S.L. PRICE VS.	THE STATE OF ALABAMA Baldwin County
BIRGER THORELL, FRANK B. SCHROEDER, and MARY 3. SCHROEDER This cause is submitted in behalf of Complainant Service by Publication, Decree Pro Cor H. J. Wilters and H. G. Wallin	IN EQUITY Circuit Court of Baldwin County upon the original Bill of Complaint, nfesso on Publication, Testimony of
	Vin.
nd in behalf of Defendant upon	

R.S. Duch

Register.

The State of Alabama,

CIRCUIT COURT. (Equity)

New Term, 194

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	ceiver or Trustee		Total Fees and Costs in Inferior Court		
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. 1					
. 1	Entering Returns Thereof, each				

70 TAX TOTOLLAND F. V. TANK,

NUMBER OF THE CIRCUIT COURSE OF PALEMENT COURSE, ALABAMA,

Comes S. L. Price and Immbly complaining against Rivgor Thorell, Frank
B. Schronier and Nazy J. Schrmier, respectfully shows unto your Nazor:

a resident of Baldwin County, Alebama; that Birger Thorell is over the age of twenty one years and a non-resident of the State of Alabama; that when last heard from he was a resident of Sweden, his particular post office address and place of residence being unknown to Complainant; that Frank B. Schroeder is a non-resident of the State of Alabama, that when last heard from he was a resident of Chicago, Illinois, his particular residence and post office address being unknown to this Complainant; that Kary J. Schroeder is over the age of twenty one years and a non-resident of the State of Alabama, that her last known address was Chicago, Illinois, her particular place of residence and post office address being unknown to this Complainant.

STOURD: That Completent is the owner of and is in the peaceable possession of the following described lend situated in the County of Maldvin and Shale of Alabama, to-wit:

Commencing at a post of the center of the cast line of Section fronty one.
Township Five South Rome Four Rest, these run Jorks Idliesing said Section
line L.O chains, these Sect 20 chains, themse South L.OO chains, these Past
20 chains to the place of Regiming, all in the Southmast Carter of the
Fortheast Carter of Section Twenty one foundation Five South Range Four asst.
Also the Southmast (parter of the Southmast Carter of Section Twenty one,
Township Five South, Range Four Rast, combaining Four five agree, age of
least Also the Southmast Carter of the Southmast Carter in Section Twenty
Eight, Descating Five South of Range Four East, all in Daldwin County, Alabama.

vitle, interest in, claim or encumbrance upon the said property or some part thereof, that there is no suit pending to enforce or test the validity of such title, claim or encumbrance and Complainant salis upon the said Defendants and each of them to set forth and specify his or her title, claim, interest in or emandence upon the said land or any part the roof and has and by what inchessors the same is created or derived.

THE STORE, this Complained over the the mid Dirgor Energi. Frank b. Schroeler and Mary J. Schroeler be made parties Defendant to this Bill and by proper process be required to plead, answer or demon to the case within the time and under the panalties prescribed by law and the prestice of this Removable Court.

Compisions forther may that upon the final hearing of this comes

the control of the bill of complete this limberable court will make and onter a force of the bill of the best bill before any part of the best of the

TO THE HONORABLE F. W. HARE.

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
IN EQUITY SITTING:

Comes S. L. Price and humbly complaining against Birger Thorell, Frank B. Schroeder and Mary J. Schroeder, respectfully shows unto your Honor:

FIRST: That your Complainant is over the age of twenty one years and a resident of Baldwin County, Alabama; that Birger Thorell is over the age of twenty one years and a non-resident of the State of Alabama; that when last heard from he was a resident of Sweden, his particular post office address and place of residence being unknown to Complainant; that Frank B. Schroeder is a non-resident of the State of Alabama, that when last heard from he was a resident of Chicago, Illinois, his particular residence and post office address being unknown to this Complainant; that Mary J. Schroeder is over the age of twenty one years and a non-resident of the State of Alabama, that her last known address was Chicago, Illinois, her particular place of residence and post office address being unknown to this Complainant.

SECOND: That Complainant is the owner of and is in the peaceable possession of the following described land situated in the County of Baldwin and State of Alabama, to-wit:

Commencing at a post at the center of the east line of Section Twenty one, Township Five South Range Four East, thence run North following said Section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning, all in the Southeast Quarter of the Northeast Quarter of Section Twenty one Township Five South Range Four east, Also the Northeast Quarter of the Southeast Quarter of Section Twenty one, Township Five South, Range Four East, containing Forty five acres, more or less; Also the Southeast Quarter of the Southeast Quarter in Section Twenty Eight, Township Five South of Range Four East, all in Baldwin County, Alabama.

THIRD: That the Defendant's claim or are reputed to claim some right, title, interest in, claim or encumbrance upon the said property or some part thereof, that there is no suit pending to enforce or test the validity of such title, claim or encumbrance and Complainant calls upon the said Defendants and each of them to set forth and specify his or her title, claim, interest in or encumbrance upon the said land or any part the reof and how and by what instrument the same is created or derived.

WHEREFORE, this Complainant prays that the said Birger Thorell, Frank B. Schroeder and Mary J. Schroeder be made parties Defendant to this Bill and by proper process be required 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.

Complainant further prays that upon the final hearing of this cause

AFFIDAVIT

STATE OF ALABAMA)
BALDWIN COUNTY)

Personally appeared before me Virginia E. Crenshaw, a Notary Public in and for said State and County, Orvis M. Brown, Attorney for S. L. Price, who upon oath deposes and says:

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

Sworn to and subscribed to before me a Notary Public whose seal is hereto affixed this <u>Sth</u>day of <u>November</u> 1939.

Virginia E. Crenchau NOVARY PUBLIC, BALDWIN COUNTY ALABAMA

SEAL.

THE STATE OF Baldwin Co	ALABAMA, CI		
Daldwin Co	No	Spring	, Term, 1 % 0_
	S. L. Price		, Complainant
	Vs.		
	Birger Thorell, Fran Mary Schroeder	k B. Schroeder and	Defendant S
Motion is hereby mad	e for a Decree Pro Confesso again	st Birger Thorell,	Frank B. Schroder
and Mary J. S	chroeder,		Defendant_g
in the annexed stated cause,	on the ground that more than the	rty days have elapsed sir	ice the perfection of
publication was made under	the order of this Court; and it h	aving 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	day of May	1980	·
		w /h. If	<u></u>
746 Code			Solicitor.

