

BILL TO QUIET TITLE

GEORGE W. HOWES,

Complainant

-vs-

HANS ROSENOW, H. L. PEASE,
M. BELLE PEASE, and/or
their heirs and assigns,

Respondents

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

To the Honorable F. W. Hare, Judge of the Circuit Court of
Baldwin County, Alabama; In Equity Sitting:

Comes GEORGE W. HOWES and humbly complaining against Hans Rosenow,
H. L. Pease, M. Belle Pease and/ or their heirs and assigns and respectfully
show unto your Honor as follows:

FIRST: That your Complainant is over the age of twenty-one
years and a resident of Baldwin County, Alabama; that Hans Rosenow, H. L.
Pease and M. Belle Pease are over the age of twenty one years and all non-
residents of the State of Alabama; that when last heard of they resided at
Monroe County, New York and their particular post office address and places
of residence being unknown to your Complainant; that their whereabouts are
now unknown to your Complainant.

SECOND: That your Complainant is the owner of and is in the
peaceable possession of the following described lands situated in the County
of Baldwin and State of Alabama, to-wit: Northwest Quarter of the North-
west Quarter of Section Twenty one, Township Five South of Range Four east,
the same being forty acres more or less in Baldwin County, Alabama.

THIRD: That the Respondents claim or are reputed to claim some
right, title, interest in, claim or incumbrance 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 incumbrance and Complainant calls upon the
said Respondents and each of them to set forth and specify his or her title,
claim, interest in or incumbrance upon the said land or any part thereof and
how and by what instrument the same is created or derived.

WHEREFORE, the Complainant prays that the said Hans Rosenow,
H. L. Pease and M. Belle Pease be made parties respondent to this bill of
complaint 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 made by this bill of complaint that this Honorable Court will make and enter a decree quieting and establishing title to this property in favor of Complainant and decree that the said Respondents and neither of them have any right, title, interest in, claim or incumbrance upon and to the said land or any part thereof. Complainant prays for such other, further or different relief as in equity and good conscience he shall be entitled to receive.


Attorney for Complainant

FOOT NOTE: Respondents are required to answer each and every allegation contained in the foregoing bill of complaint, paragraphs numbering one to three inclusive but not under oath, oath being hereby expressly waived.


Attorney for Complainant.

610

BILL TO QUIET TITLE

GEORGE W. HOWES,)	
)	
Complainant)	
)	
-vs-)	IN THE CIRCUIT COURT OF
)	
HANS ROSENOW, H. L. PEASE,)	BALDWIN COUNTY, ALABAMA.
M. BELLE PEASE, and/or)	
their heirs and assigns,)	IN EQUITY.
)	
Respondents)	

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 Monroe County, New York and their particular post office address and places
 of residence being unknown to your Complainant; that their whereabouts are
 now unknown to your Complainant.

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 of Baldwin and State of Alabama, to-wit: Northwest Quarter of the North-
 west Quarter of Section Twenty one, Township Five South of Range Four east,
 the same being forty acres more or less in Baldwin County, Alabama.


THIRD: That the Respondents claim or are reputed to claim some
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 some part thereof, that there is no suit pending to enforce or test the
 validity of such title, claim or incumbrance and Complainant calls upon the
 said Respondents and each of them to set forth and specify his or her title,
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 how and by what instrument the same is created or derived.

WHEREFORE, the Complainant prays that the said Hans Rosenow,
 H. L. Pease and M. Belle Pease be made parties respondent to this bill of
 complaint 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 made by this bill of complaint that this Honorable Court will make and enter a decree quieting and establishing title to this property in this Complainant and decree that the said Respondents and neither of them have any right, title, interest in, claim or incumbrance upon and to the said land or any part thereof. Complainant prays for such other, further or different relief as in equity and good conscience he shall be entitled to receive.


Attorney for Complainant

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Attorney for Complainant.

