

Lauda D. Leak
 Complainant
 -vs-
 B. L. Page, as Administrator
 of the Estate of Samuel Page,
 Deceased, et als,
 Respondents

In The Circuit Court Of
 Baldwin County, Alabama.
 In Equity. Number 496

ANSWER TO CROSS BILL

Now comes Lauda D. Leak and for answer to the Cross Bill filed against her herein by B. L. Page, administrator of the Estate of Samuel Page, Deceased says as follows:

1. She denies all the allegations of paragraph number 7 in said Cross Bill.
2. She denies all the allegations of paragraph number 8 of said Cross Bill.
3. She denies all the allegation of paragraph number 9 of said Cross Bill.
4. She admits that she was, has been and is now in the possession of the Southwest quarter of the Northwest quarter of the Southeast quarter and the Southeast quarter of the Northeast quarter of the Southwest quarter of Section 18, Township 2 South Range 3 East, Baldwin County, Alabama, but denies the other allegations of paragraph number 10.
5. She denies all the allegations of paragraph number 11 of said Cross Bill, and alledges that the statments contains therein are ^a mere conclusion of the pleader.
6. She denies the allegation of paragraph number 12 of said Cross Bill.

Having fully answered the said Cross Bill she, the said Lauda D. Leak prays to be dismissed with her reasonable costs in this behalf expended.

H E Smith
 Sol. for Lauda D. Leak

B. L. PAGE, as Administrator of
the Estate of Samuel Page, Deceased,
Plaintiff,

VS.

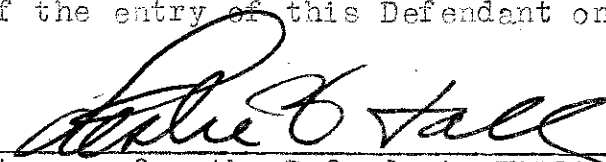
S. L. LEAK, LAUDA D. LEAK AND WILLIE
CHANDLER,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NUMBER _____.

PLEA OF DEFENDANT, WILLIE CHANDLER

Comes now the Defendant, Willie Chandler, and for answer
to the Complaint says:

1. That he is not guilty of the matters therein alleged.
2. That the Plaintiff is not entitled to the possession
of the property described in the Complaint.
3. That the allegations of the Complaint are untrue in
that the Plaintiff named therein was not in possession of the
property described in said Complaint at the time this Defendant
entered thereon.
4. That the possession of this Defendant is lawful.
5. That this Defendant is not liable to the Plaintiff in
any sum for the detention for the property described in the
Complaint.
6. That S. L. Leak and Lauda D. Leak were in possession
of the property described in the Complaint at the time this
Defendant entered thereon, and that the Plaintiff was not in
possession of said property at such time.
7. That this Defendant went into possession of said
property as the tenant of S. L. Leak and Lauda D. Leak, who were in
possession at the time of the entry of this Defendant on said
property.



 Attorney for the Defendant, Willie Chandler.

B. L. PAGE, AS ADMINISTRATOR
OF THE ESTATE OF SAMUEL PAGE,
Deceased,

Plaintiff,

VS.

S. L. LEAK, LAUDA D. LEAK AND
WILLIE CHANDLER,


Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER 496.

INTERROGATORIES TO BE PROPOUNDED TO S. L. LEAK, LAUDA
D. LEAK AND WILLIE CHANDLER, UNDER SECTION 7764 OF THE
1923 CODE OF ALABAMA.

1. Do you, or either of you claim any title to or interest in the land for which this suit is brought, namely: Southwest Quarter of Northwest Quarter of Southeast Quarter and Southeast Quarter of Northeast Quarter of Southwest Quarter of Section 18, Township 2 South, Range 3 East, Baldwin County, Alabama?
2. If your answer to the foregoing question is yes, which one of you claims any title to or interest in this property and from whom did you acquire the said title or interest?
3. Attach to your answers hereto a true and exact copy of any instrument or instruments whereby you acquired any title to or interest in the said lands or any part thereof?
4. Did you pay cash for the property or did you pay part cash and agree to pay the balance in deferred payments? If so, how much was paid in cash and how much was to be paid in deferred payments?
5. How much has been paid in cash and how much was due on the said property on the 18th day of October, 1932, and on July 1, 1939?
6. Who has been in possession of the said property since the 18th day of October, 1932?
7. Has any rent been paid for the said property since the 18th day of October, 1932? If you state that rent has been paid, who was this rent paid by and to whom was it paid?
8. Attach to your answers hereto a true and correct statement of all rentals paid since the 18th day of October, 1932, showing the dates and the amounts thereof?


Attorney for Plaintiff.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is the attorney for the Plaintiff in the above entitled cause and that the answers to the foregoing interrogatories, if well and truly made, will be material testimony for the Plaintiff in the said cause.

J. B. Blackburn

Sworn to and subscribed before me on
this the 1st day of July, 1939.

Ora Sierman

Notary Public, Baldwin County, Alabama.

I acknowledge receipt of a copy of
the foregoing interrogatories,
and waive any further notice
thereof, this 1st day of
July, 1939.

Robert Hall
Attorney for the defendants.

B. L. PAGE, as
Administrator of the Estate
of Samuel Page, Deceased,

Plaintiff,

VS.

S. L. LEAK, LAUDA D. LEAK AND
WILLIE CHANDLER,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NUMBER 496.


LIS PENDENS NOTICE.

KNOW ALL MEN BY THESE PRESENTS: That in a certain cause now pending in said Court on the law side thereof, B. L. Page, as Administrator of the Estate of Samuel Page, Deceased, as Plaintiff, is seeking to recover possession of the following described real estate situated in Baldwin County, Alabama, to-wit:

Southwest Quarter of Northwest Quarter of Southeast Quarter
and Southeast Quarter of Northeast Quarter of Southwest
Quarter of Section 18, Township 2 South Range 3 East,

from S. L. Leak, Lauda D. Leak and Willie Chandler, as Defendants.

The said suit affects the title to the above described real estate, and all persons are cautioned against attempting to acquire any right, title or interest therein, except subject to the rights of the Plaintiff.



Attorney for Plaintiff, B. L. Page, as
Administrator of the Estate of Samuel
Page, Deceased.

(original)

B. L. PAGE, as Administrator of
the Estate of Samuel Page, Deceased,
Plaintiff,

VS.