The State of Alabama,	CIRCUIT COURT, IN EQUITY.					
Baldwin County.	\ No	Spring	Term, 1920			
S. L. PRICE	·		Complainant.			
vs. BIRGER THORELL, FRANK B. SCHROEDER	and MARY J. SC	HROEDER	Defendant.§			
In this cause it appears to the Register						
cation heretofore made in this cause, was publ	ished for four cor	isecutive weeks, co	ommencing on the			
16 day of November,	19 3 1, in the	Baldrein	Dines			
a newspaper published in Baymuntter at the Court House door in Baldum	Alabama, tl	hat a copy of said	order was posted			
Nov. 193 7, and						
		• • • • • • • • • • • • • • • • • • • •				
And it now further appearing to the Re	egisterR. S.	. Duck	, that the said			
Birger Thorell, Frank B.						
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having to the date hereof failed to demur, plea	d to or answer th	e Bill of Complair	it in this cause, it			
is now, therefore, on motion of Complainant.	. , ordered and de	ecreed by the Reg	gister			
R. S. Duck that the Bill of Comp.	laint in this cause	be, and it hereby	is in all things			
taken as confessed against the said Birger			•			
Schroe						
	÷		÷ .			
This 18 day of M						
This 18 day of M	R. S.	Duch	Register			

THE STATE OF ALABAMA, Baldwin County

CIRCUIT COURT

TO	VIRGINIA E. CRENSHAW	The second secon	1
KNOW YE: That we, havi	ing full faith in your pruden	ce and competency, have app	ointed you Commis
sioner, and by these presents o	do authorize you, at such t	ime and place as you may ap	point, to call before
you and examine H. J. Wi	lters and H. G. Wallin		
		1	
,			
as witnesses in behalf of	Complainant	in a cause pe	ending in our Circuit
Court of Baldwin County, of sai	d State, wherein		
e de la constant de antigg de la constant de la con	a but, meren		
	S. L. Price		·
			— Complainant—
and Birger Thorell	, Frank B. Schroeder ar	nd Mary J. Schroeder	
			·
	·		
· .			Defendant,
on oath to be by you administer	them		· ·
to take and certify the deposition	a_s of the witnesses an	nd return the same to our C	ourt, with all Con-
venient speed, under your hand.			
Witness 18th	— day of — May	1940	
	·	7.5 Duch	
		1, 2, fluck	REGISTER
Commissioner's Fee \$ 5.00	· 		
Witness' Fees, \$,	•

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT OF BALDWIN COUNTY ALABAMA IN EQUITY

S. L. PRICE, Domplainant

-V 9-

BIRGER THORELL, FRANK B. SCHROEDER and MARY J. SCHROEDER,

Respondents

I, Virginia E. Crenshaw, as Register and Commissioner have called and caused to come before me H. J. Wilters and H. G. Wallin, witnesses named in the requirement for Oral Examination on the 20th day of May, 1940, at the office of Orvis M. Brown, in Robertsdale, Alabama, and having first sworn said witnesses to speak the truth, the whole truth, and nothing but the truth the said witnesses doth depose and say as follows:

Testimony of H. J. Wilters and H. G. Wallin which is hereto attached and made a part hereof, and herein inserted

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

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

Given under my hand, and seal this the 20th day of May, 1940.

Virgina & Orendrand.s.

My name is H. J. Wilters . I am over the age of twenty years and a resident of Robertsdale, Baldwin County, Alabama. I am personally acquainted with S. L. Price who is the Complainant in this cause of action and I knew Birger Thorell during the time that he was here at Robertsdale, Alabama and kno w of my own personal knowledge that he is not here now and has not been in five or six years to my knowledge. I know back in the Fall of 1939 I made an effort personally to get in touch with Birger Thorell and was unable to locate him but was advised at that time that he was in Sweden. I know of my own personal knowledge that Birger Thorell is over the age of twenty one years. Birger Thorell received the property described as "Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four East, thence run North following said section line 250 chains, thence west 20 chains thence South 2.50 chains, thence East 20 chains to the place of beginning. All in Southeast Quarter of Northeast Quarter of section Twenty-one, Township Five South of Range Four East. Also Northeast quarter of Southeast quarter of section Twenty one, Township Five South of Range Four East" by Warranty Deed from Eligia L. Dyess and Rosa Dyess which deed is dated May 11th, 1923 and which deed appears of record in the Probate Records of Baldwin County, Alabama in 34NS page 25-26. Birger Thorell sold this land to one Thomas L. Walace which deed appears of record in Deed Book 37 N.S. page 334 and which deed is dated September 24th, 1925. Thomas L. Wallace and Nora B. Walace, his wife, executed to Birger Thorell a real estate mortgage bearing date of September 26, 1925 which is recorded in Book 34 of mortgages page 220-221 covering this same property as above described and that Birger Thorell left this real estate mortgage with the Robertsdale State Bank of Robertsdale, Alabama for collection and that the Robertsdale State Bank received full payment of this mortgage and delivered the original mortgage and the notes secured by the said mortgage to Thomas L. Wallace and Nora B. Wallace, but Birger Thorell never did cancel this mortgage or record and the same still appears of record uncancelled. I had the original mortgage and the note in my possession and at this time it is in the possession of S. L. Price, the Complainant in this cause of action. And S. L. Price brought this cause of action to clear this cloud from his title it being impossible to reach Birger Thorell his being in Sweden, and due to the war in Europe he could not be reached for a release of this mort-Thomas L. Wallace and Nora B. Wallace, husband and wife, conveyed this property above described to S. L. Price and Lavida Catherine Price by General Warranty Deed dated September 14th, 1927 which deed is of record in the Probate Records of Baldwin County, Alabama in 44NS page 34-35 and that this S. L. Price is the same party who is Complainant in this cause of action, and that S. L. Price has been in possession of this property since September 14, 1927 and has paid the taxes on the same since that time continuously and an abstract sheet of the deeds above referred to are attached to my testimony and are referred to as Exhibits A, B, C and D. There is no suit pending to enforce or test the validity of the title of the Complainant to this land and the Complainant S.L. Price is in the actual, peaceable possession of this property at this time.

I also was acquainted with Frank B. Schroeder who was the owner of the property described as "Southeast Quarter of the Southeast Quarter, Section 28, Township 5 South of Rage 4 East, Baldwin County, Alabama, containing forty acres, more or less"and I know of my own personal knowledge that he is over the age of twenty one years and I also was acquainted with his wife Mary J. Schroeder and know of my own personal knowledge that she is over the age of twenty one years and that they were both non-residents of the State of Alabama and when last heard of were residents of Chicago, Illinois, their particular post office address being unknown. Frank B. and Mary J. Schroeder purchased the property described as "Southeast Quarter of the Southeast Quarter, Section 28. Township 5 South of Range 4 East"from the Southern Plantation Development Company by Warranty Deed dated September 6th, 1913 which deed is of record in the Probate Records of Baldwin County, Alabama in 21NS page 207-203. That during the year of 1928, namely, on May 28th, this property was sold to the State of Alabama for the non-payment of the 1927 taxes, in the name of Frank Schroeder, that on July 12, 1930 the State Auditor, S. L. Blan, of the State of Alabama, executed a Tax Deed to J. P. Cooper which deed appears of record in Deed Book 50 N.S. page 12 of the Probate Records of Baldwin County, Alabama conveying the property described as "Southeast Quarter of Southeast Quarter, Section 28, Township 5 South of Range 4 East; "that on the 21st day of August 19 39 J. P. Cooper and wife Maude Lee Cooper conveyed this property described as "Southeast Quarter of Southeast Quarter, Section 28, Township 5 South of Range 4 East" to S. L. Price which deed appears of record in Deed Book 70 page 552 of the Probate Records of Baldwin County, Alabama, that since the date of the purchase of this property by J. P. Cooper, namely July 12, 1930 he has remained in the actual, peaceable possession of this property until

the date of the sale to S. L. Price and since that time S. L. Price has remained in the actual peaceable possession of this property. There is no suit pending to test the rights of S. L. Price to this property and that J. P. Cooper paid the taxes on this property during the time that he owned the same and since that time S. L. Price has assessed and paid the taxes thereon.