D E C R E E

GEORGE W. HOWES,

Complainant

-vs-

HANS ROSENOW, H. L. PEASE,
M. BELLE PEASE and/or their
heirs and assigns,

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 Testimonies of George W. Howes and Dr. Mae Cooper; the pleadings and evidence in this case show that the land described as Northwest Quarter of the Northwest Quarter of Section 21, Township 5 South, Range 4 East, Baldwin County, Alabama, which said lands have been assessed by and the taxes paid by George W. Howes since 1932; and that George W. Howes received title to this property described as Northwest Quarter of the Northwest Quarter, Section 21, Township 5 South, Range 4 East, Baldwin County, Alabama from M. Belle Pease, a widow, by Quit Claim Deed dated January 15, 1932 which deed is recorded in Deed Book 53 N.S. page 252 in the Probate Records of Baldwin County, Alabama. M. Belle Pease received title to this property by Tax Deed dated July 12, 1919 executed by James M. Voltz, Judge of Probate of Baldwin County, Alabama which deed is recorded in Deed Book 28NS page 355 of the Probate Records of Baldwin County, Alabama. This property was sold under an assessment in which the said lands were returned for taxation by Hans Roseman for the year 1916 and on the 1st day of June, 1917 the Tax Certificate was sold to H. L. Pease who was the highest bidder and this Certificate was endorsed, transferred and assigned to M. Belle Pease and by the presentation of this Certificate the tax deed was issued in the name of M. Belle Pease to the land described as Northwest Quarter of the Northwest Quarter of Section 21, Township 5 South of Range 4 East, Baldwin County, Alabama; that according to the testimony presented herewith the correct name of the owner of this property was Hans Rosenow and that this was a typographical error and should have been Hans Rosenow on the tax sale records instead of Hans Roseman and according to Exhibit "A" which is a deed from the Southern Plantation Development Company appearing of record in Deed Book 8 N.S. page 14 of the Baldwin County Records the property described as Northwest Quarter of the Northwest Quarter, Section 21, Township 5 South of Range 4 East was conveyed by Southern Plantation Development Company to Hans Rosenow. This error in the spelling of the name of Rosenow is hereby corrected. And that the Complainant George W. Howes has been in possession of this land claiming to own the same for more than eight years next prior to the filing of this bill of complaint in this suit; that the said Complainant having paid the taxes for more than eight 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 the Complainant's title to, interest in, or right of possession of the said land; that the said property stands in the name of George W. Howes to the property described as Northwest Quarter of the Northwest Quarter, Section 21 Township 5 South of Range 4 East, Baldwin County, Alabama.

It is therefore, ORDERED, ADJUDGED and DECREED that the Complainant George W. Howes is the absolute owner of the following described property, to-wit: The Northwest Quarter of the Northwest Quarter, Section 21, 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, and that no other person, firm or corporation has any interest, right and title, lien or encumbrance on said land. Liens or incumbrances on said lands 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. That a certified copy of this decree is to be filed in the Probate Office of Baldwin County, Alabama and recorded therein, and that it is to be indexed on the records of the Office of the said Judge of Probate Court in the name of Hans Rosenow, H. L. Pease and M. Belle Pease and in the reverse indexes in the name of George W. Howes; and title stands in his name on record.

It is further ORDERED, ADJUDGED And DECREED that the Complainant pay the costs in this proceeding.

-Page Two-

Dated this 24th day of May, 1940.