S. L. LEAK, LAUDA D. LEAK AND WILLIE
CHANDLER,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER _____.

PLEA OF DEFENDANT, LAUDA D. LEAK

Comes now the Defendant, Lauda D. Leak, and for answer
to the Complaint says:

1. That she is not guilty of the matters therein alleged.
2. That the Plaintiff is not entitled to the possession
of the property described in the Complaint.
3. That the allegations of the Complaint are untrue in
that the Plaintiff named therein was not in possession of the
property described in said Complaint at the time this Defendant
entered thereon.
4. That the possession of this Defendant is lawful.
5. That this Defendant is not liable to the Plaintiff
in any sum for the detention for the property described in the
Complaint.


Attorney for the Defendant, Lauda D. Leak.

B. L. PAGE, as Administrator of
the Estate of Samuel Page, Deceased,

Plaintiff,

VS.

S. L. LEAK, LAUDA D. LEAK AND WILLIE
CHANDLER,

Defendants.

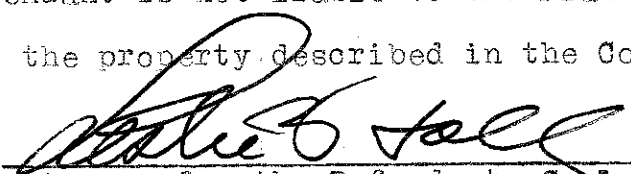
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER _____

PLEA OF DEFENDANT, S. L. LEAK

Comes now the Defendant, S. L. Leak, and for answer to
the Complaint says:

1. That he is not guilty of the matters therein alleged.
2. That the Plaintiff is not entitled to the possession
of the property described in the Complaint.
3. That the allegations of the Complaint are untrue in
that the Plaintiff named therein was not in possession of the
property described in said Complaint at the time this Defendant
entered thereon.
4. That the possession of this Defendant is lawful.
5. That this defendant is not liable to the Plaintiff in
any sum for detention for the property described in the Complaint.


Attorney for the Defendant, S. L. Leak.

LAUDA D. LEAK,

Complainant and Cross
Respondent,

VS.

B. L. PAGE, as Administrator
of the Estate of Samuel Page,
Deceased, et als,

Respondents and Cross
Complainants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 496.

NOTE OF TESTIMONY

This cause is submitted for Final Decree on behalf of the
Complainant and Cross Respondent upon the following:

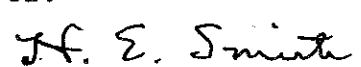
1. Original Bill of Complaint.
2. The Orders and Decrees heretofore rendered in this
cause.
3. Answer to Cross Bill.
4. Stipulation of Parties dated June 27, 1945.

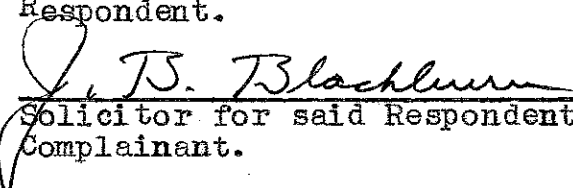
The cause is submitted for Final Decree on behalf of the
Respondent and Cross Complainant, B. L. Page, as Administrator of
the Estate of Samuel Page, Deceased, upon the following:

1. The Orders and Decrees heretofore rendered in this
cause.
2. Answer and Cross Bill.
3. Stipulation of Parties dated June 27, 1945.

Dated this 28th day of June, 1945.


Register.


Solicitor for Complainant and Cross
Respondent.


Solicitor for said Respondent and Cross
Complainant.

B. L. PAGE, as Administrator
of the Estate of SAMUEL PAGE,
Deceased,

Plaintiff,

vs.

S. L. LEAK, LAUDA D. LEAK, and
WILLIE CHANDLER,
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. No. 496.

ANSWERS TO INTERROGATORIES PROPOUNDED TO
DEFENDANT, WILLIE CHANDLER.

O

Now Comes WILLIE CHANDLER, one of the Defendants in the above-styled cause, and makes and files these answers to the Interrogatories propounded to him by the Plaintiff in said cause, under Section 7764 et sequenter of the Code of Alabama (1923), answering each Interrogatory by number as follows, to-wit:

1. I do not claim this land, except as tenant of S. L. Leak and his wife, Lauda D. Leak.
2. Mrs. Lauda D. Leak claims title to the land; and I am informed she acquired it from Samuel Page.
3. I have not acquired any title or interest in the land, except as tenant, and I do not have a written lease.
4. I pay rent each year out of the cotton raised.
5. I do not know anything about the purchase price.
6. I have been in possession of this property since October 18, 1932, as the tenant of the Leaks.
7. Yes. I paid the rent. It was paid to Mr. Leak for his wife.
8. I paid \$50.00 rental each year in the Fall, out of the cotton raised on the place, but I do not know the exact dates. It has not been paid for 1939.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Leslie Hall, a Notary Public in and for said County in said State, personally appeared WILLIE CHANDLER, who is known to me, and who, being first duly sworn, deposes and says:

That his answers given to the foregoing interrogatories are answered to the best of his ability and that they are truthfully answered in every particular.

Defendant.

Sworn to and subscribed Before me this _____ day of _____, 1939.

Notary Public, Baldwin County, Alabama.

(original)

At Law No. 1000000000

B. L. PAGE, As Administrator
of the Estate of Samuel Page,
Deceased,

Plaintiff,

vs.

S. L. LEAK, WILLIE CHANDLER,
ET AL.,
Defendants.

PLEA OF WILLIE CHANDLER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

Filed in Office this 27
day of February, 1939.

R. S. Dush, Clerk

By - Willie Thompson, Deputy

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Books of Deak

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B & Page, as above

Answers to Cross Risa

Filed

6-13-44

R. S. Duck

Pray -

INTERROGATORIES TO BE PROPOUNDED
TO S. I. LEAK, LAUDA D. LEAK AND
WILLIE CHANDLER, UNDER SECTION
7764 OF THE 1923 CODE OF ALABAMA.

B. L. PAGE, AS ADMINISTRATOR OF
THE ESTATE OF SAMUEL PAGE, De-
ceased,

Plaintiff,
VS.

S. I. LEAK, LAUDA D. LEAK AND
WILLIE CHANDLER,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NUMBER 496.

Filed July 1, 1939
R. S. Smith, Clerk
By - [Signature] Attorney

LITIGANDS NOTICE.

B. L. PAGE, As Administrator
of the Estate of Samuel Page,
Deceased,

Plaintiff,

VS.

