(2394)

| Wesley Brown , | In the Circuit Court. |
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| Complainant, Vs. | |
| E. F. Pringle, et al. | In Equity No. 2394 |
| Respondent. | |
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| DECREE PRO CONFESSO OF | N PERSONAL SERVICE. |
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| In this cause, it appears to the Register, that se | ervice was had on the Respondent |
| Walter Hadley | |
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| by the Sheriff of Ealdwin Cour | nty, on the 26 day of November |
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| And it further appears to the Register, that the | said ———— |
| Walter Hadley | |
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| t | he Respondent—, having to the date hereof, |
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| failed to plead, demur to or answer the Bill of Com | plaint filed in this cause, it is now, therefore, |
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| on motion ofFuber N· Hall | Solicitors |
| for Complainant ordered and degreed by the Regi | stor that the Pill of Compleint in this area. To |
| for Complainant, ordered, and decreed by the Regi | ster that the bill of Complaint in this cause be, |
| and it hereby is, in all things taken as confessed aga | pings the said |
| and it hereby is, in all timigs taken as comessed ago | inist the Said———————————————————————————————————— |
| Walter Hadley | |
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CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

| Wes | sley Brown | |
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| | | Complainant, |
| 1 1. 1 1. | Vs. | |
| В | F. Pringle | , et al |
| | | |
| | | Respondent. |

DECREE PRO CONFESSO ON PERSONAL SERVICE.

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| BALDWIN CO | UNTY No. 23 | Circuit Court, In Equity. |
| | Wesley Brown | |
| | Vs. | - Complainant |
| Motion is hereby made for a | B. F. Pringle, et al | —— Defendant |
| Charlie Hall, as age | nt of Hall & Holley | |
| in the above stated couse, on tupon said Defendant——; and | he ground that more than thirty day I that said summons was duly se | Defendant— os have elapsed since service of summons rved according to law, and that said of Complaint in this cause to this date. |
| This23 | — day of <u>March</u> | <u> </u> |

______Solicitor.

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| | Wesley Brown | |
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| THE STATE OF ALAE BALDWIN COUNTY | SAMA, | lo. 2394 | Circuit Cou | t, In Equity. |
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| | Wesley Brown | | | mplainant |
| | Vs | | | |
| | B. F. Pringl | e, et al | | Defendant_S |
| Motion is hereby made for a Decree | e Pro Confesso aga | inst | | |
| Walter Hadley | | | | Defendant |
| in the above stated couse, on the gr | ound that more th | an thirty days have | elapsed since serv | vice of summons |
| upon said Defendant——; and tha | | | | |
| Defendant——haS failed to den | iur, plead to or an | swer the Bill of Cor | npiaint in this cau | ise to this gate. |
| This23 | day ofMarc | h | <u> </u> | |
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CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

| Complainant |
|----------------------|
| Vs. |
| B. F. Pringle, et al |
| |
| Respondent |

Issued this 27day of March

DECREE PRO CONFESSO ON PERSONAL SERVICE.

Micel reuch Register.

THE STATE OF ALABAMA Baldwin County.

Circuit Court of Baldwin County, Alabama (In Equity)

| | Wesley Brown | Complainant |
|--|--|---------------------------------|
| | VS. | |
| I, Evelyn Watts | B. F. Pringle, et al | Respondent |
| as Register and Commissioner have called and caused to come bef | ore me Wesley Brown and | Bobbie Hadley |
| | The state of the s | |
| witness es named in the Requirer 194 50, at the office of Hubert | M. Fich.L. | • |
| Bobbie Hadler | Alabama, and having first swo but the truth, the said <u>West</u> oth depose and say as follows: | rn said Witness es to speak the |

My name is Webley Brown. I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondents Mm. M. Fretwell and Walter Hadley Jr., are over twenty-one years of age and residents of Perdido Baldwin County, Alabama. W. N. Bouler is over twenty-one years of age and a resident of Escambia County, Alabama. The firm of Hall and Holley, both of them are over twenty-one years of the are residents of Escambia County. Alabama whom are over twenty-one years of age are residents of Escambia County, Alabama. The Respondent B.F. Pringle, and W. T. Whitfield, if living, are non-residents of the State of Alabama and over twenty-one years of age. If they or either of them id dead then their heirs are non-residents of the State of alabama and over twenty-one years of age. I have made and caused to be made a diligent search and inquiry in and around Perdido, Baldwin County, Alabama, the vicinity in which the said lands lie, and in and arround the court house of Day Minerte, Alabama. I have caused an abstract of title to be made, which ascertain any claimants to said property, their ages and addresses, and from all information obtainable the said Whitfield and Pringle and Wesley Fostom are non-residents of the State of Alabama and their heirs are non-residents of the State of Alabama and their addresses cannot be ascertained.