W. H. Hare
Judge of the Twenty First Judicial
Court of Alabama.

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Term, 194

Boone
No. *610* vs.
Boonwe

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—		Summoning on Bill, Each Defendant.....	1.50
Docketing Cause, One fee only of.....	1.00	Executing Writ of Injunction, or Ne Exeat, each..	1.50
Issuing Summons on Bill, each.....	.50*	Executing Subpoenas for Witnesses, each.....	.65
Issuing Copies Thereof, each.....	.40	Executing Writs of Possession, each.....	5.00
Entering Return of Same, each.....	.15	Executing Scire Facias or Notice, each.....	1.50
Orders of Publication to Non-Residents, each.....	1.00*	Taking and Approving Bonds, each.....	1.00
Filing Bill or Other Paper, each.....	.10	Impaneling Jury.....	.75
Copies of Same, Per 100 Words.....	.15	Collecting Execution for Costs Only, each.....	1.50
Entering Appearances, each.....	.25*	Sheriff's Commissions.....	
Issuing Writs of Injunction, Ne Exeat, each.....	1.50		
Issuing Copies Thereof, each.....	.50		
Entering Return of Same, each.....	.15		
Decrees Pro Confesso, each.....	1.00*		
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each.....	.50		
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	.20		
Receiving and Filing Depositions, each pkg.,.....	.10		
Indorsing Depositions Published, each pkg.,.....	.10		
All Entries on Commission Docket, Each Cause.....	.50		
Entering Order Submitting Cases for Decree, each.....	.50		
Other Orders of Court, each.....	.25		
Noting Testimony on Hearing of Cause, each.....	.50		
Entering Decrees, of 500 Words or Less, each.....	.75		
Per 100 words over 500.....	.15		
Taking Accounts, etc., on Ref., per Day.....	3.00*		
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15		
Reference and Reports, each.....	2.00*		
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	.15		
Issuing Subpoenas for Witnesses, each.....	.25		
Issuing Witness Certificates, each.....	.25		
All Entries on Subpoena Docket, each Cause.....	.50		
Taking and Approving Bonds, each.....	1.00		
Making Complete Record, per 100 Words.....	.15		
Hearing, etc., Regarding Appointment of Receiver or Trustee.....	3.00		
Settlements with Receiver or Trustee, each.....	3.00		
Examining Vouchers in Settlements, each.....	.10		
Examining Answers on Exceptions, each Answer.....	3.00		
Removal Disabilities on Non-Age.....			
Commissions on Sales.....			
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales.....			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each.....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each.....	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
<i>Original copy of decree</i>	1.00		
Total Register's Fees	13.00		
		Total Sheriff's Fees	
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	13.00
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	
		Commissioner's Fees <i>V. E. Brundage</i>	5.00
		Guardian Ad Litem.....	
		Publisher's Fees <i>Baldwin Times</i>	19.20
		Solicitor's Fees.....	
		Court Reporter's Fees, Per Day or fraction thereof.....	5.00
		Trial Tax.....	3.00
		<i>Reading decree in Probate Court</i>	1.50
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court	41.70
		Total Fees and Costs	
		Judgment.....	
		Total Fees, Costs, and Judgment	

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA
IN EQUITY

GEORGE W. HOWES,
Complainant

vs

HANS ROSENOW, H. L. PEASE,
M. BELLE PEASE, and-or their
heirs and assigns,
Respondents

I, Virginia E. Crenshaw, as Register and Commissioner have called and caused to come before me Dr. Mae Cooper and George W. Howes witnesses named in the requirement for Oral Examination on the 18th 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 Dr. Mae Cooper and George W. Howes which is hereto attached and made a part hereof, and herein inserted.

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

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

Given under my hand, and seal this the 18th day of May 1940.

Virginia E. Crenshaw R.S.

TESTIMONY OF GEORGE W. HOWES

My name is George W. Howes. I am the Complainant in the cause of action which is a Bill to quiet title against Hans Rosenow, H. L. Pease, M. Belle Pease, pertaining to the land described as Northwest Quarter of the Northwest Quarter of Section 21 Township 5 South, Range 4 East in Baldwin County, Alabama. I am over the age of twenty one years, a resident of Baldwin County, Alabama and know of my own personal knowledge that Hans Rosenow, H. L. Pease and M. Belle Pease are all over the age of twenty one years and non-residents of the State of Alabama; when I last heard of any of these parties they resided in Monroe County, New York and their particular post office address and place of residence I do not know and I do not at this time where any of these parties are located.

I am the owner of and am in possession of and have been in the possession of the property situated in the County of Baldwin and State of Alabama described as, to-wit: Northwest Quarter of the Northwest Quarter of Section 21, Township 5 South of Range 4 East, containing forty acres more or less.

The Southern Plantation Development Company sold this land herein described to Hans Rosenow on November 12, 1904 which deed is recorded in Deed Book 8 N.S. page 14 of the Probate Records of Baldwin County, Alabama, an abstract sheet of which deed is hereto attached and marked Exhibit "A"; that on July 12, 1919 Judge of Probate of Baldwin County, Alabama, namely James M. Voltz, sold and conveyed the title to this property to M. Belle Pease for the non-payment of the taxes for the year of 1916 which was returned for taxation by Hans Rosenow and this tax deed appears of record in the Probate Court Records of Baldwin County, Alabama in Deed Book 28NS page 355 and further that at the time of the sale for the non-payment of taxes H. L. Pease purchased this tax certificate and he later transferred and assigned by endorsement to M. Belle Pease is how the title came to be executed to her.