S. L. LEAK, LAUDA D. LEAK AND
WILLIE CHANDLER,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER 496.

Filed on this the 17 day of
January, 1939.

State of Alabama, Probate Court
Baldwin County.

Filed in office this 17 day of Jan
1939 at 11:20 am duly recorded

2270 Book No. 139 at page 139

and I certify that \$ 1cts. 1 Mize tax. has
been paid as required by law.

W. R. Reddon
Judge of Probate

W. R. Reddon
W. R. S. D. Reddon
Dec. 25

13-3
67

RECORDED (original)
At Law No. _____

B. L. PAGE, AS Admini-
strator of Estate of
Samuel Page, Deceased,
Plaintiff,

vs.

S. L. LEAK, LAUDA D.
LEAK, et al.,

Defendants.

PLEA OF LAUDA D. LEAK

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Filed in Office this

27 day of February, 1939.

R. S. Burt, Clerk
By - Mollie Thompson,
Deputy.

RECORDED

(original)
At Law No. 436
RECORDED

B. L. PAGE, as Admini-
strator of the Estate of
Samuel Page, Deceased,
Plaintiff,

vs.

S. L. Leak et al.,
Defendants.

PLEA OF S. L. LEAK

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Filed in Office this

27 day of February, 1939.

N. S. Buckley Clerk
By Mallic Thompson
Deputy

RECORDED

NOTE OF TESTIMONY

LAUDA D. LEAK,

Complainant and Cross
Respondent,

VS.

B. L. PAGE, as Administrator
of the Estate of Samuel Page,
Deceased, et als,

Respondents and Cross
Complainants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 496.

Filed June 28. 1945.
R. L. Pyle

B. L. PACE, As Administrator
of Estate of Samuel Page,
Deceased, Plaintiff,

vs.

S. L. LEAK, LAUDA D. LEAK,
and WILLIE CHANDLER,
Defendants.

ANSWERS BY WILLIE CHANDLER to
INTERROGATORIES.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

Filed in office this _____
day of September, 1939.

Clerk,

by _____
As Deputy Clerk.

LAUDA D. LEAK,

Complainant and Cross
Respondent,

VS.

B. L. PAGE, as Administrator
of the Estate of Samuel Page,
Deceased, et als,

Respondents and Cross
Complainants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 496.

DECREE

This cause coming on to be heard on this date is submitted upon the original Bill of Complaint, Answer and Cross Bill, Answer to Cross Bill, the former orders and decrees of this Court and Stipulation and Agreement of the parties dated June 27, 1945, upon consideration of all of which it is thereupon ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The following is hereby established as a true copy of the deed from Samuel Page, a Widower, to Lauda D. Leak, dated June 9, 1923, which has not been recorded:

"STATE OF ALABAMA |
BALDWIN COUNTY |

KNOW ALL MEN BY THESE PRESENTS, That I Samuel Page, a widower, of Baldwin County, Alabama, for and in consideration of the sum of One Thousand, One Hundred and no/100 Dollars of which said sum of Three Hundred and no/100 Dollars has this day been paid in cash and the remainder has been paid as hereinafter stipulated; do grant, bargain sell and convey to Lauda D. Leak the following described real estate, situated in Baldwin County, Alabama, to-wit:

SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ containing 20 acres all in Sec. 18-2S-3E being in Baldwin County, State of Alabama, according to the official map of said County now of record in the office of the Judge of Probate of Baldwin County, Alabama.

To have and to hold the said Real Estate unto the said Lauda D. Leak, her heirs and assigns forever, and the said Sam'l Page, does covenant with the grantee for he is seized in fee simple of the said property, and has a good right to sell and convey the same, and that said premises are free from all encumbrances.

Now it is understood that Sam'l Page in order to secure the balance of the purchase price, which balance is Eight Hundred and No/100 Dollars that vendors lien is reserved upon real estate therein conveyed, evidenced by promissory notes of even date herewith, Eight of the said notes being for the sum of One Hundred Dollars, each of said notes bearing interest at the rate of 8% per annum. Interest on all notes payable annually.

Should the said Lauda D. Leak make default in the payments of either of said notes, then the said Sam'l Page may at his option declare all of the said notes due and payable, and in the event said Sam'l Page shall have the right to advertise the said property for fifteen days by giving notice in some newspaper published in Baldwin County, Alabama, and may after such notice sell the said property at public sale for cash and make deed to the purchaser and apply the proceeds of such sale to the payments of the costs and expense of advertising and selling said property; including a reasonable attorney's fee, next to the payments of the principal and interest of said indebtedness, and if there shall be a surplus, same to be paid over to Lauda D Leak at any sale made under the provisions of this instrument, said Sam'l Page may become a purchaser as if a stranger of this instrument.

Witness my hand and seal, this 9th day of January, 1923.

Samuel Page

(SEAL)"

2. The above described deed be and it is hereby reformed so that it describes and conveys the Southwest Quarter of Northwest Quarter of the Southeast Quarter and Southeast Quarter of Northeast Quarter of Southwest Quarter of Section 18, Township 2 South Range 3 East, in Baldwin County, Alabama.

3. Title of the Complainant and Cross Respondent, Lauda D. Leak, to the following described property in Baldwin County, Alabama,

Southwest Quarter of Northwest Quarter of Southeast Quarter and Southeast Quarter of Northeast Quarter of Southwest Quarter of Section 18, Township 2 South Range 3 East, in Baldwin County, Alabama,

is hereby quieted against the Respondents, B. L. Page, as Administrator of the Estate of Samuel Page, Deceased; F. B. Newton, Sudie P. Eubanks, Jack Page, John Page, Joe S. Page, Jr., Chester Page, Sybil Pa White, Bessie Pearl P. Pettis; Lula Page, Lula P. Lakehart, H. H. Page, Myrtel P. Jones, Lena P. Ray, Elodia P. Hilburn and Fannie Mae P. Hilburn, being the heirs and all of the heirs of Samuel Page, Deceased, who are hereby declared to be without title to, interest in, lien or encumbrance on the said lands or any part thereof and the said parties are each hereby permanently enjoined from attempting to enforce any title to, interest in, lien or encumbrance on the said lands or any part thereof.

4. The Complainant and Cross Respondent, Lauda D. Leak,

shall be entitled to all rentals due by Willie Chandler or the Farm Securities Administration on the above described property.

5. A certified copy of this Decree shall be filed by the Register of this Court for record in the office of the Probate Judge of Baldwin County, Alabama within thirty days from the rendition hereof and the costs of such recording is hereby taxed as a part of the costs of this proceeding.

