

BILL TO QUIET TITLE

DR. AMOS GARRETT
Complainant,

Vs.

J. E. EDMONDS, HIS HEIRS
And ASSIGNS, WHO are yet
unknown to Complainant,
Respondents.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

IN EQUITY.

TO HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA:-

Comes your Complainant, Dr. Amos Garrett, who is over the age of twenty-one years, and brings this his Bill of Complaint against J. E. Edmonds, His Heirs and Assigns, who are yet unknown to Complainant, Complainant further brings his Bill of Complaint against any and all persons claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof, and Complainant respectfully shows unto your Honor as follows:-

FIRST:

That he is in the actual, peaceable possession of said tract of land hereinafter described, claiming to own the same in his own right in fee simple.

SECOND:

That no suit is pending to test Complainant's title to, interest in, or his right to the possession of said lands.

THIRD:

Complainant further shows that he claims the entire fee simple title in and to said lands, having acquired the same as per attached copy of Deed, which is made Exhibit "A" to this Bill of Complaint and is made a part of the same.

FOURTH:

Complainant further shows that the title to said land stands on the records in the Probate Court of Baldwin County, Alabama, in the name of Dr. Amos Garrett, Complainant does not know if the said J. E. Edmonds, is dead, and if dead, Complainant does not know the names and addresses of his heirs, devisees or grantees. Complainant has used diligenece in trying to ascertain these facts as is shown by paragraph seven of this Bill of Complaint.

(page two)

FIFTH :

Your Complainant further shows that the said lands covered by this Bill are as follows to wit:

South half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$),
Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$),
Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$),
Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$),
Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NNE\frac{1}{4}$),
Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$),
Section Sixteen (16), Township Six (6), South Range Four
(4), East, All in Baldwin County, Alabama.

SIXTH:

Complainant further shows unto your Honor that he knows of no one other than himself who have been in the actual, possession of said lands, and that no one is known to your Complainant to claim said lands or any part thereof, or any interest therein, except the Complainant, and the said parties named in the Complaint as Respondents, and Complainant calls upon the several persons, to specify his or her title, claim, interest or encumbrance upon said lands, and how and by what instrument or otherwise the same is derived into it.

SEVENTH:

Complainant avers that he has made a diligent search and inquiry to ascertain the residences and addresses of all persons, firms, heirs, or assigns herein above named, and whether or not any of them be dead, and, if dead, to ascertain the names and addresses of the heirs, devisees, successors, assigns or grantees of such deceased person; that he has made diligent inquiry in the neighborhood of said lands as to the ownership of same and possession of same, and the whereabouts of any and all persons who are interested in said lands or may be interested in the same, or who may claim any interest therein, but have been unable to gain this information.

PRAYER FOR PROCESS.

To the end, therefore, that equity may be had in the premises, Complainant prays that your Honor will cause the usual writ of process to issue to the above named Respondents in the usual form, and according to the practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time as required by law and the practices of this Court, and

(page three)

- that your Honor will cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama, authorizing the quieting of title by personal proceedings.

PRAYER FOR RELIEF.

And Complainant further prays that upon a hearing of this cause your Honor will be pleased to establish Complainant's right of title to, and will decree to the Complainant as owner in fee simple, all the lands above described, and that no other person, firm or corporation has any title to, interest in, lien or encumbrance on, said lands, or any part thereof, and that your Honor will also order that a certified copy of said Decree be recorded in the Probate Office of Baldwin County, Alabama and that in said Decree your Honor will direct in whose name it shall be indexed in the indirect indices of the records in the Probate Court of Baldwin County, Alabama. And Complainant further prays for all such other, further, different and general relief as in equity may seem just and meet, and Complainant will ever pray.

Amos Garrett
Complainant.

Orvis M. Brown
Solicitor for Complainant.

FOOT NOTE:*-

All persons claiming any title to, interest in, lien or encumbrance upon, the lands described in the foregoing Bill of Complaint, or any part thereof, are required to answer to paragraphs "First" to "Seventh", inclusive, of the foregoing Bill of Complaint, but answer under oath is hereby expressly waived.