In the tax deed herein referred to the deed recited that the land was returned for taxation by Hans Roseman. This was a typographical error and should have been Hans Rosenow which was the man's correct name, all to my personal knowledge. M. Belle Pease, a widow, conveyed this land to me by Quit Claim deed dated January 15, 1932 which deed is recorded in Deed Book 53NS page 262, an abstract sheet of which deed is hereto attached and marked exhibit "B". I have been in the actual, peaceable possession of this land since the time that I purchased the same from M. Belle Pease on January 15, 1932 and she had been in the possession of the same since she purchased the certificate on June 1, 1917 and no one at any time has been in possession of this property herein described other than those in possession for us. I have assessed and paid taxes on this property since 1932. Hans Rosenow always signed his name in full Hans Rosenow but often times the way it was signed it was hard to distinguish if he signed Roseman or Rosenow and often times his name has been mistaken for Roseman but it is correct as Rosenow as I have known him during the time he owned the property and before he returned to the State of New York and know that this is correct. Hans Rosenow knew that his property was sold for the non-payment of taxes in 1917 but he did not feel that it was worth while to redeem this property or to continue to pay taxes on the same.

George W. Howes
George W. Howes

TESTIMONY OF

My name is Dr. Mae Cooper . I am over the age of twenty one years and a resident of Robertsedale, Baldwin County, Alabama and have been practically all my life. I knew Hans Rosenow and I know that often times he signed his name and it was hard to distinguish if he signed Rosenow or Roseman and often times it was taken for Roseman but it is correctly Hans Rosenow. I do not know the whereabouts of Hans Rosenow or H. L. Pease or M. Belle Pease as the last time I knew of these parties they had all returned to the State of New York their address with which I am not familiar. Hans Rosenow bought the property described as Northwest Quarter of the Northwest Quarter, Section 21 Township 5 South, Range 4 East from Southern Plantation Development Company during the year 1904 and he owned this property until June 1st, 1917 at which time it was sold for the non-payment of taxes by James M. Voltz, Judge of Probate of Baldwin County, Alabama to H. L. Pease and H. L. Pease assigned and endorsed and transferred this certificate to M. Belle Pease and on July 12, 1919 she received the deed from James M. Voltz, Judge of Probate of Baldwin County, Alabama to the property described as Northwest Quarter of the Northwest Quarter of Section 21, Township 5 South, Range 4 East and she Quit Claimed this property to George W. Howes in January of 1932 and he has remained in possession of the same continuously since that time and no one other than George W. Howes and those under whom he claims has been in possession of this property during that period of time. George W. Howes has paid the taxes on this property since 1932 and claiming to own the same. There is no suit pending to contest the title of George W. Howes to this property to my personal knowledge. Hans Rosenow knew that his property was sole for the non-payment of taxes in 1917 but he did not feel that the property was worth the continuing of payment of taxes and he decided to drop the same. I know of my own personal knowledge that all the parties hereto, namely, Hans Rosenow, H. L. Pease, M. Belle Pease, and George W. Howes are all over the age of twenty one years.

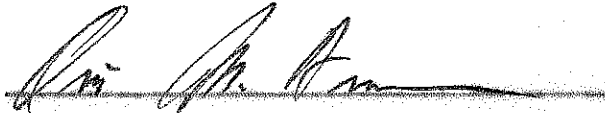
Dr. Mae Cooper

AFFIDAVIT

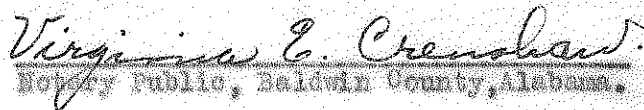
STATE OF ALABAMA)
BALDWIN COUNTY)

Personally appeared before me Virginia E. Crenshaw, a Notary Public in and for said State and County, Orvis M. Brown, Attorney for George W. Howes 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 25th day of January, 1949.


Notary Public, Baldwin County, Alabama.

THE STATE OF ALABAMA,
Baldwin County



CIRCUIT COURT

TO VIRGINIA E. CRENSHAW

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

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

Complainant and HANS ROSENOW, et al.

Defendant, on oath to be by you administered, upon them

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

Witness 17 day of May, 19 40.