Malten

My name is H.G.Wallin I am over the age of twenty years and a restdent of Robertsdale, Baldwin County, Alabama. I am personally acquainted with 5. L. Price who is the Complement in this cause of action and I knew Birger Thorell during the time that he was here at Reteriodale, Alabama and kno w of my own personal knowledge that he is not here now and has not been in five or six years to my knowledge. I know back in the Fall of 1959 I made an effort personally to get in touch with Birger Thoroll and was mable to locate him but was advised at that time that he was in Sweden. I know of my own personal knowledge that Birger Thorell is over the age of twenty one years. Birger Thorell received the property described as "Commencing at a post at the center of the East lim of Section Twenty-one, Township Five South of Range Four East thence run North following said section line 250 chains, thence west 20 chains thence South 2.50 chains, thence Bast 20 chains to the place of beginning. All In Southeast Cuarter of Northeast Cuarter of section Twenty-one, Township Five South of Range Four East. Also Northeast quarter of Southeast quarter of section Twenty one, Township Five South of Renge Four Rast" by Verrenty Deed from Eligia L. Dyons and Rosa Dyons which deed is dated May 11th, 1923 and which deed appears of record in the Probate Records of Baldwin County, Alabama in SANS page 25-26. Birger Thorell sold this land to one Thomas L. Wilace which deed appears of record in Deed Book 37 N.S. page 354 and which deed is dated September 24th, 1925. Thomas L. Wallace and Nora B. Walace, his vife, executed to Birger Th**orell** a real estate mortgage bearing date of September 26, 1925 which is recorded in Book 54 of mortgages page 220-221 covering this same property as above described and that Sixger Thoroll left this real estate mortgage with the Robertsdale State Bank of Robertsdale, Alabama for collection and that the Robertsdale State Bank received full payment of this mortgage and delivered the original mortgage and the notes secured by the said mertgage to Thomas L. Wallace and Nora B. Wallace, but Birger Thorell never did cancel this mortgage or record and the same still appears of record uncancelled. I had the original mortgage and the note in my possession and at this time it is in the possession of S. L. Price, the Complainant in this cause of action. And S. L. Price becaght this cause of action to clear this cloud from his title it being impossible to reach Birger Thoroll his being in Sweden, and due to the war in Europe he could not be reached for a release of this mortgage. Thomas L. Wallace and Nora B. Wallace, husband and wife, conveyed this property above described to S. L. Price and Lavida Catherine Price by Ceneral Warranty Deed dated September 14th, 1927 which deed is of record in the Probate Records of Reldwin County, Alabama in 44% page 54-35 and that this S. B. Price is the same party who is Complaiment in this cause of action, and that S. L. Price has been in possession of this property since September 14, 1927 and has paid the taxes on the same since that time continuously and an abstract sheet of the deeds above referred to are attached to my testimony and are referred to as Exhibits A, B, C and D. There is no suit pending to enforce or test the validity of the title of the Complainant to this lamb and the Complainant S.L. Price is in the actual peaceable possession of this property at this time.

I also was acquainted with Frank D. Schroeder who was the owner of the property described as "Southeast Quarter of the Southeast Quarter, Section 28, Pownship 5 South of Rage 4 Past, Baldwin County, Alabara, containing forty acres, more or less" and I know of my own personal knowledge that he is over the age of twenty one years and I also was acquainted with his wife Mary J. Schrooder and know of my own personal knowledge that she is over the age of twenty one years and that they were both non-residents of the State of Alabama and when last heard of were residents of Chicago, Illihols, their particular post office address being unknown. Frank B. and Mary J. Schroeder purchased the property described as "Southeast Guarter of the Southeast Guarter, Section 28, Township 5 South of Range 4 East"from the Southern Plantation Development Company by Varranty Deed dated September 6th, 1915 which deed is of record in the Fronte Records of Beldwin County, Alabama in 2103 page 207-208. That during the year of 1928, namely, on May 28th, this property was sold to the State of Alabam for the non-payment of the 1927 taxes, in the mass of Frank Schroeder, that on July 12, 1950 the State Auditor, S. L. Blan, of the State of Alabama, executed a Tax Deed to J. P. Cooper which deed appears of record in Deed Book 50 N.S. page 12 of the Probate Becords of Baldwin County, Alabama conveying the property described as "Southeast Quarter of Southeast Quarter, Section 28. Township 5 South of Range 4 Hast; "that on the 21st day of August 1939 J. P. Cooper and wife Maude Lee Cooper convoyed this property described as "Southeast Quarter of Southeast Quarter, Section 28, Township 5 South of Range 4 Rast" to S. L. Price which deed appears of record in Deed Book 70 mage 552 of the Promise Records of Baldwin County, Alabama, that since the date of the purchase of this property by J. P. Cooper, namely July 13, 1930 he has remained in the actual, peaceable possession of this property until

the date of the sale to S. L. Price and since that time S. L. Price has remained in the actual peaceable possession of this property. There is no mit pending to test the rights of S. L. Price to this property and that J. P. Cooper paid the taxes on this property during the time that he owned the same and stree that time S. L. Price has assessed and paid the taxes thereon.

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he State of Alabama BALDWIN COUNTY	
IN EQUITY ircuit Court of Baldwin County	
CONTRACTOR OF THE CONTRACTOR O	
S. L. PRICE	· .
VS.	1 - - -
BIRGER THORELL, FRANK B. SCHROEDEL	3
and MARY J. SCHROEDER	· · · · · · · · · · · · · · · · · · ·
	— `` •; ■ :
NOTE OF TESTIMONY	1
Filed in Open Court this 23	
day of	
REGISTE	R
MOCRE PRINTING CO., BAY MINETYH, ALA.	

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H. G. Wallin	H. J. Wilters	Witnesses:	virginia «. • rensnaw	i GO	Commission To Take Deposition	Defendant		BIRGER THORELL, et al.	VS.	S. L. PRICE Complainant	\$ 5	er e		CIRCUIT COURT .	Baldwin County	THE STATE OF ALABAMA	
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CIRCUIT C	COURT, IN EQUITY.
S. L. E	PRICE
	Complainant Vs.
BIRGER THOREI	L, FRANK B. SCHROEDER,
and MARY S. S	CHR OFFER Defendant
Motion for D On 1	Decree Pro Confesso Publication.
	18 1940, 193.
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Recorded in	Record,
ol, Pa	ige
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MOORE PRINTING CO., BAY MINETTE, ALA.

		day of 19 Register.	CERTIFICATE OF PUBLICATION, Filed in office this	RGEI	S. L. PRICE	BALDWIN County. CIRCUIT COURT, IN EQUITY.	No. THE STATE OF ALABAMA
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	New York						

	Kind of Conveyance WARRANTY DEED
ELIGIA L. DYESS and ROSA DYESS.	Any Reservation to Grantor
	Date of Conveyance <u>May 11th, 1923</u>
Husband and wife	Date of Acknowledgment <u>same date</u> Before Whom R. G. Pearson, N.P. Baldwin Co., Ala.
	Grantor Married or Single Married
	Separate Acknowledgment of Wife Yes
GRANTOR.	Before Whom same official
TO	Date of Filing for Record July 10th, 1923
10	Recorded in Deed Book No. 34NS Page 25-26
~ T-10 (1977) (1977) (1977) (1977)	Dower or Homestead Conveyed Properly
BIRGER THORELL	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
	Consideration \$1.00 & other Is it paid? Yes
	WITNESS
GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

"Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in Southeast quarter of Northeast quarter of section Twenty-one, Township Five South of Range Four East. ALSO Northeast quarter of Southeast quarter of section Twenty-one, Township Five South of range Four East"