6. The costs of this proceeding are hereby taxed as follows: One-half against the Complainant and Cross Respondent, Lauda D. Leak, and one-half against the Respondent and Cross Complainant, B. L. Page, As Administrator of the Estate of Samuel Page, Deceased.

ORDERED, ADJUDGED AND DECREED this 29th day of June, 1945.

G. W. Hare

Judge.

DECREE

LAUDA D. LEAK,

Complainant and Cross
Respondent,

VS.

B. L. PAGE, as Administrator
of the Estate of Samuel Page,
Deceased, et als,

Respondents and Cross
Complainants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 496.

Filed June 30 21 1945
J. B. Blackburn

J. B. BLACKBURN

ATTORNEY AT LAW

BAY MINETTE, ALABAMA

BAY MINETTE ALABAMA

ATTORNEY AT LAW

J. B. BLACKBURN

*Filed January 16, 1911
R. S. Black, Register*

IN EQUITY

BALDWIN COUNTY, ALABAMA

IN THE CIRCUIT COURT OF

Respondents

B. T. PAGE, et al,

VS.

Complainants

LAWDA D. LEAK, et al,

MOFFON

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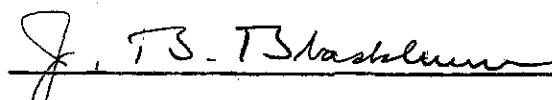
LAUDA D. LEAK, et al,
Complainants,
VS.
B. L. PAGE, et al,
Respondents.

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

Now comes B. L. Page, one of the Respondents named in the above entitled cause and shows unto the Court that this said cause was transferred to the Equity Side of this Court at the request of the said Lauda D. Leak on to-wit, the 14th day of September, 1939, and that even though a great amount of time has elapsed since the said cause was so transferred the Complainant has not exercised diligence in bringing into Court all of the Respondents named in her Bill of Complaint.

This Respondent further shows unto the Court that all or practically all of the said parties are non-residents of the State of Alabama and that they may be dispensed with as parties to this cause as provided by Chancery Rule Number 29.

WHEREFORE, this Respondent moves the Court to make and enter a proper order in this cause requiring the Complainant to proceed in it without making the other parties who are named as parties respondent parties thereto. This Respondent further moves the Court to grant unto him such other, further and general relief as he may be equitably entitled to the premises considered.


Attorney for Respondent, B. L. Page.

B. L. PAGE, As Administrator
of Estate of Samuel Page,
Deceased,
Plaintiff,

vs.

S. L. LEAK, LAUDA D. LEAK, and
WILLIE CHANDLER,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW No. 496

MOTION TO TRANSFER TO EQUITY SIDE, Under
Code (1923) Section 6490.

-o-

Comes Now LAUDA D. LEAK, one of the Defendants in the above-styled cause and presents this her Motion for the said Cause to be transferred to the Equity Side of the said Court, and alleging on oath the following facts, which state the substance of the equitable right or defense on which she intends to rely, to-wit:

1. That she is over the age of twenty one years and is a resident of Baldwin County, Alabama.
2. That the Plaintiff above named is a resident of Tuscaloosa County, Alabama, and is over the age of twenty one years.
3. That certain other persons, to-wit: the heirs-at-law of Samuel Page, deceased, should properly be joined as parties in litigation involving the lands described in the Declaration so that their interests, if any, may be finally adjudicated.
4. That the above named Plaintiff attempted, on the 18th day of October, 1932, to foreclose on the interests of the Defendants, and for that purpose executed a foreclosure deed to himself, which is recorded in the Records of Baldwin County, Alabama, Deed Book 53 N. S. pages 188-9. That said foreclosure deed did not correctly describe the property held by this Defendant. That the Plaintiff is now seeking to eject the Defendant on the basis of such foreclosure deed, whereas the property described in the Declaration and that described in the foreclosure deed is not the same. That the Plaintiff is now attempting to use a Court of Law to foreclose an alleged Vendor's Lien against the Defendant, whereas the Plaintiff should be required to resort to a Court of Equity for that purpose. That by using a Court of Law in order to oust the Defendant without a proper foreclosure, the Plaintiff is attempting to cut the Defendant off from her statutory right of redemption.

5. That this Defendant was in actual peaceable possession of the lands described in the Declaration, at the time said suit was filed; that she claims to own the same in her own right; that the Plaintiff is now disputing the title of this Defendant; that until this suit was filed, there was no suit pending to enforce or test the validity of such claim on the part of the Plaintiff; and that this Defendant desires to maintain a suit in Equity to settle the title to such lands, and to clear up all doubts or disputes concerning the same.

6. That the Defendant bought said lands under a Deed with Vendor's Lien, from Samuel Page, on January 9, 1923, and has since that time been in possession thereof; that there has never been a valid foreclosure of said Vendor's Lien; that the Plaintiff is attempting to gain possession of said Lands without a valid foreclosure of such Vendor's Lien; that such action on the part of the Plaintiff is taken without regard for equitable considerations and without regard for Defendant's statutory right of redemption in event of a valid foreclosure.

7. That in view of the equitable matters herein contained, this Defendant asks and prays that this Honorable Court will order the cause transferred to the Equity Side of this Court, where, this Defendant alleges, the rights of all parties concerned may be more properly adjudicated.

Sanda D. Leah
Defendant.

Sworn to and subscribed before me this 13th day of September, 1939.

Robert O. Hall
Notary Public, Baldwin County, Alabama.

Submitted by

Robert O. Hall
Attorney for the Defendants.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon S. L. Leak, Lauda D. Leak and Willie Chandler to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of B. L. Page, as Administrator of the Estate of Samuel Page, Deceased.

Witness my hand this 13th day of January, 1939.

R. S. DUCK, Clerk,

By Pauline Thompson
Deputy Clerk.

:: ::

B. L. PAGE, as Administrator of
the Estate of Samuel Page, Deceased,
Plaintiff,
VS.
S. L. LEAK, LAUDA D. LEAK AND WILLIE
CHANDLER,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NUMBER ____.

The Plaintiff sues to recover possession of the following tract of land:

Southwest Quarter of Northwest Quarter of Southeast
Quarter and Southeast Quarter of Northeast Quarter of
Southwest Quarter of Section 18, Township 2 South, Range
3 East, Baldwin County, Alabama,

of which he was in possession and upon which, pending such possession
and before the commencement of this suit, the Defendants entered and
unlawfully withhold, together with \$250.00 for the detention thereof.