R. S. Kurch

REGISTER

Commissioner's Fee \$5.00

Witness' Fees, \$

The State of Alabama, }
Baldwin County

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

GEORGE W. HOWES

Complainant

vs.

HANS ROSENOW, ET AL.

Defendant.s

The Complainant, George W. Howes

requests the oral examination of the following named witnesses, on behalf of the

Complainant

viz:

George W. Howes and

said witnesses reside in the County of Baldwin

State of Alabama.

Virginia E. Crenshaw

who resides at

Robertsdale, Alabama.

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


Solicitor for Complainant

GEORGE W. HOWES,)	
)	
Complainant)	
)	
-vs-)	IN THE CIRCUIT COURT OF
)	
HANS ROSENOW, H. L. PEASE,)	BALDWIN COUNTY, ALABAMA.
M. BELLE PEASE, and/or)	
their heirs and assigns,)	IN EQUITY.
)	
Respondents)	
)	
)	

It having been made to appear in the above cause from the Affidavit of Orvis M. Brown, Attorney for George W. Howes, the Complainant in the said cause, that the Respondents in said cause, namely those listed below are unknown and their addresses are unknown to your Complainant.

Notice is hereby given to Hans Rosenow, H. L. Pease, M. Belle Pease, and/or their heirs and assigns, and to any and all persons, firms or corporations who claim any title to, interest in, lien or incumbrance on the land hereinafter described; that on the 29th day of January, 1940 the said George W. Howes filed in the Equity side of the Circuit Court of Baldwin County, Alabama, his bill of complaint against the above named persons and against any and all persons, firms or corporations claiming any interest in, lien or incumbrance upon the land described as "Northwest Quarter of the Northwest Quarter of Section Twenty one, Township Five South of Range Four East, the same being forty acres more or less in Baldwin County, Alabama; said parties are hereby notified to appear and plead, answer or demur within thirty days from the _____ day of _____ 1940 or a decree pro confesso will be rendered against them.

That the title to said lands stands in the name of Complainant according to the records in the office of the Judge of Probate, Baldwin County, Alabama.

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainants to the said lands, and for the purpose of quieting title thereto and clearing up all doubts concerning the same. That Complainant acquired title to said land by tax deed executed by the State Tax Commissioner and by deed from M. Belle Pease a copy of which deeds are on file in the office of the Clerk of the Circuit Court of Baldwin County, Alabama.

Complainant further alleges that he is the owner, that he is in the quiet and peaceable possession of saidland, claiming to own the same absolutely and in fee simple; and Complainant and those under whom he claims have been paying taxes on said land and held the same under color of title for more than eight years next preceding the filing of said Bill of Complaint, and that no other person, firm or corporation has paid taxes on the said lands during the said eight years.

WITNESS my hand this 29th day of January, 1940.

Orvis M. Brown,
Solicitor for Complainant,
Robertsdale, Alabama.

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

Testimony

*Filed May 23, 1940
R.S. Dwork, Reporter*

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1940

1940

1940

Filed May 25 1940
R.S. Bush, Reporter

Deer

CIRCUIT COURT OF
Baldwin County, Alabama
IN EQUITY

GEORGE W. HOWES

Complainant

vs.

HANS ROSENOW, ET AL.

Defendant

DEMAND FOR ORAL EXAMINATION

Filed May 17 1948

R. S. Dault
Register.

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

GEORGE W. HOWES

Complainant

VS.

HANS ROSENOW, ET AL.

Defendant

Commission To Take Deposition

COMMISSIONER:

Virginia E. Crenshaw

Witnesses:

George W. Howes

THE STATE OF TEXAS,
COUNTY OF [illegible]

[illegible text]

RECORDED

Notice of Publication

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

610

RECORDED

EX

BILL OF COMPLAINT

*Filed January 29, 1940
R.S. Durr, Register*

ORVIS M. BROWN
ATTORNEY AT LAW
ROBERTSDALE, ALA.

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

LEGAL NOTICE

In the Circuit Court of Baldwin County, Alabama, In Equity

GEORGE W. HOWES, Complainant,
vs. HANS ROSENOW, H. L. PEASE,
M. BELLE PEASE, and or their heirs
and assigns, Respondents

It having been made to appear in the above cause from the Affidavit of Orvis M. Brown, Attorney for George W. Howes, the Complainant in the said cause, that the Respondents in said cause, namely those listed below, are unknown and their addresses are unknown to your Complainant.