Orvis M. Brown
Solicitor for Complainant.

STATE OF ALABAMA

COUNTY OF BLADWIN

Personally appeared before me, John J. Gause, a Notary Public in and for said County and State, Orvis M. Brown, who upon oath deposes and says:-

That he is the Solicitor for the Complainant in the above cause, and is duly authorized by him to make this oath, and that the facts stated in the foregoing Bill of Complaint upon knowledge are true, and that he is informed as to the facts stated upon information and belief as therein stated, and verily believes, and so states, that the same are true.

Orvis M. Brown

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 24 day of May, 1935 A.D..

John J. Gause

EXHIBIT "A"

THE STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, THAT

WHEREAS, on the 9th day of May 1932, a decree was rendered by the Probate Court of said county for the sale of lands hereinafter described and conveyed for the State and County taxes then due from J. E. Edmonds, the owner of said land for the costs and expenses thereof and thereunder.

AND WHEREAS, thereafter, to-wit on the 13th day of June, A.D., 1932, said lands were duly and regularly sold by the Tax Collector of said County for said taxes, costs and expenses, and at said sale Dr. Amos Garrett, became the purchaser of said lands at and for the sum of said taxes, costs and expenses, and forthwith became the purchaser of said lands, and forthwith paid said sum to said Tax Collector, and received from said Collector a certificate of said purchase.

AND WHEREAS, the time for the redemption of said lands by said owner or other person having an interest therein has elapsed and said certificate of purchase has been returned to the Probate Judge of said County.

NOW, THEREFORE, I, G. W. Humphries, as Probate Judge of said County of Baldwin, under and by virtue of the provisions of Section 266 of an Act of the Legislature of 1919, to provide for the general revenue of the State of Alabama, approved September 15, 1919, and in consideration of the premises above set out, and in further consideration of the sum of one dollar to me, in hand paid, have this day granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto Dr. Amos Garrett who is the present owner and holder of said certificate of purchase all the right, title and interest of the said J. E. Edmonds, owner as aforesaid of said land, and all the right title, interest and claim of the State and County on account of said taxes, or under said decree in and to the following described lands hereinafter referred to, to-wit:

S $\frac{1}{2}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T6S, R4E.
Lying and being situate in said County and State, to have and to hold the same, the said rights, titles and interests unto himself the said Dr. Amos Garrett and his heirs and assigns forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this the 18th day of June, A. D., 1934.

G. W. Humphries
Judge of Probate.

THE STATE OF ALABAMA
BALDWIN COUNTY

I, G. Mac Humphries, a Notary Public in and for said County and State, hereby certify that G. W. Humphries, whose name as Judge of Probate is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance he, in his capacity as such Judge of Probate, executed the same voluntarily, on the day the same bears date.

Given under my hand, this the 18th day of June, A.D., 1934.

(SEAL) G. Mac Humphries
Notary Public, Baldwin Co., Ala.

Recorded June 18, 1934 in Deed Book No. 55 N.S. at page 474.

132

ORVIS M. BROWN

ATTORNEY AT LAW
BALDWIN BUILDING
ROBERTSDALE, ALABAMA

July 16th, 1935

Honorable F. W. Hare, Judge
Twenty-First Judicial Circuit
Monroevill, Alabama

Dear Judge Hare:

In Re: Dr. Amos Garrett Vs. J.E. Edmonds
etc.

I wish to acknowledge receipt of your nice letter in regard to the above entitled file. I wish to express my appreciation on my behalf and on the behalf of Dr. Garrett, for this favor.

It was my intention to file this Bill under Sections 9905-9928, due to the fact that Dr. Garrett, did not have an abstract to the lands described in the Bill. After reading the case of Gill Vs. Moore 200 Ala. 511; 76 S o. 453, as cited in your letter I notice that the file as I have proceeded would not support a decree under Sections 9912-9928.

As I understand the facts under my procedure I would only be entitled to a decree against J. E. Edmonds, Personally, and not against the land, which would only clear the title as to J. E. Edmonds, claim.

