicitor for Complainant.

GOTTLIEB WEIL and MARY WEIL

vs.

CERTAIN LANDS, B. MARSHALL, 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,
Testimony of Mary Weil and Hubert M. Hall; Request for taking of testimony
and notice of taking of testimony; Motion for Decree Pro Confesso; Request
for Decree in Vacation;

and in behalf of Defendant upon Decree Pro Confesso

R. S. Duch

Register.

RECORDED

No. 580

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

GOTTLIEB WEIL and MARY WEIL

vs.

CERTAIN LANDS, R. MARSHALL, ET AL.

NOTE OF TESTIMONY

Filed in Open Court this 27

day of January, 1940 ~~193~~

R. S. Dush

REGISTER

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The State of Alabama,

Baldwin County,

CIRCUIT COURT, IN EQUITY

GOTTLIEB WEIL and MARY WEIL

Vs.

CERTAIN LANDS, B. MARSHALL, ET AL.

REQUEST FOR DECREE IN VACATION

Filed January 27, 1940, 193

R. S. Durb

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Recorded in Record

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THE STATE OF ALABAMA,

Baldwin.....*County.*

CIRCUIT COURT, IN EQUITY.

GOTTLIEB WEIL and MARY WEIL.....

Complainant.....

vs.

CERTAIN LANDS, B. MARSHALL, ET AL.....

Defendant.....

*PUBLISHER'S CERTIFICATE OF
PUBLICATION.*

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State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

GOTTLIEB WEIL AND MARY WEIL,

Complainant

Vs.

CERTAIN LANDS, B. MARSHALL, ET AL.

Defendant

Motion for Decree Pro Confesso
On Publication.

Filed *January 12th* ~~1940~~, 19*40*

R.S. Duch

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RECORDED

NOTICE OF TAKING OF
TESTIMONY:

GOTTLIEB WEIL AND
MARY WEIL,

Complainants,

VS.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
SECTION 30, T7S, R5E,
IN BALDWIN COUNTY, ALA.,
ET AL.,

Respondents.

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

Filed January 22, 1940
R.S. Duch, Register

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

GOTTLIEB WEIL and MARY WEIL

Complainant s

VS.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 30,

T7S, R5E, in Baldwin County, Ala.,

ET AL.

Defendant

Commission To Take Deposition

COMMISSIONER:

O'Byrne Jones

Witnesses:

Mary Weil

Hubert M. Hall

RECORDED

FINAL DECREE:

GOTTLIEB WEIL and MARY
WEIL,

Complainants,

VS.

CERTAIN LANDS, BRUNO
MARSHALL, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed January 29, 1940
R. S. Duch, Register

RECORDED

No. _____ Page _____

**The State of Alabama,
Baldwin County.**

CIRCUIT COURT, IN EQUITY.

GOTTLIEB WEIL and MARY WEIL,

vs.

CERTAIN LANDS, B. MARSHALL, ET AL.

**DECREE PRO CONFESSO
OF PUBLICATION**

Issued *January 12* 19*10*

R. S. Duch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

State of Alabama Baldwin County

I, [Signature], a Notary Public
in and for said County and State, hereby certify that Frederick Bruckmann and Antonie Bruckmann, his wife 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 4th day of August A. D., 1937

My Commission Expires Oct. 11, 1939

[Signature]
Notary Public Baldwin County, Ala.

State of Alabama Baldwin County.

I, [Signature], a Notary Public
in and for said County and State, do hereby certify that on the 4th day of August 1937 came before me the within named Antonie Bruckmann known to me to be the wife of the within named Frederick Bruckmann who being examined separate and apart from her husband, touching her signature to the within conveyance acknowledged that she signed 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 hereunto set my hand and official seal this 4th day of August 1937

My Commission Expires Oct. 11, 1939

[Signature]
Notary Public Baldwin County, Ala.

State of Alabama _____ County.

I, _____
in and for said County and State, hereby certify that _____ subscribing witness to the foregoing conveyance, known to me appeared before me this day, and being sworn stated that _____ the grantor voluntarily executed the same in his presence, and in the presence of other subscribing witness on the day the same bears date; that he attested the same in the presence of the grantor _____ and of the other witness, and that such other witness subscribed his name as witness in his presence.