J. B. Blackburn
Attorney for Plaintiff.

Plaintiff demands a trial of said
cause by jury.

J. B. Blackburn
Attorney for Plaintiff.

LAUDA D. LEAK,

Complainant and Cross
Respondent,

VS.

B. L. PAGE, As Administrator
of the Estate of Samuel Page,
Deceased, et als,

Respondents and Cross
Complainants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 496.

STIPULATION

IT IS STIPULATED AND AGREED by and between the Complainant and Cross Respondent, and the Respondent and Cross Complainant, B. L. Page, as Administrator of the Estate of Samuel Page, Deceased, as follows:

1. The Complainant and Cross Respondent admits the allegations of the Cross Bill filed in this cause by the Respondent and Cross Complainant.

2. The said Respondent and Cross Complainant agrees that the sum of One Thousand Dollars (\$1,000.00) is the approximate balance due for the property involved in this proceeding and agrees to accept this amount in settlement of this litigation. He consents and agrees that the Court render a decree in favor of the Complainant and Cross Respondent establishing a deed to the property, reforming it, quieting her title to the property involved in this suit, decreeing that any rentals now due on the property belong to her and taxing the costs one-half to the Complainant and Cross Respondent and one-half to the Respondent and Cross Complainant.

3. The parties amend their respective pleadings by striking Willie Chandler as a party to this suit.

Dated this 27th day of June, 1945.

H. E. Smith

Solicitor for Complainant and Cross
Respondent.

J. B. Blackburn

Solicitor for Respondent and Cross-Complainant, B. L. Page, as Administrator of the Estate of Samuel Page, Deceased.

LAUDA D. LEAK,
Complainant,
VS.
B. L. PAGE, et als,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 582.

DECREE

It being made to appear to the Court that the parties having interests in the real property which forms the basis of this suit are numerous and that they cannot, without manifest inconvenience and additional oppressive delay in the suit, be brought before the Court, and it being further made to appear to the Court that the interests of all parties respondent except Willie Chandler can be and should be adequately represented by B. L. Page, as Administrator of the Estate of Samuel Page, Deceased, IT IS THEREFORE Ordered, Adjudged and Decreed by the Court as follows:

That the Complainant, Lauda D. Leak be and she is hereby required to proceed in this suit without making B. F. Newton, Sudie P. Eubanks, Lula P. Lakehart, H. H. Page, Myrtel P. Jones, Jack Page, John Page, Joe S. Page, Jr., Chester Page, Lena P. Ray, Elodia P. Hilburn, Fannie Mae P. Hilburn, Sybil P. White, Bessie Pearl P. Pettis and Lula Page parties respondent and without service on them as provided by Chancery Rule Number 30.

Done in open Court on this the 30th day of Sept,

1941.

F. W. Hare

Judge.

B. L. PAGE, As Administrator of
Estate of Samuel Page, deceased,
Plaintiff,

vs.

S. L. LEAK, LAUDA D. LEAK, and
WILLIE CHANDLER,
Defendants.

MOTION FOR TRANSFER TO EQUITY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Filed in office this 23
day of September, 1939.

R. S. Dault
Clerk,

by Willie Chandler
As Deputy Clerk.

8-401

DEGREE.

LAUDA D. LEAK,

Complainant,

VS.

B. L. PAGE, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 582.

RECORDED

STIPULATION

LAUDA D. LEAK,

Complainant and Cross
Respondent,

VS.

B. I. PAGE, as Administrator
of the Estate of Samuel Page,
Deceased, et als,

Respondents and Cross
Complainants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 496.

*Filed June 28, 1945
B. I. Page
Respondent*

RECORDED

SUMMONS AND COMPLAINT.

Complaint on

S. L. Leak 1-14-39

Mrs. Lauda D. Leak 1-14-39

Willie Chandler 1-16-39

M. W. Adams Sheriff

By B. F. Kuehn Deputy Sheriff

B. L. PAGE,
As Administrator of the Estate of
Samuel Page, Deceased,

Plaintiff,

VS.

S. L. LEAK, LAUDA D. LEAK AND
WILLIE CHANDLER,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NUMBER _____.

Filed January 13, 1939
R. S. DUCK
clerk, - register

By Willie Chandler
Deputy

LAUDA D. LEAK,
Complainant,

vs.

B. L. PAGE, as Administrator
of Estate of Samuel Page,
Deceased,
B. L. PAGE,
and B. F. NEWTON,
SUDIE P. EUBANKS,
LULA P. LAKEHART,
H. H. PAGE,
MYRTEL P. JONES,
JACK PAGE,
JOHN PAGE,
JOE S. PAGE, JR.,
CHESTER PAGE,
LENA P. RAY,
ELODIA P. HILBURN,
FANNIE MAE P. HILBURN,
SYBIL P. WHITE,
BESSIE PEARL P. PETTIS,
LULA PAGE,
S. L. LEAK, and
WILLIE CHANDLER,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

No. _____

BILL OF COMPLAINT

Comes now LAUDA D. LEAK, the Complainant in the above-styled cause, and files this her Bill of Complaint against B. L. PAGE, as Administrator of the Estate of Samuel Page, Deceased, B. L. PAGE, B. F. NEWTON, SUDIE P. EUBANKS, LULA P. LAKEHART, H. H. PAGE, MYRTEL P. JONES, JACK PAGE, JOHN PAGE, JOE S. PAGE, JR., CHESTER PAGE, LENA P. RAY, ELODIA P. HILBURN, FANNIE MAE P. HILBURN, SYBIL P. WHITE, BESSIE PEARL P. PETTIS, LULA PAGE, S. L. LEAK, and WILLIE CHANDLER, Respondents, and shows unto Your Honor as follows:

One

That heretofore, on, to-wit: the 13th day of January, 1939, there was filed in the Circuit Court of Baldwin County, Alabama, Law Side, a suit styled "B. L. Page, as Administrator of the Estate of Samuel Page, Deceased, Plaintiff, vs. S. L. Leak, Lauda D. Leak, and Willie Chandler, Defendants", which suit was an action in the nature of an action in ejectment for the lands hereinafter described; that on the 13th day of September, 1939, one of the Defendants in said action, Lauda D. Leak, who is the Complainant in this Bill in Equity, filed a Motion to Transfer said