I am the owner in fee simple and in the actual possession of the land described in the bill of complaint in this cause. I acquired title to the described in the plin or complaint in this cause. I acquired title to the said land by deed from Lesley Postom and Lucille Postom, his wife, dated December 16, 19hh, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 87 NS pages 361-2. I am attaching hereto my original deed and ask that it be taken as a part of the testimony in this case.

There is no suit pending to test my title to, interest in, or rights of

possession to the land described in the bill of complaint in this cause.

I am the owner of the land described in the bill of complaint in this cause and the title thereto stands upon the records of the Probate Court of Baldwin County, Alabama in my name.

No one has at any time within ten years next preceding the filing of the bill of complaint in this cause paid any taxes upon seald land or had any

possession thereof other than J. T. Fringle, Lesley H. Postom and myself.

I am living upon the said land and occupying the same as my home and home stead and have since acquiring title thereto in Jecenier 1914. Friends time I acquired title to the said land from Lesley Postom and his wife, Lesley Postom had been in the actual possession thereof from 1942 when he purchased the same from J. T. Pringle.

J. T. Pringle acquired title to the said lands some time about the year 1916, and went into possession thereof and continued in possession until he

conveyed the same to Lesley H. Postom.

The title, and possession of J. T. Pringle, Lesley Postom and ryself, for more than twenty years, has been ascertained by the actual occupancy of the said land, the leasing of the same for turpentine purposes, the cutting of wood and timber therefrom, and the possession to the exclusion of the world.

Lesley Postom and his wife on December 16, 1944, executed ad deed to Wesley Postom, however, this deed was in error. It was intended that the conveyance should be made to me, Wesley Brown. I know of no Wesley Postom.

ORAL EXAMINATION.

2(L. S.)

day of _

Given under my hand and seal, this.

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| | THE STATE OF ALABAMA |
| | BALDWIN COUNTY |
| II | n circuit court, in equity. |
| ~ | Wesley Brown |
| | vs. Complainant |
| | B, F. Pringle, et al |
| | |
| | Respondent. |
| | Oral Deposition |
| Filed . | May 31, 1940. Recorded in |
| | Record |
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| | , Register. |

I have, together with those through whom I claim, as herein set out, been in the actual, open, visible, adverse, peaceable, hostile and continuous possession of the said lands described in the bill of complaint continuously for more than twenty-years ever claiming to own the same and during the said time no person, firm or corporation has exercised or attempted to exercise any title to or rights of possession adversely to us.

The title to the said lands now stand upon the records of Baldwin County, Alabama, in my name, and no one claims said lands or any part thereof or any

interest therein.

Wesley Brown

Bobbie Hadley, a witness for the Complainant being first duly sworm, deposes and says:

By name is Bobbie Madley, I live at Perdido, in Baldwin County, Alabama, I am personally acquainted with the lands described in the bill of complaint in this cause and have known it all of my life. There is a house on this land and a small place cleared and in cultivation.

The land is about cour and one-half miles from Perdido. The land belonged to Lesley Postom before Mr. Brown bought it, and Mr. Postom bought it from a Mr. Pringle. I know of my own personal knowledge that for more than twenty years no person has had any possession of pr claimed any title to the land other than Wesley Brown, Lesley Postom and B. F. Pringle. My land adjoins the land involved in this suit. and is within one-half mile of my home, and I have occasion to see the land almost every day. I have been living on the place adjoining this land for about twenty-two years and my testimony is given from the knowledge of being adjoinging the land and seeing it almosy daily. I have lived at Perdido all of my life, and know of no person having the name of Wesley Postom. Apparently an error was made in the drafting of the deed and the name Wesley Postom used as Grantee when the land was being conveyed to Wesley Brown. I know nothing of the whereabouts of W. T. Whitfield and B. F. Pringle, they have been gone from Perdido ofor a number of years and no one knows their addresses.