	Kind of Conveyance DEED WITH WARRANTY
BIRGER THORELL, a single man	Any Reservation to Grantor
DITTOTHE THOUGHTS & PETITE NEWS	Date of Conveyance September 24th, 1925
	Date of Acknowledgment same date
	Before Whom R.G. Pearson, N.P. Baldwin Co., Ala.
	Grantor Married or Single Single
	Separate Acknowledgment of Wife -
GRANTOR,	Before Whom
mo (Date of Filing for Record October 20, 1925
OT	Recorded in Deed Book No. 37NS Page 334
	Dower or Homestead Conveyed Properly
THOMAS L. WALLACE	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
	Consideration \$10.00 & other Is it paid? Yes
	\
	WITNESS
	(
GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

"Commencing at a post at the center of the East line of Section Twenty one, Township Five South of Range Four East, thence run North following said section Line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning, all in the southeast Quarter of the Northeast Quarter (SE_4 of NE_4) of Section Twenty one Township Five South of Range Four East, Also the Northeast Quarter of the Southeast Quarter (NE_4 of SE_4) of Section Twenty one Township Five South of Range Four East, containing Forty five acres more or less

•		Kind of Conveyance REAL ESTATE MORTGAGE
THOMAS L. WALIACE and NO	TRA B	Any Reservation to Grantor
The state of the s	2.122 IS #	Date of Conveyance September 26, 1925
titat t acum		Date of Acknowledgment same date
WALLACE		Before Whom R.C. Pearson, N.P. Baldwin Co., Ala.
		Grantor Married or Single Married
A Company of the Comp	· · · · · · · · · · · · · · · · · · ·	Separate Acknowledgment of Wife Yes
	GRANTOR.	Before Whom same official
mo.		Date of Filing for Record October 20, 1925
TO	,	Recorded in Mortcage Book No. 34 Page 220-221
		Dower or Homestead Conveyed Properly
BIRGER THORELL		Is it Properly Indexed?
		Are Names of All Signers in Body of Conveyance?
÷	\	Consideration \$1700.00 Is it paid?
		1
		WITNESS
	GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

".... all That Real property described as commencing at a post at the center of the East line of Section Twenty one Township Five South Range Four East, thence run North following said Section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning, all in the Southeast Quarter of the Northeast Quarter (SET of NET) of Section Twenty one Township Five South Range Four East, Also the Northeast Quarter of the Southeast Quarter (NET of SET) of Section Twenty one Township Five South Range Four East, containing Forty five (45) acres, more or less in Baldwin County, State of Alabama"

Also certain personal property and chattels.

Consideration of \$1700.00 as evidenced by 11 notes of \$150.00 and 1 note of \$50.00 payable on July 1st each year commencing 1926, with 4 per cent per annum.

Contains provisions for foreclosure in case of default inany of the terms hereof.

NOT CANCELLED OF RECORD

	Kind of Conveyance GENERAL WARRANTY DEED
THOMAS L. WALLACE and NORA B.	Any Reservation to Grantor
THOMAS II. WALLDALIS SIII WILL D.	Date of Conveyance <u>September 14, 1927</u>
word on the second	Date of Acknowledgment same date
WALLACE, husband and wife	Before Whom Thomas Vonashek, N.P. Baldwin Co., Ala.
	Grantor Married or Single <u>Married</u>
	Separate Acknowledgment of Wife Yes
GRANTOR.	Before Whom same of ficial
TO	Date of Filing for Record September 29th, 1927
	Recorded in Deed Book No. 44NS Page 34-5
S. L. PRICE and LAVIDA CATHERINE	Dower or Homestead Conveyed Properly
D. B. INCOM AIN INVIEW ON HENTING	Is it Properly Indexed? —
	Are Names of All Signers in Body of Conveyance?
PRICE, husband and wife.	Consideration \$10.00 & other Is it paid? Yes
	WITNESS
GRANTEE	
	1

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

"Commencing at a post at the center of the East line of Section Twenty One Township Five South of Range Four East, thence run North following said section line 2.50 chains thence west 20 chains, thence South 2.50 chains thence East 20 chains to the place of beginning, all in the Southeast quarter of the Northeast quarter (SE of NET) of Section Twenty one Township Five South of Range Four East. Also the Northeast quarter of the South east quarter (NET of SE) of Section Twenty One, Township Five South of Range Four East, containing Forty Pive acres more or less..."

	Kind of Conveyance WARRANTY DEED
SOUTHERN PLANTATION DEVELOPMENT	Any Reservation to Grantor
DOOTHER FHARESTON DEVELORMENT	Date of Conveyance September 6th, 1913
	Date of Acknowledgment same date
COMPANY, By C. N. Souther, Presiden	Before Whom C.L.Keith, N.P. Cook Co. Ill.
	Grantor Married or Single Corporation
P. G. Baker, Secretary	Separate Acknowledgment of Wife
GRANTOR.	Before Whom
710	Date of Filing for Record September 15th, 1913
OT	Recorded in <u>Deed</u> Book No. <u>21NS</u> Page 207-8
	Dower or Homestead Conveyed Properly
FRANK B. & MARY J. SCHROEDER, his	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
wife.	Consideration \$1.00 Is it paid?
	L. M. Anderson
·	WITNESS & R. D. Wagoner
GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

"Farm Sixteen (16) being the South East One Quarter of the South East One Quarter (SE2 of SE1) of Section Twenty Eight (28) Township Five (5) South, Range Four (4) East, containing Forty (40) acres, more or less.."

		Kind of Conveyance TAX DEED
S. L. BLAN, State Auditor		Any Reservation to Grantor
		Date of Conveyance July 12, 1930
		Date of Acknowledgment <u>same date</u>
		Before Whom Langdon C. Parker N.P. Montgomery Co. Ab
		Grantor Married or Single
		Separate Acknowledgment of Wife
	GRANTOR.	Before Whom
		Date of Filing for Record July 18, 1930
TO		Recorded in Deed Book No. 50NS Page 12
		Dower or Homestead Conveyed Properly
J. P. COOPER	į	Is it Properly Indexed?
		Are Names of All Signers in Body of Conveyance?
	. /	25 Consider #36.00
		Consideration \$36.00 Is it paid?
		YYYYMAYYAGG)
	•	WITNESS
	GRANTEE	
DESC	'RTPTION	OF PROPERTY CONVEYED
51500	WAT TIVIT	OF TWOTINET CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

" That Whereas, on 16 day of April, A.D. 1928, the Probate Court
of Baldwin County rendered a decree for the sale of lands hereinafter described
and conveyed, for the payment of State and County taxes then due from Frank
Schroeder, the owner of said lands, and for the payment of the fees, costs and
expenses of and under said decree And Whereas, thereafter,
to-wit, on the 28 day of May, 1928 said lands were regularly offered
for sale by the Tax Collector And Whereas said lands having been
entered upon the books of this Department, and the Auditor and Treasurer of
this State, with the approval of the Governor, have fixed the price of said land.
and ascertained that the sum of Thirty-Six & no/100 (\$56.00) Dollars is sufficient
to cover and satisfy all claims of the State and County against said lands
AndWhereas, application has been made to the Auditor of the State by J. P. Cooper
to purchase said lands, and said sum of Thirty-Six & no/100 (\$36.00) Dollars
therefor has been paid into the State Treasurer Now Therefore, I
S. B. Blan, as Auditor of the State of Alabama have this day granted
bargained, soid, and conveyed, and by these presents do grant, bargain, sell and
convey unto the said J. P. Cooper, without warranty or covenant of any kind on the
part of the State, express or implied, all right and title of the State of Alabama,
in and to said lands, described as follows:
SNI of SNI Soction 28 Many obin by Dongs Am

SE of SE, Section 28, Township 5s, Range 4E

lying and being situate in said County and State, to have and to hold the same, the said right and title of state in the lands aforesaid unto J. P. Cooper . . .