Given under my hand and seal this the _____ day of _____ 193 _____

Quit-Claim Deed

FROM

Frederick Bruckmann

3/5
TO 3/5

Gottlieb and Mary Weil

8/4/37

State of Alabama,

County.

OFFICE OF PROBATE.
I hereby certify that the within Deed was filed in this office for record on the _____ day of _____ A. D., 193 _____ at _____ and duly recorded in Book _____ and pages, page _____ and I certify that the same has been examined and is correct.

Judge of Probate.

Stacy BK Pollock
D50
R 15
1/25

THE BALDWIN TIMES

PUBLISHED WEEKLY BY THE BALDWIN TIMES COMPANY
AT THE BALDWIN TIMES BUILDING
BALDWIN, IOWA

By the Editor
J. M. ALB

ATTIDAVIT OF PUBLICATION

STATE OF IOWA
COUNTY OF BALDWIN

I, the undersigned, Clerk of the County of Baldwin, Iowa, do hereby certify that the within and foregoing is a true and correct copy of the original of the within and foregoing as the same appears on the files of the Clerk of the County of Baldwin, Iowa.

Witness my hand and seal of office this _____ day of _____, 19__.

Clerk of the County of Baldwin, Iowa

W. L. H.
05
Curtain Sandly

RECORDED

REQUEST FOR TAKING OF
TESTIMONY.

GOTTLIEB WEIL and
MARY WEIL,

Complainants,

vs.

SW $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
SECTION 30, T7S, R5E,
IN BALDWIN COUNTY, ALA.
ET AL.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY..

Filed January 22, 1940
R.S. Durr, Register

BILL OF COMPLAINT and
AFFIDAVIT.

GOTTLIEB WEIL and
MARY WEIL,

Complainants,

VS.

THE SOUTHWEST QUARTER
OF THE NORTHWEST QUAR-
TER OF THE NORTHEAST
QUARTER OF SECTION 30,
TOWNSHIP 7 SOUTH of
RANGE 5 EAST, ET AL.,

Respondents.

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

Filed October 18, 1939
R. S. DUCK

clerk - register

By *Samuel Thompson*
Deputy.

THE STATE OF ALABAMA }
Baldwin County }

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

GOTTLIEB WEIL and MARY WEIL _____ COMPLAINANT

VS.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, SEC. 30, T7S, R5E, ET AL. _____ RESPONDENT

I, O'Byrne Jones _____

as ~~Register and~~ Commissioner _____

have called and caused to come before me Mary Weil and Hubert M. Hall _____

witnesses named in the Requirement for Oral Examination, on the 24th day of January
19 40, at the office of Beebe, Hall & Beebe, _____

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

the whole truth, and nothing but the truth, the said Mary Weil _____

_____ doth depose and say as follows:

My name is Mary Weil. I am one of the Plaintiffs, in the case now pending in the Circuit Court of Baldwin County, Alabama, in Equity, styled Gottlieb Weil and Mary Weil, Complainants, vs. SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, et al., as Respondents. Gottlieb Weil is my husband. Gottlieb Weil and I are the owners of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 5 East, containing 10 acres, more or less, in Baldwin County, Alabama, having purchased the same from Frederick Bruckmann and Antonie Bruckmann, his wife, by deed dated August 4th, 1937, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 62 NS, page 473. The deed attached and marked Exhibit "A" is the original deed referred to.

Gottlieb Weil and I are both residents of Elberta, in Baldwin County, Alabama, and over twenty-one years of age. We are the owners in fee simple of, and in the actual possession of the land described herein, and are occupying the same as a home and homestead, and have so occupied it since we purchased it. There is no suit pending to test our title to, interest in or rights to the possession of said land. We have, since purchasing the said land, repaired the fences. We, sometime ago, employed Hubert M. Hall of the firm of Beebe, Hall & Beebe, to institute this proceeding to quiet title to the land and to make a search of the records of Baldwin County, Alabama, to ascertain the condition of the title, and it is found that the title to the lands stands upon the records in the Probate Court of Baldwin County, Alabama, in the names of Gottlieb Weil, Mary Weil, Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall. It is my understanding that Ernst B. Marshall and Bruno Marshall is one and the same person. Bruno Marshall and Anna T. Marshall, his wife, in 1930, conveyed the property to Carl F. Lang, however, for the reason that the deed was not properly acknowledged, both have been named as parties Defendant, and the same is applicable to Carl F. Lang, who conveyed the property, on June 9th, 1930; that during the past ten years preceding the filing of this Bill of Complaint no one has paid any taxes on said land other than the Complainants and those through whom they claim, and that no one has had any possession of said land or any part thereof, during said period, except the Complainants and those through whom they claim.