Balebie Harley

THE STATE OF ALABAMA Baldwin County

Circuit Court

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| o call befo | re you and examine _ | Wesley Brown a | nd Bobbie | Hadley | | | |
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| THE STATE OF ALAE Baldwin County | | | ¥. |
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| W. N. Bouler the above stated cause, on the group on said Defendant; and that sa | ound that more than thirty days | ording to law, and | ce service of summon |
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| W. N. Bouler In the above stated cause, on the groupon said Defendant; and that sa ta s failed to demur, plead to or | ound that more than thirty days aidsummons was duly served account answer the Bill of Complaint in | ording to law, and | ce service of summor |
| W. N. Bouler n the above stated cause, on the groupon said Defendant; and that sa | ound that more than thirty days aidsummons was duly served account answer the Bill of Complaint in | ording to law, and | ce service of summon |

| Circuit Court, | | Ϋ́ | |
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WESLEY BROWN

COMPLAINANT

COMPLAINANT

BALDWIN COUNTY, ALABAWA,

VS

IN EQUITY

B. F. PRINGLE, ET AL,

NO. 2394

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decrees pro confesso and proof as noted by the Register and it appearing to the satisfaction of the court that the Complainant is the owner in fee simple of, is now and was at the time of the filling of the bill of Complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof, that personal service was perfected upon the Respondents, William E. Fretwell, Walter Hadley Jr., W. N. Bouler, and Hall & Holley, and decrees pro confesso on personal service issued against each of them; that service was perfected upon B.F. Pringle, Wesley Postom, W. T. Whitfield, the unknown heirs, devisees, grantees, personal representatives and assigns of B. F. Pringle, Wesley Postom and W. T. Whitfield, and also any and all other persons, firms or corporations claiming any, right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof by publication in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, in its issues of December 1, December 8, December 15 and December 22, 1949, and decree pro confesso duly issued against the said parties upon service by publication, and that the title of the Complainant has been fully, duly and justly proven by legal and competent evidence, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondents, B. F. Pringle, Wesley Poston, W. T. Whitfield, William D. Fretwell, Walter Hadley Jr., W. N. Bouler and Hall & Holley, the unknown heirs, devisees, grantees, personal representatives and assigns of B. F. Pringle, Wesley Poston, W. T. Whitfield, and also any and all

persons, firms or corporations claiming any right, title, to, interest in, lien or encumbrances upon the said land, or any part or parcel thereof have no right, estate, claim, interest in or encumbrance upon the following described land or any part or parcel thereof in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West 110 yards, and less beginning at a poing 110 yards East and 306 yards North of the Southwest corner of the Northeast quarter of said Section 15, run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 years to the point of beginning, all being in Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West 110 yards, and less beginning at a point 110 yards East and 306 yards North of the Southwest corner of the Northeast quarter of said Section 15, run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama.

is vested absolutely in the Complainant, Wesley Brown.

TT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of B. F. Pringle, Wesley Poston, W. T. Whitfield, William E. Fretwell, Walter Hadley Jr., W. N. Bouler and Hall & Holley, and in the indirect index in the name of Wesley Brown.

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

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

Done this the 10th day of June, 1950.

Teffair J. mad Dury J.

RECORDED

WESLEY BROWN

COMPLAINANT

VS.

B. F. PRINCIE, ET AL.,

RESPONDENTS

FINAL DECREE

JUN 10 1950

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| WESLEY BROWN, | Ø | IN THE CIRCUIT COURT OF |
| COMPLAINANT | Q | BALDWIN COUNTY, ALABAMA |
| VS. | Ø | IN EQUITY |
| B. F. PRINGLE, ET AL, | Q | NC. |
| RESPONDENTS | Ŏ | |