Notice is hereby given to Hans Rosenow, H. L. Pease, M. Belle Pease, and or their heirs and assigns, and to any and all persons, firms or corporations who claim any title to, interest in, lien or encumbrance on the land hereinafter described; that on the 25th day of January, 1940, the said George W. Howes filed in the Equity side of the Circuit Court of Baldwin County, Alabama, his bill of complaint against the above named persons and against any and all persons, firms or corporations claiming any interest in, lien or encumbrance upon the land described as "Northwest Quarter of the Northwest Quarter of Section Twenty-one, Township Five South of Range Four East, the same being forty acres, more or less in Baldwin County, Alabama;" said parties are hereby notified to appear and plead, answer or demur within thirty days from the 25th day of March, 1940, or a decree pro confesso will be rendered against them.

That the title to said lands stands in the name of Complainant according to the records in the office of the Judge of Probate, Baldwin County, Alabama.

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainants to the said lands, and for the purpose of quieting title thereto and clearing up all doubts concerning the same. That Complainant acquired title to said land by tax deed executed by the State Tax Commissioner and by deed from M. Belle Pease, a copy of which deeds are on file in the office of the Clerk of the Circuit Court of Baldwin County, Alabama.

Complainant further alleges that he is the owner, that he is in the quiet and peaceable possession of said land, claiming to own the same absolutely and in fee simple; and Complainant and those under whom he claims have been paying taxes on said land and held the same under color of title for more than eight years next preceding the filing of said Bill of Complaint, and that no other person, firm or corporation has paid taxes on the said lands during the said eight years.

Witness my hand this 23th day of January, 1940.

R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama.
ORVIS M. BROWN, Solicitor for Complainant, Robertsdate, Alabama. 1-4t

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

George W. Howes vs. Hans Rosenow -

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

<u>February 1, 1940</u>	Vol. <u>51</u>	No. <u>1</u>
<u>" 8, "</u>	Vol. <u>51</u>	No. <u>2</u>
<u>" 15, "</u>	Vol. <u>51</u>	No. <u>3</u>
<u>" 22, "</u>	Vol. <u>51</u>	No. <u>4</u>

Subscribed and sworn before the undersigned this 24 day of

Feb 1940
G. Mae Humphreys
W. P. Brewster

J. H. Faulkner
Publisher

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 610 Spring Term, 1940

GEORGE W. HOWES Complainant

vs. HANS ROSENOW, et al. Defendant

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 1st day of February, 1940, in the Baldwin Times a newspaper published in Bay Minette Alabama, that a copy of said order was posted at the Court House door in _____ County, on the _____ day of _____ 192, and

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

Hans Rosenow, H. L. Pease, M. Belle Pease, and/or
their heirs and assigns,

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register R. S.

Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Hans Rosenow, H. L. Pease, M. Belle Pease,
and/or their heirs and assigns

This 17 day of May 1940

R. S. Duck Register.

The Federal Land Bank of New Orleans

TRANSFERS OF TITLE

<p><u>SOUTHERN PLANTATION DEVELOPMENT COMPANY</u> By Fred W. Browne, President, F. L. Sanford, Secretary.</p> <hr/> <p>Corporate seal.</p> <p style="text-align: right;">GRANTOR.</p> <p style="text-align: center;">TO</p> <p><u>HANS ROSENOW</u></p> <hr/> <p style="text-align: right;">GRANTEE</p>	<p>Kind of Conveyance <u>WARRANTY DEED</u></p> <p>Any Reservation to Grantor _____</p> <p>Date of Conveyance <u>November 12th, 1904</u></p> <p>Date of Acknowledgment <u>same date</u></p> <p>Before Whom <u>Blanche Van Slyke, N.P. Cook Co., Ill.</u></p> <p>Grantor Married or Single <u>Representative form. Not</u></p> <p>Separate Acknowledgment of Wife <u>corporation form.</u></p> <p>Before Whom _____</p> <p>Date of Filing for Record <u>November 19th, 1904</u></p> <p>Recorded in <u>8NS</u> Book No. _____ Page <u>14</u></p> <p>Dower or Homestead Conveyed Properly _____</p> <p>Is it Properly Indexed? _____</p> <p>Are Names of All Signers in Body of Conveyance? _____</p> <p>Consideration \$ <u>800.00</u> Is it paid? <u>Yes</u></p> <p>WITNESS } <u>E. B. Van Slyke</u></p> <p> } <u>M. A. Kerdolff</u></p>
--	---