(page two)

cause to the Equity Side of the Docket; and that on ~~said date~~ ^{September 14, 1939}, this Honorable Court ordered said cause transferred to the Equity Side of the Docket by agreement; that Your Complainant files this, her Bill of Complaint, in accord with Section 6491 of the 1923 Code of Alabama, requiring her to become party Complainant upon the transfer of the cause to Equity;

Two

That Your Complainant, LAUDA D. LEAK, is a resident of Baldwin County, Alabama, and over the age of twenty one years;

Three

That the Complainant alleges that the Respondent, B. L. PAGE, as Administrator of the Estate of Samuel Page, is a resident of Tuscaloosa, Tuscaloosa County, Alabama; that the Respondent, B. L. PAGE is a resident of Tuscaloosa, Tuscaloosa County, Alabama; that the Respondents, B. F. NEWTON, SUDIE P. EUBANKS, JACK PAGE, JOHN PAGE, JOE S. PAGE, JR., CHESTER PAGE, SYBIL P. WHITE, BESSIE (PEARL P. PETTIS, LULA PAGE, S. L. LEAK, and WILLIE CHANDLER are all residents of Bay Minette, Baldwin County, Alabama; that the Respondent, LULA P. LAKEHART, and the Respondent, H. H. PAGE, are residents of Independence, Missouri; that the Respondent, MYRTEL P. JONES, is a resident of Okema, Oklahoma; that the Respondents, LENA P. RAY, ELODIA P. HILBURN, and FANNIE MAE P. HILBURN, are residents of Mobile, Mobile County, at 1161 Bay Avenue, 455 Marine Street, & 1159 Bay Avenue, respectively, Alabama; and that all of said Respondents are over the age of twenty one years;

Four

That Your Complainant, LAUDA D. LEAK, owns and is in the actual peaceable possession of the following described real estate situated in Baldwin County, Alabama, to-wit:

Southwest Quarter of Northwest Quarter of Southeast Quarter, and Southeast Quarter of Northeast Quarter of Southwest Quarter of Section 18, Township 2 South, Range 3 East;

claiming to own the same in her own right;

(page three)

Five

That the Respondents, B. L. PAGE, as Administrator of the Estate of Samuel Page, Deceased, B. L. PAGE, B. F. NEWTON, SUDIE P. EUBANKS, LULA P. LAKEHART, H. H. PAGE, MYRTEL P. JONES, JACK PAGE, JOHN PAGE, JOSE S. PAGE, JR., CHESTER PAGE, LENA P. RAY, ELODIA P. HILBURN, FANNIE MAE P. HILBURN, SYBIL P. WHITE, BESSIE PEARL P. PETTIS, and LULA PAGE unjustly claim or (are reputed to claim some title or interest in Your Complainant's property above described; that the nature and character of such claim or claims are unknown to Your Complainant; and that Your Complainant seeks to have such Respondents to show to this Honorable Court the nature and extent of their claim, claims, or title and to have the same adjudicated and determined by this Court;

Six

That there is no other suit pending to test the validity of such title or claim, or to enforce any lien or encumbrance on said property, the action in the nature of an action in ejectment, mentioned in paragraph One, being the same cause of action in which Your Complainant now files this her Bill in Equity;

Seven

That S. L. LEAK and WILLIE CHANDLER are joined as Proper Parties Respondent because of their respective positions as Parties Defendant before the transfer of this cause to Equity.

PRAYER FOR RELIEF

The Premises considered, your Complainant prays that Your Honor will require the Respondents, B. L. PAGE, As Administrator, of the Estate of Samuel Page, deceased, B. L. PAGE, B. F. NEWTON, SUDIE P. EUBANKS, LULA P. LAKEHART, H. H. PAGE, MYRTEL P. JONES, JACK PAGE, JOHN PAGE, JOE S. PAGE, JR., CHESTER PAGE, LENA P. RAY, ELODIA P. HILBURN, FANNIE MAE P. HILBURN, SYBIL P. WHITE, BESSIE PEARL P. PETTIS, and LULA PAGE, and each of them, to show the nature and extent and to set forth and specify their, his, or her title, claim, interest, or encumbrance, and how and by what instrument the same is or are derived or created, and

(page four)

to have it adjudicated and determined by this Court;

And Your Complainant prays that if it be adjudicated and determined that the Respondents have no valid or enforceable claim, title, interest, demand, or encumbrance as to or against the said described property of Your Complainant, that whatever document the Respondents or any one of them may have or hold, under or by which they or he wrongfully claims some title or interest in said property, may be cancelled as a cloud upon Your Complainant's title, and that they be forever barred from all claim to any estate, right, title, claim, or interest in said property or from whatever interest or title they, or any one of them, are claiming, which the Honorable Court finds and decrees to be unjust or without right;

And Your Complainant further prays that this Court will settle the title to such lands, and clear up all doubts and disputes concerning the same;

And if Your Complainant has mistaken the relief to which she is entitled, in the premises, then Your Complainant prays that she may have such other, further and proper relief to which she has shown herself entitled, and which may seem meet, just, and proper, in Equity, she hereby submitting herself to the jurisdiction of the Court, offering to do equity, and to abide by the Decrees of the Court;


PRAYER FOR PROCESS

Your Complainant also prays that Your Honor will grant to her all appropriate and legal process, and that the same be directed to the said B. L. PAGE, As Administrator of the Estate of Samuel Page, deceased, B. L. PAGE, both of Tuscaloosa, Tuscaloosa County, Alabama; to B. F. NEWTON, SUDIE P. HUBANKS, JACK PAGE, JOHN PAGE, JOE S. PAGE, JR., CHESTER PAGE, SYBIL P. WHITE, BESSIE PEARL P. PETTIS, LULA PAGE, S. L. LEAK and WILLIE CHANDLER, ALL of Bay Minette, Baldwin County, Alabama; and to LULA P. LAKEHART, and H. H. PAGE, both of Independence, Missouri; and to MYRTEL P. JONES, of Okema, Oklahoma; and to LENA P. RAY, ELODIA P. HILBURN, 1161 Bay Avenue, 455 Marine Street,

(page five)

1159 Bay Avenue,
and FANNIE MAE P. HILBURN, of Mobile, Mobile County, Alabama;
commanding them and each of them to personally appear before the
Honorable Court within the time required by law, and to then and
there answer fully and completely the several paragraphs of this
Bill of Complaint, from One to Seven, inclusive, and that they
and each of them be required to abide by and obey all orders and
decrees of this Court, which to Your Honor may seem meet, just,
and proper; and Your Complainant will ever pray.