It having been made to appear in the above styled cause by proper W. T. Whitfield affidavit that B. F. Pringle/and Wesley Poston, are non residents of the State of Alabama, and over twenty-one years of age, or if dead, their heirs, devisees, grantees, personal representatives and assigns are unknown, and cannot be ascertained after a diligent search and inquiry, and who are, from all information available, non residents of the State of Alabama, and over twenty-one years of age; that William E. Fretwell, Walter Hadley Jr., are over twenty-one years of age and residents of Baldwin County, Alabama; that W. N. Bouler is over twenty-one years of age and a resident of Escambia County, Alabama; that Hall & Holley is a partnership, and residents of Escambia County, Alabama; that Wesley Brown is over twenty-one years of age, and a resident of Baldwin County, Alabama, and the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West one hundred ten yards, and less beginning at a point 110 yards East and 306 yards North of the Southwest corner of the Northeast quarter of said Section 15, run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama,

that he acquired title to said lands by purchasefrom Leslie Poston and Eucille Postop his wife, on December 16, 1944, by Deed of record in 87 NS page 361-2; that no person, is known to havepaid any taxes on said land or to have been in possession thereof, within ten years next preceding the filing of this bill of complaint, except, J. T. Pringle, Leslie H. Poston and Wesley Brown.

IT IS THEREFORE, ORDERED and notice is hereby given that the said B. F. Pringle, W. T. Whitfield, Wesley Poston, William E. Fretwell, Walter Hadley Jr., W. N. Bouler, and Hall & Holley, the unknown heirs, devisees, grantees, personal representatives and assigns of B. F. Pringle, W. T. Whitfield, Wesley Poston, and any other person, firm or corporation

claiming any title to, interest in, lien or encumbrance upon said land, or any part thereof, to appear in this Court and plead, answer or demur to this bill of complaint on or before February 1st, 1950, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso, shall be taken against them, and this cause shall be at issue.

IT IS FURTHER ORDERED, that this order and notice be published in the Baldwin Times, Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal on this the 23 day of November, 1949.

Allice Allicha Register

H. M. Hall Solicitor for Complainant

STATE OF ALABAMA O BALDWIN COUNTY O

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper, published in Bay Minette, Baldwin County, Alabama, in the cause of Wesley Brown, Complainant, vs. B. F. Pringle, et al, Respondents and filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the County of which said land lies in accordance with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 23 day of November, 1949.

Alia L. Duck

STATE OF ALABAMA, BALDWIN COUNTY

Filed 11-25-49 4P.M

Recorded Deed Jook 14.7. page 11.7-8

25 RECORDED

11-23.49

Wesley Brown 33

Wesley Brown
Complainent

13. 2. Pringle 81 Respondent

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NOV 23 1949
R MA MINK, Register
Alica Duck

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STATE OF ALABAMA DEALDWIN COUNTY DEALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon B. F. Pringle, W. T. Whitfield, Wesley Poston, William E. Fretwell, Walter Hadley Jr., W. N. Bouler, and Hall & Holley, to appear and plead, answer or demur, within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by Wesley Brown, as Complainant and against B. F. Pringle, W. T. Whitfield, Wesley Poston, William E. Fretwell, Walter Hadley Jr., W. N. Bouler, and Hall & Holley, as Respondents.

WITNESS my hand this the 23 day of October, 1949.

| | Alac I. Nuc. Register | lo |
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| WESLEY BROWN COMPLAINANT | IN THE CIRCUIT | COURT OF |
| VS. | BALDWIN COUNTY | , ALABAMA |
| B. F. PRINGLE, ET AL. | IN EQUI | TY |
| RESPONDENTS | Ď. | |
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TO HON. TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Wesley Brown, presents this his bill of complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West 110 yards, and less beginning at a point 110 yards East and 306 yards North of the Southwest corner of the Northeast quarter of said Section 15, run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama,

and also against B. F. Pringle, Wesley Poston, W. T. Whitfield, William E. Fretwell, Walter Hadley Jr., W. N. Bouler and Hall & Holley, the unknown heirs, devisees, grantees, personal representatives and assigns of B. F. Pringle, Wesley Poston, W. T. Whitfield, and any other person, firm or corporation, claiming any right, title to, interest in, lien or encumbrance upon the said land or any part thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age, and a resident of Baldwin County, Alabama, living at Perdido, in Baldwin County, Alabama.