THE BALD

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

NOTICE TO NON-RESIDENT

NOTICE TO NON-RESIDENT

The State of Alabama, Baldwin County. Circuit Court, in Equity. This the 13th day of November, 1939.

S. L. PRICE, Complainant, No. 587, VS. BIRGER THORELL, FRANK B. SCHROEDER and MARY J. Schroeder are non-residents of this Court by the affidavit of Orvis M. Brown, that the Defendants, Birger Thorell, Frank S. Schroeder and Mary J. Schroeder are non-residents of the State of Alabama; that a more particular place of residence and post office address is unknown to this affiant; and further, that, in the belief of said Affiant the Defendants are over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Birger Thorell, Frank B. Schroeder and Mary J. Schroeder to answer or demur to the Bill of Complaint in this cause by the 7th day of December, 1939, or after thirty days therefrom a decree 'Pro Confesso may be taken against them.

R. S. DUCK, Register. ORVIS M. BROWN, Solicitor for Complainant.

BAY MINETTE. ALA.

AFFIDAVIT OF PUBLICATION STATE OF ALABAMA. BALDWIN COUNTY. ence, 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 rich, Us - Buger Thoullete Was published in said Newspaper for consecutive weeks in the following issues: 16, 1939 Vol. 50 No. 42 Date of first publication 23, 1939 Vol. 50 No. 43 Date of third publication 1939 vol. 50 No. 44 7 1939 Vol. 50 No. 45 Date of fourth publication Subscribed and sworn before the undersigned this day of Publisher

DEOREE

S. L. PRICE,

Complainant,

-vs-

BIRGER THORELL, FRANK B. SCHROEDER, and MARY J. SCHROEDER.

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause is submitted on the original Bill of Complaint, Notice of Publication, Motion for Decree Pro Confesso, and Decree Pro Confesso against the Respondents named in the said Bill and the testimony of H. J. Wilters and H. G. Wallin; the pleadings and evidence in this case show that the land described as "Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four Mast, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in the Southeast Quarter of Northeast Quarter of Section Twenty-one, Township Five South of Range Four East. Also Northeast quarter of Southeast quarter of Section Twenty one, Township Five South of Range Four East", which said lands have been assessed by and the taxes paid by S. I. Price since 1927; and that S. L. Price and Lavida Catherine Price, husband and wife, received title to this property described as "Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence west 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in the Southeast Quarter of Northeast Quarter of Section Twenty one, Township Five South of Range Four East. Also Northeast quarter of Southeast quarter of Section Twenty one, Township Five South of Range Four East" by General Warranty Deed dated September 14, 1927 which deed is recorded in Deed Book 44NS page 34-35 in the Probate Records of Baldwin County, Alabama. Thomas L. Wallace received title to this property from Birger Thorell, a single man, by Deed With Warranty dated September 24,1925 which deed is recorded in Deed Book 37NS page 334 of the Probate Records of Baldwin County, Alabama. Birger Thorell, received title to this property by Warranty Deed dated May 11, 1923 from Eligia L. Dyess and Rosa Dyess which deed is recorded in Deed Book 34NS page 25-26 of the Probate Records of Baldwin County, Alabama: At the time Birger Thorell sold this property to Thomas L. Wallace, Thomas L. Wallace and Nora B. Wallace executed a Real

Estate Mortgage to Birger Thorell which mortgage was dated September 26th, 1925, filed for record in Book 34 Mortgages pages 280-221 of the Probate Records of Baldwin County, Alabama covering the property described as "all that Real property described as commencing at a post at the center of the East line of Section Twenty one Township Five South Range Four East, thence run North following said Section line 2.50 chains, thence west 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning, all in the Southeast Quarter of the Northeast Quarter (SE of NE) of Section Twenty one Township Five South Range Four East. Also the Northeast Quarter of the Southeast Quarter (NET of SET) of Section Twenty one Township Five South Range Four East, containing Forty five (45) acres, more or less in Baldwin County, State of Alabama". The evidence shows that Birger Thorell left this mortgage for collection with the Robertsdale State Bank of Robertsdale State Bank of Robertsdale, Alabama, that the mortgage was paid in full by Thomas L. Wallace and Nora B. Wallace and the original mortgage together with the balance of the notes were delivered to Thomas L. Wallace and Nora B. Wallace and Thomas L. Wallace and Nora B. Wallace when they conveyed this property to S. L. Price and Lavida Catherine Price on September 14, 1927 delivered to S. L. Price and wife the old original mortgage and the notes and S. L. Price has the old original mortgage and notes in his possession at this time and Birger Thorell did not cancel this mortgage on the records of the Probate Court of Baldwin County, Alabama and evidence shows that he is now in Sweden and due to the war in Europe cannot be reached to obtain cancellation of this mort age, and that S. L. Price and wife have been in actual possession of this property since September 14, 1927 claiming to own the same for more than thirteen years next prior to the filing of this Bill of Complaint in this suit; that the said Complainant having paid taxes for more than thirteen years and that no other person, firm or corporation has paid any taxes on the same during that period of time; that there is no suit pending to test Complainant's title to, interest in or right of possession of the said land, that the said property stands in the name of S. L. Price and Lavida Catherine Price to the property described as "Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in the Southeast Quarter of Northeast Quarter of Section Twenty one, Township Five South of Range Four East. Also

Mortheast quarter of Southeast quarter of Section Twenty-one, Township Five South of Range Four East".

That the pleadings and evidence in this case show that the land described as "Southeast Quarter of the Southeast Quarter, Section 28, Township 5 South of Range 4 East, Baldwin County, Alabama" which said lands have been assessed by and taxes paid on the same by J. P. Cooper since 1930, that J. P. Cooper received title to this property described as "Southeast Quarter of Southeast Quarter, Section 28, Township 5 South of Range 4 East, Baldwin County, Alabama, from S. L. Blan, State Auditor of the State of Alabama, by tax deed dated July 12, 1930 which said deed appears of record in Deed Book 50 N.S. page 12 of the Probate Records of Baldwin County, Alabama and further that Frank B. and Mary J. Schroeder received title to this property by Warranty Deed dated September 6, 1913 from Southern Plantation Development Company which said deed is recorded in Vol. 21NS page 207 of the Probe te Records of Baldwin County, Alabama, that this property sold in the name of Frank Schroeder to the State of Alabama on May 28, 1928 for the non payment of the 1927 taxes and that it remained in the State of Alabama until it was conveyed by S. L. Blan, State Auditor, to J. P. Cooper on July 12, 1930 and that J. P. Cooper has remained in the actual, peaceable possession of this property since that time and has assessed and paid taxes on this property since that date until the 21stday of August, 1939, on which date he conveyed this property by Statutory Warranty Deed to S.L. Price, and that S. L. Price has been in the actual, peaceable possession of to this date and this this property from the 21st day of August, 1939, deed from J. P. Cooper to S. L. Price is recorded in Volume 70 of Deed Records page 552 of the Probate Records of Baldwin County, Alabama. That the said Complainant, S. L. Price and J. P. Cooper under whom he claims have assessed and paid taxes on this property for more than ten years next preceding this date and that no other person, firm or corporation have paid any taxes on the same during that period of time; that there is no suit pending to test Complainant's title to, interest in or right of possession of the said land; that the said property stands in the name of S. L. Price to the property described as "Southeast Quarter of Southeast Quarter, Section 28, Township 5 South of Range 4 East, Baldwin County, Alabama."