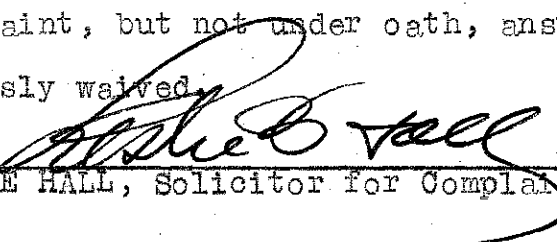
And that you cause publication to be made for
the time and in the manner required by law to the Respondents,
LULA P. LAKEHART and H. H. PAGE, both of Independence, Missouri,
and to MYRTEL P. JONES, of Okema, Oklahoma, commanding them and
each of them within the time specified and required by law and
by the order of publication to appear in this Court and to demur,
plead to, or answer the Bill of Complaint filed in this cause
against them, and to abide by and obey all orders and decrees of
this Court, which to your Honor may seem meet, just, and proper;
and Your Complainant will ever pray.



Leslie Hall, Solicitor for the Complainant.

FOOTNOTE

The Respondents, and each of them, are required
to answer Paragraphs One, Two, Three, Four, Five, Six, and Seven
of the foregoing Bill of Complaint, but not under oath, answer
under oath being hereby expressly waived.



LESLIE HALL, Solicitor for Complainant.

BILL OF COMPLAINT

RECORDED

LAUDA D. LEAK,
Complainant,

vs.

B. L. PAGE, as Administrator
of Estate of Samuel Page,
Deceased;

- B. L. PAGE,
 - B. F. NEWTON,
 - SUDIE P. EUBANKS,
 - LULA P. LAKEHART,
 - H. H. PAGE,
 - MYRTLE P. JONES,
 - JACK PAGE,
 - JOHN PAGE,
 - JOE S. PAGE, JR.,
 - CHESTER PAGE,
 - LENA P. RAY,
 - ELODIA P. HILBURN,
 - FANNIE MAE P. HILBURN,
 - SYBIL P. WHITE,
 - BESSIE PEARL P. PETTIS,
 - LULA PAGE,
 - S. L. LEAK, and
 - WILLIE CHANDEER,
- Respondents.

CIRCUIT COURT, BALDWIN CO., ALA.,
IN EQUITY.

Filed in office this 22

day of October, 1939.

R. S. Duck
Register,

by Pauline Thompson
as Deputy Register.

Received in Sheriff's Office
this 17 day of Nov, 1943
W. R. STUART, Sheriff

*Executed this the 17th
day of March 1943
led serving a copy
of the within Bill of
Complaint on
J. B. Blackum as
Atty for B. L. Page as
Administrator,*

*W. R. Stuart
Sheriff
J. P. H. D. S.
Atty.*

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Lauda D. Leak to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, and then and there demur, plead to or answer the Cross Bill of B. L. Page, as Administrator of the Estate of Samuel Page, Deceased.

Witness my hand this 27th day of September, 1943.

R. L. Leak

Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

*I hereby accept service of
the within answer & cross-bill.
This Sept. 27th, 1943*

*H. E. Smith
Solicitor for
Lauda D. Leak*

LAUDA D. LEAK,

VS.

B. L. PAGE, as Administrator
of the Estate of Samuel Page,
Deceased, et als,

Complainant,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 496.

ANSWER AND CROSS-BILL.

Now comes B. L. Page, as Administrator of the Estate of Samuel Page, Deceased, and for answer to the Bill of Complaint filed herein, says:

1. He admits the allegations of paragraphs numbered One and Two of the Bill of Complaint.
2. He admits that he is Administrator of the Estate of Samuel Page, Deceased, and that he is a resident of Tuscaloosa County, Alabama. This Respondent is not informed and therefore denies all of the other allegations of paragraph numbered Three of the Bill of Complaint.
3. This Respondent denies that the Complainant owns and that she is in the peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

The Southwest Quarter of the Northwest Quarter of the Southeast Quarter; Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section Eighteen (18), Township Two (2) South, Range Three (3) East, in Baldwin County, Alabama.
4. This Respondent admits that he, as Administrator of the Estate of Samuel Page, Deceased, claims title to the above described property and for further answer to paragraph numbered Five of the said Bill of Complaint says that the other Respondents named therein are heirs at law of Samuel Page, Deceased, but alleges that they have no interest in the said real property until the debts and claims filed against the estate of Samuel Page, Deceased, together with the fees and charges of administration, are paid, and further alleges that, by a decree heretofore rendered in this cause, the said

Complainant was required to proceed in this suit without making the said parties party respondent in this suit and without service on them.

5. This Respondent admits the allegations of paragraph numbered Six of the Bill of Complaint.

6. This Respondent denies each and all of the other allegations of the said Bill of Complaint which have not been specifically answered herein.

7. For further answer to the Bill of Complaint and for this, his Cross-Bill, this Respondent alleges that on, to-wit, January 9, 1923, Samuel Page, now deceased, owned the above described property and on the said date did make, execute and deliver to the Complainant, Lauda D. Leak, a deed with vendor's lien, which conveyed the Southeast Quarter of the Northwest Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section Eighteen (18), Township Two (2) South, Range Three (3) East in Baldwin County, Alabama, which said deed has not been recorded and which has been lost, in which a vendor's lien was reserved by the vendor to secure an indebtedness of Eight Hundred Dollars (\$800.00) with interest thereon, a true copy of the body of which is hereto attached, marked "Exhibit A", and by reference made a part hereof as though fully incorporated herein, which said copy was made before the said original instrument was lost. In the said deed, due to the mutual mistake of the parties and an error of the scrivener or the party who drafted it, it described the property mentioned in this paragraph when it should have described and conveyed the Southwest Quarter of the Northwest Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the said Section Eighteen (18), Township Two (2) South, Range Three (3) East.

8. The indebtedness described in and secured by the vendor's lien reserved in the said deed was not fully paid. The said vendee made default in payment of the annual installment due on Jan-

uary 1, 1931, at which time the unpaid principal balance amounted to Five Hundred Dollars (\$500.00). No principal or interest has been paid on the said indebtedness since January 1, 1931.

9. This Respondent on, to-wit, October 18, 1932, attempted to foreclose the lien reserved in the said deed and at the foreclosure sale held on the said date this Respondent purchased the property described in the said deed and a foreclosure deed was made to him, which said deed was dated October 18, 1932 and which is recorded in Deed Book Number 53 N. S. at pages 188-9, Baldwin County Records, a true copy of which is hereto attached, marked "Exhibit B", and by reference made a part hereof as though fully incorporated herein. The said foreclosure deed, due to the mistake of the party who drafted it, incorporated the same error as that contained in the deed from Samuel Page, Deceased, to Lauda D. Leak.