DESCRIPTION OF PROPERTY CONVEYED

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

"Farm number four (4) being the North west quarter (NW¹/₄) of the North West quarter (NW¹/₄) of Section number twenty-one (21) Township five (5) South, Range number four (4) East, containing forty (40) acres, more or less."

The said SOUTHERN PLANTATION DEVELOPMENT COMPANY reserves the right to open at any time such highways as may be necessary to give free access to the public to and from each forty (40) acre tract, same to be opened on either section or half section lines"

The Federal Land Bank of New Orleans

TRANSFERS OF TITLE

M. BELLE PEASE, (a widow)

 GRANTOR.

TO

GEORGE W. HOWES

 GRANTEE

Kind of Conveyance QUIT CLAIM DEED
 Any Reservation to Grantor _____
 Date of Conveyance January 15th, 1932
 Date of Acknowledgment same date
 Before Whom Henry C. MacArthur, N.P. Monroe Co., N.Y.
 Grantor Married or Single widow
 Separate Acknowledgment of Wife _____
 Before Whom _____
 Date of Filing for Record December 27, 1932
 Recorded in Deed Book No. 53NS Page 252
 Dower or Homestead Conveyed Properly _____
 Is it Properly Indexed? _____
 Are Names of All Signers in Body of Conveyance? _____
 Consideration \$ 1.00 Is it paid? Yes

WITNESS } Eloise D. Crisp
 } Henry E. MacArthur

DESCRIPTION OF PROPERTY CONVEYED

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

"North West Quarter (NW $\frac{1}{4}$) of the North west Quarter (NW $\frac{1}{4}$)
 of Section Twenty one (21), Township Five South (5.S.)
 Range Four East (4.E) the same being 40 acres more or
 less"

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

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 610 Spring Term, 1940

GEORGE W. HOWES, Complainant s

Vs.

HANS ROSENOW, et al, Defendant s

To R. S. Duck, Register :

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

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


Solicitor for Complainant.

GEORGE W. HOWES

VS.

HANS ROSENOW, et al.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

Service by Publication, Decree Pro Confesso on Publication, _____

Testimony of George W. Howes and _____

and in behalf of Defendant upon _____

R. S. Dush

Register.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 610 Spring, Term, 1920

GEORGE W. HOWES

....., Complainant..

Vs.

HANS ROSENOW, ET AL.

..... Defendant.s

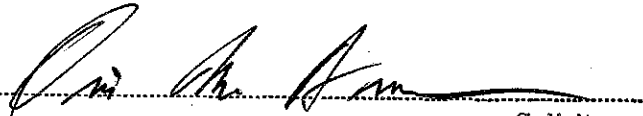
Motion is hereby made for a Decree Pro Confesso against Hans Rosenow, H. L. Pease,

M. Belle Pease, and/or their heirs and assigns

..... Defendant.s

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 14th day of May 1920


.....
Solicitor.

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

GEORGE W. HOWES

Vs.

HANS ROSENOW, ET AL.

**REQUEST FOR DECREE IN
VACATION**

Filed May 23, 1940, 193

R. S. Duesch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

GEORGE W. HOWES

Complainant

Vs.

HANS ROSENOW, ET AL.

Defendant

**Motion for Decree Pro Confesso
On Publication.**

Filed May 14, 1940, 193

R. S. Dush

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

GEORGE W. HOWES

VS.

HANS ROSENOW, ET AL.

NOTE OF TESTIMONY

Filed in Open Court this 23rd

day of May, 1940 1930

R.S. Dush.

REGISTER

Statement

THE BALDWIN TIMES

BAY MINETTE, ALABAMA

2-24

1940

Hon. R. S. Duck

City

Advertising:

George W. Horner vs Hans
Rosenow

471 Words @ $4\frac{1}{2}$ ¢

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