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that the said Complainant, S. L. Price is the absolute owner of the following described property "Commencing at a post at the center of the East line of Section

Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in the Southeast Quarter of the Northeast Quarter of Section Twenty-one, Township Five South of Range Four East. Also Northeast Quarter of Southeast Quarter of Section Twenty one, Township Five South of Range Four East. And also the Southeast Quarter of Southeast Quarter of Section 28 Township 5 South of Range 4 East, Baldwin County, Alabama", all of which land is located in Baldwin County, Alabama, in fee in his own right, that no other person, firm or corporation has any interest, right and title, lien or encumbrance on said land. Liens or encumbrances on said land held by anyone other than the Complainant are hereby and herein declared null and void, and are decreed to be a cloud upon the title of Complainant and removed as such. It is further Ordered, Adjudged and Decreed that the Register of the Circuit Court of Baldwin County, Alabama, in Chancery, shall cancel of record that sertain mortgage executed by Thomas L. Wallace and Nora B. Wallace to Birger Thorell and dated September 26, 1925, filed for record October 20, 1925 and recorded in 34 Mortgages pages 220-221 of the Probate Records of Baldwin County, Alabama, it being declared a lien and a cloud upon the title of S. L. Price am as such is hereby declared null and void and ordered cancelled by the Register in Chancery of Baldwin County, Alabama. That a certified copy of this decree is to be filed in the Probate Office of Baldwin County, Alabama and recorded therein, and that is to be indexed on the records in the Office of the said Judge of Probate in the name of Birger Thorell as to the property described in the first paragraph hereof and in the reverse indexes in the name of S. L. Price; and as to the property described in the second paragraph of this Decree to be indexed in the Records of the office of the said Judge of Probate in the name of Frank B. Schroeder and Mary J. Schroeder and in the reverse indexes in the name of S. L. Price; and title stands in his name on the record.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs in this proceeding.

DATED this 2 H day of May, 1940.

Judge of the Twenty First Judicia. Circuit of Alabama.

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The State of Alabama Baldwin County. CIRCUIT COURT, IN EQUIT		
S. L. PRICE Vs.		
BIRGER THORELL, FRANK B. and MARY J. SCHROEDER	SCHROEDER	
REQUEST FOR DECRE VACATION	E IN	
Riled May 23, 1940 R. S. Durch R	egister.	
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Recorded in	Record	
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Circuit Cour	t of Ba	ldwin	County	
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	vs.			
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GILL MARKET				
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	S. L. P	RICE		
		Vs.	Compla	inant
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and M	ARY S. S	CHR ODDE		ndant
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H. G. Wallin	H. J. Wilters	Witnesses:	Virginia F. Crenshaw	COMMISSIONER:	Commission To Take Deposition	Defendant		BIRGER THORELL, et al.	VS.	Complainan	-1. ^{2.}			CIRCUIT COURT .	Baldwin Co	THE STATE OF ALABAMA	
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Witnesses: H. J. Wilters H. G. Wallin	Virginia R. Grenshaw	Commission To Take Deposi	VS. BIRGER THORELL, et al.	S. L. PRICE	Baldwin County CIRCUIT COURT	
		Deposition	al.		 ALABAMA unty)URT	

day of.... CERTIFICATE OF PUBLICATION. Filed in office this..... CIRCUIT COURT, IN EQUITY. + BALDWIN County. THE STATE OF ALABAMA, BIRGER THORELL, et al. S. L. PRICE N_0 vs.Register.

THE BALD

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PERYEAR IN ADVANCE ADVERTISING RATES GIVEN ON APPLICATION

NOTICE TO NON-RESIDENT

The State of Alabama, Baldwin County, Circuit Court, in Equity. This the 13th day of November, 1939.

S. L. PRICE, Complainant, No. 581, Vs. BIRGER THORELL, FRANK B. SCHROEDER and MARY J. SCHROEDER, Respondents.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Orvis M. Brown, that the Defendants, Birger Thorell, Frank S. Schroeder and Mary J. Schroeder are non-residents of the State of Alabama; that a more particular place of residents. schroeder and Mary J. Schroeder are non-residents of the State of Alabama; that a more particular place of residence and post office address is unknown to this affiant; and further, that, in the belief of said Affiant the Defendants are over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Birger, Thorell, Frank B. Schroeder and Mary J. Schroeder to answer or demur to the Bill of Complaint, in this cause by the 7th day of December, 1939, or after thirty days therefrom a decree 'Pro Confesso may be taken against them.'

R. S. DUCK, Register, ORVIS M. BROWN, Schicitor for Complainant.

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AFFIDAVIT OF PUBLICATION STATE OF ALABAMA. BALDWIN COUNTY. ent, 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 sice, Us - Bugy Thoullet Was published in said Newspaper for consecutive weeks in the following issues: 6, 1938 Vol. 50 No. 42 Date of first publication 23, 1739 Date of second publication vol. 50 No. 43 1939 Vol. 50 No. 44 Date of third publication 1939 Vol 50 No. 45 Date of fourth publication Subscribed and sworn before the undersigned this Publisher

	Kind of Conveyance WARRANTY DEED
ELIGIA L. DYESS and ROSA DYESS.	Any Reservation to Grantor
Consider the first state of the first state of the state	Date of Conveyance May 11th, 1923
	Date of Acknowledgment same date
Husband and wife	Before Whom R.G. Pearson, N. P. Baldwin Co., Ala.
	Grantor Married or Single Married
· · · · · · · · · · · · · · · · · · ·	Separate Acknowledgment of WifeYes
GRANTOR.	Before Whom same official
	Date of Filing for Record July 10th, 1923
TO	Recorded in Deed Book No. 34NS Page 25-26
	Dower or Homestead Conveyed Properly
BIRGER THORELL	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
	Consideration \$1.00 & other Is it paid? Yes
	WITNESS
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GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

"Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in Southeast quarter of Northeast quarter of section Twenty-one, Township Five South of Range Four East. ALSO Northeast quarter of Southeast quarter of section Twenty-one, Township Five South of range Four East"

	Kind of Conveyance DEED WITH WARRANTY
BIRGER THORELL, a single man	Any Reservation to Grantor
bilden indiam, a dingle had	Date of Conveyance September 24th, 1925
	Date of Acknowledgment same date
	Before Whom R.G. Pearson, N. P. Baldwin Co., Ala.
	Grantor Married or Single Single
	Separate Acknowledgment of Wife
GRANTOR.	Before Whom
mo /	Date of Filing for Record October 20, 1925
TO	Recorded in Deed Book No. 37NS Page 334
	Dower or Homestead Conveyed Properly
THOMAS L. WALLACE	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
	Consideration \$10.00 & other Is it paid? Yes
	WITNESS (
GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

·	Kind of Conveyance REAL ESTATE MORPGAGE
THOMAS L. WALIACE and NORA B.	Any Reservation to Grantor
INVERD D. WADIA ON GIRL PURK R.	Date of Conveyance September 26, 1925
WALLACE	Date of Acknowledgment same date
WALLACE	Before Whom R.G. Pearson, N.P. Baldwin Co., Ala.
	Grantor Matried or Single Married
	Separate Acknowledgment of Wife Yes
GRANTOR.	Before Whom same official
TO	Date of Filing for Record October 20, 1925
10,	Recorded in Mortgage Book No. 34 Page 220-22
	Dower or Homestead Conveyed Properly
BIRGER THORELL	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
	Consideration \$1700.00 Is it paid?
	WITNESS
GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

".... all That Real property described as commencing at a post at the center of the East line of Section Twenty one Township Five South Range Four East, thence run North following said Section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning, all in the Southeast Quarter of the Northeast Quarter (SEt of NEt) of Section Twenty one Township Five South Range Four East, Also the Northeast Quarter of the Southeast Quarter (NEt of SEt) of Section Twenty one Township Five South Range Four East, containing Forty five (45) acres, more or less in Baldwin County, State of Alabama "

Also certain personal property and chattels.