That the Respondents William E. Fretwell and Walter Hadley Jr., are over twenty-one years of age, and residents of Perdido, Baldwin County, Alabama; that W. N. Bouler, is over twenty-one years of age and a resident of Escambia County, Alabama; that Hall & Holley, is a partnership, and residents of Atmore, Escambia County, Alabama; that B. F. Pringle, W. T. Whitfield and Wesley Poston, if living, are non residents of the State of Alabama, and over twenty-one years of age; and if dead their heirs, devisees, grantees, personal representatives and assigns are non residents of the State of Alabama, and over twenty-one years of age; that a diligent search and inquiry has been made, inquiring of persons, at Perdido, in Baldwin County, Alabama, in the vicinity of the lands at the Court House in Bay Minette, Alabama; that an Abstract of Title, has been made, and that the addresses of the said B. F. Pringle, W. T. Whitfield and Wesley Poston, if living, or if dead, their heirs, devisees, grantees, personal representatives and assigns are non residents of the State of Alabama and cannot be ascertained.

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That your Complainant is the owner in fee simple and in the actual possession of the following described land in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West 110 yards, and less beginning at a point 110 yards East and 306 yards North of the South-west corner of the Northeast quarter of said Section 15, run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama.

4.

That no suit is pending to test the Complainant's title to, interest in, or rights of possession of said land; that the Complainant therefore calls upon the Respondents and each of them to set forth and specify what right, title, or interest they have in and to said land, and by what instrument or instruments the same is derived and/or created.

5ø

That your Complainant acquired title to said land by conveyance from Mesley Poston and Lucille Poston, his wife, on Denember 16, 1944, by Deed of record in the office of the Probate Judge of Baldwin County, Alabama, in Book 87 NS pages 361-2.

the records of the Probate Court of Baldwin County, Alabama, in the name of your Complainant Wesley Brown.

7.

That no one has at any time within ten years next preceding the filing of the bill of complaint in this cause, paid any taxes upon said land, or had any possession thereof, other than J. T. Pringle, Leslie H. Poston and Wesley Brown.

- 8₆

That the only person shown by the records of Baldwin County, Alabama, to claim said land or any part thereof, or any interest therein, is your Complainant, Wesley Brown.

WHEREFORE your Complainant prays that your Honor will by proper process make the said B. F. Pringle, W. T. Whitfield, William E. Fretwell, Walter Hadley Jr., W. N. Bouler and Hell & Holley, the unknown heirs, devisees, grantees, personal representatives and assigns of B. F. Pringle, Wesley Poston, and W. T. Whitfield, and any other person, firm or corporation claiming any right, title to, interest in, or encumbrance upon the said in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West 110 yards, and less beginning at a point 110 yards East and 306 yards North of the South-west corner of the Northeast quarter of said Section 15, run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama.

or any part thereof, parties respondent to this bill of complaint and require them and each of them to appear and 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 a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances, to the land herein described, and to each and every part and parcel thereof, is vested in your Complainant, and that neither B. F. Pringle, W. T. Whitfield, Wesley Poston, William E. Fretwell, Ealter Hadley Jr., W. N. Bouler and Hall & Holley, the unknown heirs, devisees, grantees, personal representatives and assigns of B. F. Pringle, Wesley Poston, W. T. Whitfield, nor any other person, firm or corporation has any right, title to, interest in, or encumbrance upon the said land or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

STATE OF ALABAMA BALDWIN COUNTY

Before me the undersigned authority in and for said County, in said State, personally appeared H. M. Hall, who is known to me and who having been by me first duly sworn, deposes and says that he is Solicitor for the Complainant in the above styled cause, and authorized to make this affidavit; that from all information obtainable the facts contained in the foregoing bill of complaint are true and correct.

1 mm free

Sworn to and subscribed before me on this the 23 day of October, 1949.

Notary Public, Beldwin County, Alabama

RECORDED,

serving copy of within Summons and

Walter Hadley In 11-26-49
William E. Fretwell 12-1-49
W. N. Bonler 12-3-49
Taylor Wilhim Shorist
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by serving copyrof within Summons and Complaint on

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B.F. Pringle stal. Nespondent.