I have been discussing this with Dr. Garrett, and he suggests that I get your advise as to just what step would be best to take at this stage of the procedure, so the kindness will be greatly appreciated by Dr. Garrett, and I if you will give us your opinion as to just what would be best to do.

I was wondering if it would be possible to obtain the decree against J. E. Edmonds, personally, as we will have this cost to bear any way, and then start the procedure against the land after that we have an abstract to clear the title against all claims of everyone. I do not wish to prejudice Dr. Garretts, interest here so I would like to be certain before that any further action is taken.

Thanking you for this assistance,

Yours sincerely,


Orvis M. Brown.

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Robert ...
Raymond

(Browne ...)
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ORVIS M. BROWN

ATTEST

check

RECEIVED NO. 132

PAID TO ORDER

FOR DEPOSIT ONLY

US

THE BANK OF AMERICA

MEMPHIS, TENN

July 27 1935
Orvis M. Brown

ORVIS M. BROWN

ATTORNEY-AT-LAW

ROBERTSDALE, ALABAMA

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
No. 132 Summer Term, 192 35

Dr. Amos Garrett Complainant..

vs. J. E. Edmonds, His Heirs and assigns, Defendant..

In this cause it appears to the Register Robert S. Duck, that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 31st day of May, 1935, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 31st day of May, 1935, and

And it now further appearing to the Register Robert S. Duck, that the said J. E. Edmonds

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 Robert S. Duck, that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said J. E. Edmonds,

This 1st day of July 1935

Robert S. Duck Register.

BILL TO QUIET TITLE

DR. AMOS GARRETT
Complainant,

Vs.

J. E. EDMONDS, HIS HEIRS
And ASSIGNS, WHO are yet
unknown to Complainant
Respondents.

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

TO HON. F. W. HARRY JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA:-

Comes your Complainant, Dr. Amos Garrett, who is over the age of twenty-one years, and brings this his Bill of Complaint against J. E. Edmonds, His Heirs and Assigns, who are yet unknown to Complainant, Complainant further brings his Bill of Complaint against any and all persons claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof, and Complainant respectfully shows unto your Honor as follows:-

FIRST:

That he is in the actual, peaceable possession of said tract of land hereinafter described, claiming to own the same in his own right in fee simple.

SECOND:

That no suit is pending to test Complainant's title to, interest in, or his right to the possession of said lands.

THIRD:

Complainant further shows that he claims the entire fee simple title in and to said lands, having acquired the same as per attached copy of Deed, which is made Exhibit "A" to this Bill of Complaint and is made a part of the same.

FOURTH:

Complainant further shows that the title to said land stands on the records in the Probate Court of Baldwin County, Alabama, in the name of Dr. Amos Garrett, Complainant does not know if the said J. E. Edmonds, is dead, and if dead, Complainant does not know the names and addresses of his heirs, devisees or grantees. Complainant has used diligence in trying to ascertain these facts as is shown by paragraph seven of this Bill of Complaint.

EXHIBIT "A"

THE STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, THAT

WHEREAS, on the 9th day of May 1932, a decree was rendered by the Probate Court of said county for the sale of lands hereinafter described and conveyed for the State and County taxes then due from J. E. Edmonds, the owner of said land for the costs and expenses thereof and thereunder,

AND WHEREAS, thereafter, to-wit on the 13th day of June, A.D., 1932, said lands were duly and regularly sold by the Tax Collector of said County for said taxes, costs and expenses, and at said sale Dr. Amos Garrett, became the purchaser of said lands at and for the sum of said taxes, costs and expenses, and forthwith became the purchaser of said lands, and forthwith paid said sum to said Tax Collector, and received from said Collector a certificate of said purchase.

AND WHEREAS, the time for the redemption of said lands by said owner or other person having an interest therein has elapsed and said certificate of purchase has been returned to the Probate Judge of said County.

NOW, THEREFORE, I, G. W. Humphries, as Probate Judge of said County of Baldwin, under and by virtue of the provisions of Section 266 of an Act of the Legislature of 1919, to provide for the general revenue of the State of Alabama, approved September 15, 1919, and in consideration of the premises above set out, and in further consideration of the sum of one dollar to me, in hand paid, have this day granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto Dr. Amos Garrett who is the present owner and holder of said certificate of purchase all the right, title and interest of the said J. E. Edmonds, owner as aforesaid of said land, and all the right title, interest and claim of the State and County on account of said taxes, or under said decree in and to the following described lands hereinafter referred to, to-wit:

S $\frac{1}{2}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T6S, R4E.