ORAL EXAMINATION

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

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

Given under my hand and seal, this 24th day of January, 19 40.

O'Byrne Jones
Commissioner

(L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

GOTTLIEB WELL AND MARY WELL

Complainant

Vs.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 30, T7S, R5E.

ET AL.

Respondent

ORAL DEPOSITION

Filed _____, 19 _____

_____, Register

RECORDED IN

_____, Record

Vol. _____ Page _____

_____, Register

I have lived in Elberta continuously since August, 1937, and am acquainted with the people there. I know that Bruno Marshall, Anna T. Marshall, Carl F. Lang, Ernst B. Marshall and Anna Marshall do not live in Elberta, or in Baldwin County, Alabama, but are non-residents of the State of Alabama, and their addresses are unknown; that I have made inquiries as to their present whereabouts from residents in the vicinity of said land, the Post Master in Elberta, and the Cashier of the Bank in Elberta, and caused a search to be made of the records at Bay Minette, the County Seat of Baldwin County, Alabama, to ascertain the present addresses of said parties, and whether or not Anna Marshall is living or dead, and if dead, the names, ages and addresses of her heirs, and they are unknown, but from all information obtainable all the Respondents are over twenty-one years of age and non-residents of the State of Alabama.

Mary Weil

HUBERT M. HALL, A WITNESS FOR THE COMPLAINANTS, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Hubert M. Hall. I live at Bay Minette, in Baldwin County, Alabama, and am one of the Solicitors of record for Gottlieb Weil and Mary Weil, Complainants, vs. SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 5 East, in Baldwin County, Alabama, et al; that as such Solicitor of record, I have made an examination of the records in the offices of the Tax Assessor, Tax Collector and Probate Judge of Baldwin County, Alabama, with reference to the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 5 East, Baldwin County, Alabama, and find that according to the records the title to said land is now vested in Gottlieb Weil and Mary Weil, his wife, by virtue of a Quit Claim Deed from Frederick Bruckmann and Antonie Bruckmann, his wife, dated August 4th, 1937, and of record in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 62 NS, page 473; that the said Frederick Bruckmann acquired title to said property by virtue of a State Tax Deed from the State Land Commissioner, dated June 24th, 1937, and of record in Deed Book 62 NS, page 449, said property having been sold in the name of B. Marshall, the owner of said land; that the said Bruno Marshall and Anna T. Marshall, his wife, acquired title to said lands by deed from Carl F. Lang, dated June 9th, 1930, and of record in Deed Book 50 NS, page 23, and that the said Carl F. Lang acquired said property by deed from Bruno Marshall and Anna T. Marshall, his wife, which deed is dated June 7th, 1930, and of record in Deed Book 49 NS, page 186, and that the said Ernst B. Marshall and Anna Marshall, husband and wife, acquired title by virtue of a deed from George F. Duerr and Jennie W. Duerr, dated November 15th, 1919, and of record in Deed Book 29 NS, page 60, and that the said George F. Duerr and Jennie Duerr acquired title from Baldwin County Colonization Company, by deed dated February 1st, 1911, and of record in Deed Book 24 NS, page 238; that according to the said records of Baldwin County, Alabama, there have been no other claimants to said property other than those above mentioned; that I have made inquiry from the records at the Court House in Baldwin County, Alabama, from the Post Master at Elberta, where the land is located, and also from the Cashier of the Elberta Bank as to the present addresses of the several defendants named in said bill of complaint, but that the addresses of same are unknown and cannot be ascertained after a diligent search, however, it has been learned that all, if living, are non-residents of the State of Alabama and over 21 years of age.

Hubert M. Hall

Statement

THE BALDWIN TIMES

BAY MINETTE, ALABAMA

12/8

193 2

Gen. R. S. Duck

City

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