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NOV 23 1949
ALISE J. DUCK, Register

| WESLEY BROWN | Q | IN THE CIRCUIT COURT OF |
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| COMPEAINANT | Ű. | BALDWIN COUNTY, ALABAMA |
| VS. | Ž | IN EQUITY |
| B. F. PRINGLE, ET AL. | necessary in the city of the policy of the first of the section of the city of the section of th | an tanàna manana manana manana 140, ao 536. |
| RESPONDENTS | Ď. | |
| Comment of the Commen | p. | |

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

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Come the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 1st day of December, 1949, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, and was directed to B. F. Pringle, Wesley Poston, W. T. Whitfield, William E. Fretwell, Walter Hadley Jr., W. N. Bouler and Hall & Holley, the unknown heirs, devisees, grantess, personal representatives and assigns of B. F. Pringle, Wesley Poston, W. T. Whitfield, and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrances upon the following described land situated in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West 110 yards, and less beginning at a point 110 yards East and 306 yards North of the South-west corner of the Northeast quarter of said Section 15, run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama,

As respondent, which required the said Respondents to answer or demur to the bill of complaint within thirty days after the 22nd day of January, 1950, and which said Respondents have to this day failed to do.

WHEREFORE the Complainant moves the Court to grant a decree pro confesso against the said Respondents.

Dated this the 23 day of Entrary, 1950.



WESLEY BROWN

COMPLAIMANT

VS

B. F. PRINCLE, ET AL.

MOTION FOR DECREE PRO CONFESS ON PUBLICATION

Freid march 23, 1900
Alice I. which
Register

| WESLEY | BROWN | Ž. | IN THE CIRCUIT COURT OF |
|---------|--|----|--|
| | COMPLAINANT | Ž | BALDWIN COUNTY, ALABAMA |
| | and the second s | Ž. | and the second s |
| B. F. 1 | PRINGLE, ET AL | X | |
| | RESPONDENTS | ĭ | |

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the Court that the order of publication heretofore made in this cause was published for four consecutive weeks commencing on the 1st day of December, 1949, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court house door in Baldwin County, Alabama, on the 1st day of December, 1949; and it now further appearing to the court that the said B. F. Pringle, Wesley Poston, W. T. Whitfield, William E. Fretwell, Walter Hadley Jr., W.N. Bouler and Hall & Holley, Respondents have to date hereof failedto plead, answer or demur to this bill of complaint in this cause.

It is therefore, on motion of the Complainant, ordered and decreed by the Court, that the said bill of complaint, be and it hereby is, in all things, taken as confessed against the Respondents named in the bill of complaint.

WITNESS my hand and seal of office this the 27 day of Facility,

Alice A. Ducko

RECORDED

WESLEY BROWN

COMPLAINANT

VS.

B. F. PRINGLE, ET AL,

RESPONDENT

DECREE PRO CONFESSO ON PUBLICATION

Freid March 27,1950 Alicef herrch

| | Comp | lainant, |
|---------------|---------|----------|
| E. F. Pringle | e et al | |

In the Circuit Court. In Equity No. 23914

DECREE PRO CONFESSO ON PERSONAL SERVICE.

| In this case it | |
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| | r, that service was had on the Respondent |
| William E. Fretwell | |
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| | |
| by the Sheriff of Baldwin | County, on the lst day of December |
| 19 <u>4 50</u> . | · . |
| And it further appears to the Register, | that the said |
| William E. Fretwell | |
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| | , the Respondent, having to the date hereof, |
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| rational to of answer the Birr | of Complaint filed in this cause, it is now, therefore, |
| on motion of H. M Hall | Solicitors |
| | |
| for Complainant, ordered, and decreed by th | ne Register that the Bill of Complaint in this cause be, |
| and it hereby is, in all things taken as confess | sed against the said |
| William E. Fretwell | |
| - | |
| This 27 day of March | , 19 <u>₹ ⁵</u> . |
| | Alice J. Darbo |
| | Register. |

| Vo. RECOND |
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CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