Lying and being situate in said County and State, to have and to hold the same, the said rights, titles and interests unto himself the said Dr. Amos Garrett and his heirs and assigns forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.

IN TESTIMONY WHEREOF, I have herunto set my hand and seal, this the 18th day of June, A. D., 1934.

G. W. Humphries
Judge of Probate.

THE STATE OF ALABAMA
BALDWIN COUNTY

I, G. Mac Humphries, a Notary Public in and for said County and State, hereby certify that G. W. Humphries, whose name is Judge of Probate is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance he, in his capacity as such Judge of Probate, executed the same voluntarily, on the day the same bears date.

Given under my hand, this the 18th day of June, A.D., 1934.

(SEAL)

G. Mac Humphries
Notary Public, Baldwin Co., Ala.

Recorded June 18, 1934 in Deed Book No. 55N.S. at page 474.

Circuit Court, Baldwin County, Ala., IN EQUITY.

#132

Dr. Armas Harrett

PLAINTIFF

VS.

J. E. Edwards his heirs & assigns

DEFENDANT

BILL OF COST

	Dollars	Cts.		\$	Cts.
Fees of Register			AMOUNT BROUGHT FORWARD		
Filing each bill and other papers	3	30	For receiving, keeping and paying out or distributing money, etc. 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.	5	03
Issuing each Subpoena		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received.		
Issuing each copy thereof		40	Each Notice Sent by Mail to Creditors	15	
Entering each return thereof		15	Filing, Receipting for and Docketing each Claim, etc.	25	
For each Order of Publication		1 00	For all entries on Subpoena Docket, etc.	50	
Issuing Writ of Injunction		1 50	For all entries on Commission Docket, etc.	50	
For each Copy thereof		50	Making Final Record, per hundred words	15	
Entering each return thereof		15	Certified Copy of Decree	1 00	
Issuing Writ of Attachment		1 00	Report of Divorce to State Health Office Acts 1915	50	
Entering each return thereof		15	Total Fees of Register	8	05
Entering each return thereof		15	FEEES OF SHERIFF		
Docketing each case		1 00	Serving and Returning Subpoena on Deft.	\$1 50	
Entering each Appearance		25	Serving and Returning Subpoena for Witness	65	
Issuing each Decree Pro Confesso on personal service		1 00	Levying Attachment	3 00	
Issuing each Decree Pro Confesso on publication		1 00	Entering and Returning same	25	
Each Order Appointing Guardian		1 00	Entering and Returning Execution	25	
Any other order by Register		50	Selling Property Attached	25	
Issuing Commission to Take Testimony		50	Impaneling Jury	75	
Receiving and Filing		10	Executing Writ of Possession	2 50	
Endorsing each package		10	Collecting Execution for Costs	1 50	
Entering Order Submitting Cause		50	Serving and Returning Sci. Fa., each	65	
Entering any other Order of Court		25	Serving and Returning Notice	65	
Noting all Testimony		50	Serving and Returning Writ of Injunction	1 50	
Abstract of Cause, etc.		1 00	Serving and Returning Writ of Exeat	1 50	
Entering each Decree		75	Taking and Approving Bonds, each	1 00	
For Every Hundred Words Over Five Hundred		15	Collecting Money on Execution		
Taking Account on Reference		3 00	Making Deed	2 50	
Taking Testimony, etc.		15	Serving and Returning Application	1 00	
Each Report, Five Hundred Words or less		2 50	Serving Attachment, Contempt of Court	1 50	
For every Hundred Words Over Five Hundred		15	TOTAL FEES OF SHERIFF		
Amount Claimed, Less than Five Hundred Dollars, etc.		2 00	Recapitulation		
Issuing each Subpoena		25	Register's Fees		
Witness Certificate, each		25	Sheriff's Fees		
Issuing Execution, each		75	Commissioner's Fees		
Entering each Return		15	Solicitor's Fees		
Taking and Approving Bond, each		1 00	Witness Fees		
Making Copy of Bill, etc.		15	Guardian Ad Litem		
Each notice not otherwise provided for		50	Printer's Fees <i>Baldwin Times</i>	9 00	
Each Certificate or Affidavit, with Seal		50	Trial Tax	3 00	
Each Certificate or Affidavit, no Seal		25	Recording Decree in Probate Court	1 00	
Hearing and passing on application for Receiver or Trustee		3 00	Total	21	05
Each Settlement with Receiver or Trustee		3 00			
Examining each Voucher of Receiver or Trustee		10			
Examining each Answer on Exception		3 00			
Recording Resignation or Suggestion of Death of Trustee		75			
Entering each Certificate to Supreme Court		50			
Taking Questions and Answers, etc.		25			
For all other service relating to such proceedings		1 00			
For service in proceeding to relieve minors, etc. same fee as in similar cases.		1 00			
Commission on sales, etc.: 1st \$100, 2 percent; all over \$100, and not exceeding \$1000, 1 1/2 per cent; all over \$1,000 and not exceeding \$20,000, 1 per cent; all over \$20,000, 1-4 of 1 per cent.		5 05			
Sub Total Carried Forward					