Consideration of \$1700.00 as evidenced by 11 notes of \$150.00 and 1 note of \$50.00 payable on July 1st each year commencing 1926, with 4 per cent per annum.

Contains provisions for foreclosure in case of default inany of the terms hereof.

NOT CANCELLED OF RECORD

ORVIS M. BROWN
ATTORNEY AT LAW
BALDWIN BUILDING
ROBERTSDALE, ALA.

<u>.</u>	Kind of Conveyance GENERAL WARRANTY DEED
HITOMEAC T 1888 T T 6 CO	Any Reservation to Grantor
THOMAS L. WALLACE and NORA B.	Date of Conveyance September 14, 1927
DOME A MARKET DE CHARGE SE AN	Date of Acknowledgment same date
WALLACE, husband and wife	Before Whom Thomas Vonashek, N.F. Baldwin Co., Ala.
	Grantor Married or Single <u>Married</u>
	Separate Acknowledgment of Wife Yes
GRANTOR,	Before Whom same official
TO	Date of Filing for Record September 29th, 1927
10	Recorded in Deed Book No. 44NS Page 34-5
S. L. PRICE and LAVIDA CATHERINE	Dower or Homestead Conveyed Properly
S. B. PAICE AND LAVIDA CATHERINE	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
PRICE, husband and wife.	Consideration \$10.00 & other Is it paid? Yes
	WITNESS
GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

"Commencing at a post at the center of the East line of Section Twenty One Township Five South of Range Four East, thence run North following said section line 2.50 chains thence west 20 chains thence South 2.50 chains thence East 20 chains to the place of beginning, all in the Southeast quarter of the Northeast quarter (SE of NE of Section Twenty one Township Five South of Range Four East. Also the Northeast quarter of the South east quarter (NE of SE) of Section Twenty One, Township Five South of Range Four East, containing Forty ive acres more or less..."

	Kind of Conveyance WARRANTY DEED
SOUTHERN PLANTATION DEVELOPMENT	Any Reservation to Grantor —
 DOOTH TOWN LINEALITY DESCRIPTION	Date of Conveyance September 6th, 1913
	Date of Acknowledgment same date
COMPANY, By C. N. Souther, President	Before Whom C.L.Keith N.P. Cook Co. Ill.
· •	Grantor Married or Single Corporation
 P. G. Baker, Secretary	Separate Acknowledgment of Wife
 GRANTOR.	Before Whom
то	Date of Filing for Record September 15th, 1913 Recorded in Deed Book No. 21NS Page 207-8
	Dower or Homestead Conveyed Properly
 FRANK B. & MARY J. SCHROEDER, his	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
wife.	Consideration \$1.00 Is it paid?
,	E. M. Anderson
	WITNESS \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
GRANTEE	

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

"Farm Sixteen (16) being the South East One Quarter of the South East One Quarter (SE of SE) of Section Twenty Eight (28) Township Five (5) South, Range Four (4) East, containing Forty (40) acres, more or less. "

	Kind of Conveyance TAX DEED
S. L. BLAN, State Auditor	Any Reservation to Grantor
	Date of Conveyance July 12, 1930
	Date of Acknowledgmentsame date
	_ / Before Whom Langdon C. Parker, N.P. Montgomery Co., Ale
	Grantor Married or Single
	Separate Acknowledgment of Wife
GRANTOR	
	Date of Filing for Record July 18, 1930
TO	Recorded in Deed Book No. 50NS Page 12
	Dower or Homestead Conveyed Properly
J. P. COOPER	Is it Properly Indexed?
	Are Names of All Signers in Body of Conveyance?
	Consideration \$\frac{36.00}{} Is it paid?
	WITNESS
GRANTE	E .
	E ON OF PROPERTY CONVEYED

DESCRIPTION OF PROPERTY CONVEYED

Give Description as in Deed and also Show any and all kinds of Reservations

" That Whereas, on 16 day of April. A.D. 1928, the Probate Court
of Baldwin County rendered a decree for the sale of lands hereinafter described
and conveyed, for the payment of State and County taxes then due from Frank
Schroeder, the owner of said lands, and for the payment of the fees, costs and
expenses of and under said decree And Whereas, thereafter,
to-wit, on the 28 day of May, 1928 said lands were regularly offered
for sale by the Tax Collector And Whereas said lands having been
entered upon the books of this Department, and the Auditor and Treasurer of
this State, with the approval of the Governor, have fixed the price of said land,
and ascertained that the sum of Thirty-Six & no/100 (\$36.00) Dollars is sufficient
to cover and satisfy all claims of the State and County against said lands
AndWhereas, application has been made to the Auditor of the State by J. P. Cooper
to purchase said lands, and said sum of Thirty-Six & no/100 (\$36.00) Dollars
therefor has been paid into the State Treasurer Now Therefore, I
S. L. Blan, as Auditor of the State of Alabama have this day granted,
bargained, sold, and conveyed, and by these presents do grant, bargain, sell and
convey unto the said J. P. Cooper, without warranty or covenant of any kind on the
part of the State, express or implied, all right and title of the State of Alabama,
in and to said lands, described as follows:

SE of SE, Section 28, Township 5s, Range 4E

lying and being situate in said County and State, to have and to hold the same, the said right and title of state in the lands aforesaid unto J. P. Cooper . . .

ORVIS M. BROWN
ATTORNEY AT LAW
BALDWIN BUILDING
ROBERTSDALE, ALA.

S. L. PRICE.

Complainant,

-vs-

BIRGER THORELL, FRANK B. SCHROEDER, and MARY J. SCHROEDER.

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause is submitted on the original Bill of Complaint, Notice of Publication, Motion for Decree Pro Confesso, and Decree Pro Confesso against the Respondents named in the said Bill and the testimony of H. J. Wilters and H. G. Wallin; the pleadings and evidence in this case show that the land described as "Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four Hast, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in & the Southeast Quarter of Northeast Quarter of Section Twenty-one, Township Five South of Range Four East. Also Northeast quarter of Southeast quarter of Section Twenty one, Township Five South of Range Four East", which said lands have been assessed by and the taxes paid by S. L. Price since 1927; and that S. L. Price and Lavida Catherine Price, husband and wife, received title to this property described as "Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence west 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in the Southeast Quarter of Northeast Quarter of Section Twenty one, Township Five South of Range Four East. Also Northeast quarter of Southeast quarter of Section Twenty one, Township Five South of Range Four East" by General Warranty Deed dated September 14, 1927 which deed is recorded in Deed Book 44MS page 34-35 in the Probate Records of Baldwin County, Alabama. Thomas L. Wallace received title to this property from Birger Thorell, a single man, by Deed With Warranty dated September 24,1925 which deed is recorded in Deed Book 37NS page 334 of the Probate Records of Baldwin County, Alabama. Birger Thorell, received title to this property by Warranty Deed dated May 11, 1923 from Eligia L. Dyess and Rosa Dyess which deed is recorded in Deed Book 34NS page 25-26 of the Probate Records of Baldwin County, Alabama. At the time Birger Thorell sold this property to Thomas L. Wallace, Thomas L. Wallace and Nora B. Wallace executed a Real