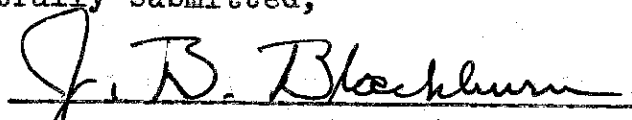
10. The Respondent, Lauda D. Leak, at the time the

these and copies of the administration of the said estate is not sufficient to pay the debts thereof and the said and have not been used for this purpose and the balance thereof and the said and copies of administration of the estate has not been taken because the debts of the estate of Samuel Page, Deceased, and owned no interest in the said property at the time the said deed was to the said complainant because the said husband, a wife herein per se in the said deed, conveyed no title to the said property

proceeding.

Respondent and Cross-Complainant prays for such other, further and general relief as he may be equitably entitled to, the premises considered.

Respectfully submitted,


Solicitor for Respondent and Cross-Complainant.

attorney's fee, next to the payment of the principal and interest of said indebtedness, and if there shall be a surplus, same to be paid over to Lauda D. Leak at any sale made under the provisions of this instrument, said Sam'l Page may become a purchaser as if a stranger of this instrument.

Witness my hand and seal, this 9th day of January, 1923.

Samuel Page (Seal)

"EXHIBIT B"

VENDOR'S LIEN FORECLOSURE DEED.

STATE OF ALABAMA

BALDWIN COUNTY

THIS INDENTURE, made and entered into on this the 18th day of October, 1932, by and between Lauda D. Leak, as Vendee by B. L. Page, Administrator of the estate of Samuel Page, deceased, as Auctioneer conducting the sale, hereinafter referred to as the party of the first part and B. L. Page, as Administrator of the estate of Samuel Page, deceased, hereinafter referred to as the party of the second part, WITNESSETH:

THAT WHEREAS, Samuel Page, a widower, did on the 9th day of January, 1923, make, execute and deliver to Lauda D. Leak that certain Vendor's Lien Deed dated January 9, 1923, which conveys the Southeast Quarter of the Northwest Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of the Southwest Quarter in Section 18 Township 2 South Range 3 East in Baldwin County, Alabama, which said deed has not been recorded and in which a Vendor's Lien was reserved by the said Vendor to secure an indebtedness of Eight Hundred Dollars (\$800.00), with interest thereon as evidenced by eight One Hundred Dollar (\$100.00) notes; and,

WHEREAS, it was provided for, by, in and as a part of the said Vendor's Lien that in the event of default in the payment of either of the said notes, the said Samuel Page may at his option declare all of the said notes due and payable and proceed to foreclose the said Vendor's Lien by giving fifteen (15) days notice in some newspaper published in Baldwin County, Alabama, and after having given such notice may sell the said property at public sale, for cash and make deed to the purchaser, and further that the Vendor named therein may purchase the property described in the said Vendor's Lien at such sale as if a stranger to the instrument; and,

WHEREAS, Samuel Page, the Vendor named in the said deed departed this life intestate on to-wit the 27th day of September 1931, and that B. L. Page was duly appointed by and qualified in the Probate Court of Baldwin County, Alabama, as Administrator of the estate of the said Samuel Page, deceased, on to-wit the 13th day of February, 1932; and,

WHEREAS, default was made in the payment at maturity of part of the indebtedness secured by the said Vendor's Lien and the said default continuing, the Administrator of the said Vendor proceeded to and did sell the said property at auction, for cash at the front door of the Court House in Bay Minette, Baldwin County, Alabama, the county where the land is situated at 12:00 o'clock noon on the 18th day of October, 1932, after having given notice thereof by publication once a week for four (4) consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, the said notice appearing in the issues of the said paper published on September 15, 1932; September 22, 1932; September 29, 1932 and October 6, 1932; and,

WHEREAS, at the sale so held B. L. Page, as Administrator of the estate of Samuel Page, deceased, became the purchaser of the said property at and for the sum of Six Hundred Sixty-seven and 22/100 Dollars (\$667.22) cash, that being the highest, best and

last bid for same; and,

WHEREAS, all of the above being in strict conformity and compliance with the terms, conditions and powers contained in the said Vendor's Lien,

NOW THEREFORE, in consideration of the premises and the sum of Six Hundred Sixty-seven and 22/100 Dollars (\$667.22) this day cash in hand paid to B. L. Page, as the Auctioneer conducting the sale the receipt whereof is hereby acknowledged, the party of the first part has and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said party of the second part, the following described property situated in Baldwin County, Alabama, to-wit:

The Southeast Quarter of the Northwest Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 18, Township 2 South of Range 3 East.

TO HAVE AND TO HOLD unto the said party of the second part, his heirs and assigns as fully and completely as the said party of the first part could or ought to convey the same under the terms and powers of the said Vendor's Lien and the statutes in such cases made and provided.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed by B. L. Page, Administrator of the estate of Samuel Page, deceased, as the Auctioneer conducting the sale on this the day and year first above written.

LAUDA D. LEAK (SEAL)
As Vendee.

By B. L. PAGE (SEAL)
Administrator of the estate of
Samuel Page, deceased, as Auctioneer conducting the sale.

WITNESSES:

P. S. PHILLIPS

MRS. M. E. BOXLEY

STATE OF ALABAMA

TUSCALOOSA COUNTY

I, Henry H. Hale, a Notary Public within and for said County in said State, hereby certify that B. L. Page, Administrator of the estate of Samuel Page, deceased, whose name as Auctioneer conducting the sale for the Vendee, Lauda D. Leak, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such Administrator of the estate of Samuel Page, deceased as Auctioneer conducting the sale for the Vendee, Lauda D. Leak, executed the same voluntarily on the day the same bears date.
Given under my hand and official seal on this the 24 day of October, 1932.

HENRY H. HALE,
Notary Public, Tuscaloosa County, Alabama.

Affix Seal.
(SEAL)

STATE OF ALABAMA,)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT. IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon B. L. Page, as administrator of the estate of Samuel Page, deceased, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in this Court against him, the said B. L. Page, as such administrator, by Lauda D. Leak.

HEREIN fail not and make due return as the law directs.

WITNESS my hand this the 13 day of March, 1943.



Register.