Received payment this _____ day of _____ 193 _____

NOTE: Unless the above costs in this cause are paid within ten days of the present date, execution will be issued and placed in the hands of Sheriff for collection, creating more costs. Register.

Motion For Decree Pro Confesso

DR. AMOS GARRETT,
Complainant,

Vs.

J. E. EDMONDS, HIS
HEIRS AND ASSIGNS,
Respondents.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

IN EQUITY

No. 132.

Comes Dr. Amos Garrett, the Complainant, in the above stated cause, and moves this Honorable Court to grant us a Decree Pro Confesso in the above entitled cause, and for ground of said motion says:

Publication haveing been made for four consecutive weeks in the Baldwin Times a newspaper published in Bay Minette, Baldwin County, Alabama, as required by law, and a notice posted at the Court House Door for four consecutive weeks as required by law, the Respondents to the date hereof, haveing failed to plead, answer, or demur to the Bill of Complaint in this Cause.


AMOS GARRETT
SOLICITOR FOR COMPLAINANT.

DECREE PRO CONFESSO ON PUBLICATION

DR. AMOS GARRETT,
Complainant,

Vs.

J. E. EDMONDS, HIS HEIRS,
AND ASSIGNS,
Respondents

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

IN EQUITY

NO. 132

In this cause it appearing to the Court, by certificate of the Clerk, that the Order of publication h-eretofore made in this Cause, was published for four consecutive weeks, commencing the 31st, day of May 1935, in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama ; that a copy of said order was posted at the Court House Door in said County, on the 31st, day of May 1935, and that it now further appearing to the Court that the said J. E. Edmonds, his Heirs and Assigns, has, to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause.

It is, therefore on motion of Complainant, ordered and decreed by the Court, that the said Bill of Complaint be, and it hereby is, in all things, taken as confessed againstt the said, J. E. Edmonds, his Heirs, and Assigns.

It is therefore Decreed that Dr. Amos Garrett, Complainant is the owner in fee simple, of all the lands described in the Complaint, and that no other person, firm, Corporation, has any interest in, title to, or encumbrance on, said lands, or any part thereof, and I hereby order a certified copy of this Decree be recorded in the Probate Office of Baldwin County, Alabama, and indexed in the index as properly should be.

Lands covered by this Decree are t wit:

South half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$),
Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$),
Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$),
Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$),
Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$),
Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$),
Section Sixteen (16) Township Six (6), South Range Four (4)
East, All in Baldwin County, Alabama.

This 1 day of July, 1935.

Robert S. Duck
Clerk of the Circuit Court of
Baldwin County.

DECREE PRO CONFESSO ON PUBLICATION

135

Motion For Decree Pro Confesso

DR. AMOS GARRETT,
Complainant,

Vs.