Estate Mortgage to Birger Thorell which mortgage was dated September 26th, 1925, filed for record in Book 34 Mortgages pages 220-221 of the Probate Records of Baldwin County, Alabama covering the property described as "all that Real property described as commencing at a post at the center of the East line of Section Twenty one Township Five South Range Four East, thence run North following said Section line 2.50 chains, thence west 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning, all in the Southeast Quarter of the Northeast Quarter (SE of NE) of Section Twenty one Township Five South Range Four East. Also the Northeast Quarter of the Southeast Quarter (NET of SET) of Section Twenty one Township Five South Range Four East, containing Forty five (45) acres, more or less in Baldwin County, State of Alabama". The evidence shows that Birger Thorell left this mortgage for collection with the Robertsdale State Bank of Robertsdale State Bank of Robertsdale, Alabama, that the mortgage was paid in full by Thomas L. Wallace and Nora B. Wallace and the original mortgage together with the balance of the notes were delivered to Thomas L. Wallace and Nora B. Wallace and Thomas L. Wallace and Nora B. Wallace when they conveyed this property to S. L. Price and Lavida Catherine Price on September 14, 1927 delivered to S. L. Price and wife the old original mortgage and the notes and S. L. Price has the old original mortgage and notes in his possession at this time and Birger Thorell did not cancel this mortgage on the records of the Probate Court of Baldwin County, Alabama and evidence shows that he is now in Sweden and due to the war in Europe cannot be reached to obtain cancellation of this mortgage, and that S. L. Price and wife have been in actual possession of this property since September 14, 1927 claiming to own the same for more than thirteen years next prior to the filing of this Bill of Complaint in this suit; that the said Complainant having paid taxes for more than thirteen years and that no other person, firm or corporation has paid any taxes on the same during that period of time; that there is no suit pending to test Complainant's title to, interest in or right of possession of the said land, that the said property stands in the name of S. L. Price and Lavida Catherine Price to the property described as "Commencing at a post at the center of the East line of Section Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in the Southeast Quarter of Northeast Quarter of Section Twenty one, Township Five South of Range Four East. Also

Mortheast quarter of Southeast quarter of Section Twenty-one, Township Five South of Range Four East".

That the pleadings and evidence in this case show that the land described as "Southeast Quarter of the Southeast Quarter, Section 28, Township 5 South of Range 4 East, Baldwin County, Alabama" which said lands have been assessed by and taxes paid on the same by J. P. Cooper since 1930, that J. P. Gooper received title to this property described as "Southeast Quarter of Southeast Quarter, Section 23, Township 5 South of Range 4 East, Baldwin County, Alabama, from S. L. Blan, State Auditor of the State of Alabama, by tax deed dated July 12, 1930 which said deed appears of record in Deed Book 50 N.S. page 12 of the Probate Records of Baldwin County, Alabama and further that Frank B. and Mary J. Schroeder received title to this property by Warranty Deed dated September 6, 1913 from Southern Plantation Development Company which said deed is recorded in Vol. 21MS page 207 of the Probate Records of Baldwin County, Alabama, that this property sold in the name of Frank Schroeder to the State of Alabama on May 28, 1928 for the non payment of the 1927 taxes and that it remained in the State of Alabama until it was conveyed by S. L. Blan, State Auditor, to J. P. Cooper on July 12, 1930 and that J. P. Cooper has remained in the actual, peaceable possession of this property since that time and has assessed and paid taxes on this property since that date until the 21stday of August, 1939, on which date he conveyed this property by Statutory Warranty Deed to S.L. Price, and that S. L. Price has been in the actual, peaceable possession of to this date and this this property from the 21st day of August, 1939, deed from J. P. Cooper to S. L. Frice is recorded in Volume 70 of Deed Records page 552 of the Probate Records of Baldwin County, Alabama. That the said Complainant, S. L. Price and J. P. Cooper under whom he claims have assessed and paid taxes on this property for more than ten years next preceding this date and that no other person, firm or corporation have paid any taxes on the same during that period of time; that there is no suit pending to test Complainant's title to, interest in or right of possession of the said land; that the said property stands in the name of S. L. Price to the property described as "Southeast Quarter of Southeast Quarter, Section 28, Township 5 South of Range 4 East, Baldwin County, Alabama."

IT IS THEREFORE, ORDERND, ADJUDGED AND DECREED, that the said Complainant, S. L. Price is the absolute owner of the following described property "Commencing at & post at the center of the East line of Section

Twenty-one, Township Five South of Range Four East, thence run North following said section line 2.50 chains, thence West 20 chains, thence South 2.50 chains, thence East 20 chains to the place of beginning. All in the Southeast Quarter of the Northeast Quarter of Section Twenty-one, Township Five South of Range Four East. Also Northeast Quarter of Southeast Quarter of Section Twenty one, Township Five South of Range Four East. And also the Southeast Quarter of Southeast Quarter of Section 28 Township 5 South of Range 4 East, Baldwin. County, Alabama", all of which land is located in Baldwin County, Alabama, in fee in his own right, that no other person, firm or corporation has any interest, right and title, lien or encumbrance on said land. Liens or encumbrances on said land held by anyone other than the Complainant are hereby and herein declared null and void, and are decreed to be a cloud upon the title of Complainant and removed as such. It is further Ordered, Adjudged and Decreed that the Register of the Circuit Court of Baldwin County, Alabama, in Chancery, shall cancel of record that sertain mortgage executed by Thomas L. Wallace and Nora B. Wallace to Birger Thorell and dated September 26, 1925, filed for record Actober 20, 1925 and recorded in 34 Hortgages pages 220-221 of the Probate Records of Baldwin County, Alabama, it being declared a lien and a cloud upon the title of S. L. Price and as such is hereby declared null and void and ordered cancelled by the Register in Chancery of Baldwin County, Alabama. That a certified copy of this decree is to be filed in the Probate Office of Baldwin County, Alabama and recorded therein, and that is to be indexed on the records in the Office of the said Judge of Probate in the name of Birger Thorell as to the property described in the first paragraph hereof and in the reverse indexes in the name of S. L. Price; and as to the property described in the second paragraph of this Decree to be indexed in the Records of the office of the said Judge of Probate in the name of Frank B. Schroeder and Mary J. Schroeder and in the reverse indexes in the name of S. L. Price; and title stands in his name on the record.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs in this proceeding.

DATED this 24 day of May, 1940.

Judge of the Twenty First Judicial

Circuit of Alabama.

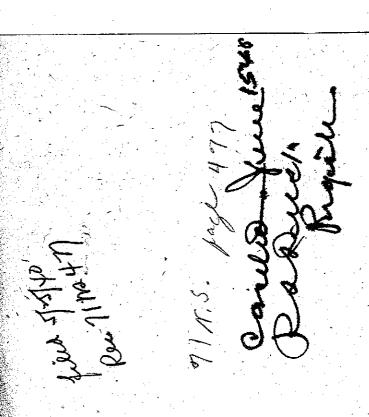
THE BALDWIN TIMES

BAY MINETTE, ALABAMA

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Hied October 27, 1939 R.S. Duch, Register

ORVIS M. BROWN
ATTORNEY AT LAW
ROBERTSDALE, ALA.