J. E. EDMONDS, HIS
HEIRS AND ASSIGNS,
Respondents.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

IN EQUITY

No. 132.

Comes Dr. Amos Garrett, the Complainant, in the above stated cause, and moves this Honorable Court to grant us a Decree Pro Confesso in the above entitled cause, and for ground of said motion says:

Publication haveing been made for four consecutive weeks in the Baldwin Times a newspaper published in Bay Minette, Baldwin County, Alabama, as required by law, and a notice posted at the Court House Door for four consecutive weeks as required by law, the Respondents to the date hereof, haveing failed to plead, answer, or demur to the Bill of Complaint in this Cause.


SOLICITOR FOR COMPLAINANT.

DR. AMOS GARRETT,)	
	(
Complainant,)	IN THE CIRCUIT COURT OF
	(
VS.)	
	(
J.E. EDMONDS,)	BALDWIN COUNTY, ALABAMA.
	(
Respondent.)	Equity NO. 132

FINAL DECREE ----

This cause coming on to be heard on this the 20th day of August, 1935, and being submitted for final decree on the Bill of Complaint, Decree Pro Confesso on service by Publication against the Respondent and the testimony as noted by the Register, and upon consideration thereof the Court is of the opinion that the Complainant is entitled to the relief prayed for in his Bill of Complaint in this cause.

IT IS THEREFORE ORDERED, Adjudged and Decreed by the Court that the Complainant, Dr. Amos Garrett is, as against the said Respondent, J. E. Edmonds, the owner in his own right of the lands described in the Bill of Complaint in this Cause Situate, lying and being in the County of Baldwin and State of Alabama, and more particularly described as follows to-wit:-

- South half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$)
- Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$),
- Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$),
- Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$),
- Northwest Quarter of ($NW\frac{1}{4}$) the Northeast Quarter ($NE\frac{1}{4}$)
- Northeast Quarter of Northwest Quarter ($NE\frac{1}{4}$ of $NW\frac{1}{4}$),
- Section Sixteen (16), Township Six (6), South Range Four (4), East, All in Baldwin County, Alabama;

and that the said Respondent is without, right, title, claim or interest in or to said lands or any part thereof, and has and holds no encumbrance upon the same or any part thereof, but that the fee simple title in and to said lands is as against the said Respondent in the said Complainant Dr. Amos Garrett.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court shall, within thirty days from the rendition of this Decree, file a certified copy hereof in the office of the Probate Judge of Baldwin County, Alabama for record therein.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that all costs in this cause be taxed against the Complainant, for which let execution issue.

Done this the 20th day of August, 1935.

J. W. Hare

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

EXHIBIT "A"

THE STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, THAT

WHEREAS, on the 9th day of May 1932, a decree was rendered by the Probate Court of said county for the sale of lands hereinafter described and conveyed for the State and County taxes then due from J. E. Edmonds, the owner of said land for the costs and expenses thereof and thereunder.

AND WHEREAS, thereafter, to-wit on the 13th day of June, A.D., 1932, said lands were duly and regularly sold by the Tax Collector of said County for said taxes, costs and expenses, and at said sale Dr. Amos Garrett, became the purchaser of said lands at and for the sum of said taxes, costs and expenses, and forthwith became the purchaser of said lands, and forthwith paid said sum to said Tax Collector, and received from said Collector a certificate of said purchase.

AND WHEREAS, the time for the redemption of said lands by said owner or other person having an interest therein has elapsed and said certificate of purchase has been returned to the Probate Judge of said County.

NOW, THEREFORE, I, G. W. Humphries, as Probate Judge of said County of Baldwin, under and by virtue of the provisions of Section 266 of an Act of the Legislature of 1919, to provide for the general revenue of the State of Alabama, approved September 15, 1919, and in consideration of the premises above set out, and in further consideration of the sum of one dollar to me, in hand paid, have this day granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto Dr. Amos Garrett who is the present owner and holder of said certificate of purchase all the right, title and interest of the said J. E. Edmonds, owner as aforesaid of said land, and all the right title, interest and claim of the State and County on account of said taxes, or under said decree in and to the following described lands hereinafter referred to, to-wit:

S $\frac{1}{2}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T6S, R4E.
Lying and being situate in said County and State, to have and to hold the same, the said rights, titles and interests unto himself the said Dr. Amos Garrett and his heirs and assigns forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this the 18th day of June, A. D., 1934.

G. W. Humphries
Judge of Probate.

THE STATE OF ALABAMA
BALDWIN COUNTY

I, G. Mac Humphries, a Notary Public in and for said County and State, hereby certify that G. W. Humphries, whose name as Judge of Probate is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance he, in his capacity as such Judge of Probate, executed the same voluntarily, on the day the same bears date.

Given under my hand, this the 18th day of June, A.D., 1934.

(SEAL) G. Mac Humphries
Notary Public, Baldwin Co., Ala.

Recorded June 18, 1934 in Deed Book No. 55 N.S. at page 474.

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BAY MINETTE, ALA.

June 5-35

M R. S. Duck, Register -

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SAT

SUBSCRIPTION \$1.50 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

May 30 Legal Notice

Dr. Amos Garrett vs J. E.

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LEGAL NOTICE

In the Circuit Court of Baldwin County, Alabama. In Chancery. Order.

DR. AMOS GARRETT, Complainant,
Vs. J. E. EDMONDS, His Heirs and Assigns, who are yet unknown to Complainant, Respondents.

It being made to appear from the affidavit of the complainant that the Respondents, J. E. Edmonds, His Heirs and Assigns, who are unknown to Complainants, are non-residents of the State of Alabama, and that Respondents, have no person that Complainant has learned of representing them in this state, it is therefore ordered that notice to said Respondents and each of them be given by publication.

It is further ordered that said respondents and each of them are hereby required to answer or demur to the Bill of Complaint in this cause on or before the 28th day of June, 1935.

It is further ordered that this order be published in the Baldwin Times, a newspaper published at Bay Minette, Alabama, for four (4) consecutive weeks and a copy thereof posted at the door of the Court House, Baldwin County, Alabama.

Dated this 27th day of May, 1935.

ROBERT S. DUCK, Register.

ORVIS M. BROWN, Robertsdale, Ala.,
Attorney.

D r. Amos Garrett,

Complainant

vs.

J. E. Edmonds, His Heirs,

and Assigns, Respondents

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,
and Decree Pro Confesso on service by Publication against
the Respondents and each of them.

and in behalf of Defendant upon

Robert S. Duck

Register.

132

RECORDED

Duck
6-184

No. 132

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Dr. Amos Garrett

vs.

J. E. Edmonds, His Heirs,

and Assigns

NOTE OF TESTIMONY

Filed in Open Court this 9

day of July 1935

Robert S. Duck

REGISTER

132

RECORDED
Amick

No. 132

Page *C-187*

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Dr. Amos Gannett

vs.

J. E. Edmonds

DECREE PRO CONFESSO
OF PUBLICATION

Issued July 1st 1935.

Peckin & Sons
Register.

Recorded in Record

Vol. Page

Register.

Moore Printing Company, Bay Minette, Ala.

581-9

RECORDED

Copy of
part of
complaint

Jess May 27 1933
Richard D. Baker
Regester

132

Circuit Court, Baldwin County, Ala.
In Equity.

No. 132 ✓

VS.

Cost Bill

Paid _____, 193

Register.

MOORE PRINTING CO., BAY MINNETTE, ALA.

132

Motion for Decree Pro

Confesso

AM

DR. AMOS GARRETT,

Complainant

Vs.

J. E. EDMONDS, HIS HEIRS
AND ASSIGNS,

Respondents,

IN EQUITY NO. 132.

Filed July 1st 1935

Robert S. Murch

OPVAIS W. BROWN
Solicitor for Complainant

132

DECREE PRO CONFESAO ON

PUBLICATION

MPK

IN EQUITY NO. 132

DR. AMOS GARRETT,

Complainant,

vs.

J. E. EDMONDS, HIS HEIRS

AND ASSIGNS,

Respondents.

Filed July 1, 1935

Robert S. Muck

ORVIS M. BROWN
Solicitor for Complainant