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| | | | Complainant, |
| 1 | | Vs. | |
| | B. F. | Pringl ϵ | et al |
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| • | | | Respondent. |
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| | | B. F. Prin | ngle, et al, | | Defendant |
| Motion is hereby | made for a De | cree Pro Confesso | against | | |
| Motion is hereby | made for a De | eree Pro Confesso | against | | |
| | | | | | Defendant |
| in the above state | d cause, on th | e ground that mo nat saidsummons v | re than thirty days | s have elapsed sinc | Defendant e service of summo |
| in the above state | ed cause, on thant; and the | e ground that mo nat said summons v | re than thirty days vas duly served acc ill of Complaint in | s have elapsed since cording to law, and this cause to this | Defendant e service of summo |

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| Ci | rcuit Cou | rt, In E | quity |
| | Wesley | Brown | |
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| | B. F. | Pringle, | et al |
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COMPLAINANT

COMPLAINANT

BALLWIN COUNTY, ALABAMA

VS.

D. F. PRINGLE, ET AL

RESPONDENTS

TO: B. F. Pringle, Wesley Poston, W. T. Whitfield, William E.

Fretwell, Walter Hadley Jr., W. N. Pouler and Hall & Holley.

Notice is hereby given that the Complainant will on the 27 day of

May

, 1950, before Evelyn Watts, as special Commissioner

take the testimony of the following witnesses.

Dated this the 19 day of 20 lig . 1950.

Solicitor for Complainant

Special Commissioner

RECORDED

WESLEY BROWN

COMPLAIN NT .

VS

B. F. PRINCIE, ET AL,

RESPONDENT

APPOINTMENT OF COLDISSIONER

Freid May 15, 1950 Acrock. renche Register WESLEY BROWN

IN THE CIRCUIT COURT OF

COMPLAINANT

BALDWIN COUNTY, ALABAMA

IN EQUITY

B. F. PRINGLE, ET AL

NO. 2391,

RESPONDENTS

REQUEST FOR APPOINTMENT OF COMMISSIONER

TO: Mrs. Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama:

The Complainant wishes to take orally, on behalf of the Complainant, the testimony of the following witnesses:

It is hereby requested that they be given proper and legal notice and that Evelyn Watts be appointed as special Commissioner, to take testimony of said witnesses, and that due and legal notice be given as required by law.

Dated this the 30th day of Meuly, 1950.

RECORDED

WESLEY PROWN

VS

B. F. PRINGLE, ET AL,

RESPONDENT

REQUEST FOR APPOINTMENT OF COMMISSIONER

Freid March 30, 1900 Acicel neuch Register

| | Complaina | nt, |
|-------------|-----------|------------------------------|
| F. Fringle, | et al | - 44 - 44 - 45 - 45 |

In the Circuit Court. In Equity No. 2394

DECREE PRO CONFESSO ON PERSONAL SERVICE.

| In this cause, it appears to the Register, that | service was had on the Respondent |
|--|--|
| Charlie Hall, as agent of Hall and Ho | olley |
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| | |
| by the Sheriff of Escambia Co | ounty, on the lst day of December, |
| 19 ≰_50 . | |
| And it further appears to the Register, that t | he said |
| Charlie Hall, as agent of Hall and Ho | olley |
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| | |
| | the Respondent, having to the date hereof, |
| failed to plead, demur to or answer the Bill of Co | omplaint filed in this cause, it is now, therefore, |
| on motion of H. M. Hall | Solicitors |
| for Complainant, ordered, and decreed by the Re | egister that the Bill of Complaint in this cause be, |
| and it hereby is, in all things taken as confessed a | against the said |
| Charlie Hall, as agent of Hall and Ho | lley |
| 05 | |
| This 27 day of March | |
| | Wise O Duck |
| • • • • • • • • • • • • • • • • • • • | Register. |

| RECORDED | R | Ľ | C |)R | D | E | D |
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CIRCUIT COURT OF BALDWIN COUNTY. ALABAMA. IN EQUITY

Wesley Brown

Complainant,

Vs.

B. F. Pringle, et al

Respondent.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

Issued this 27 day of __ <u>194_50</u>.

Register.

| WESLEY BROWN | Ž |
|-----------------------|--------------------------|
| Complainant | IN THE CIRCUIT COURT OF |
| VS | BALDWIN COUNTY, ALABAMA, |
| A-2 | IN EQUITY |
| B. F. PRINGEE, ET AL, | Ž |
| RESPONDENTS | ď |

This cause is submitted on behalf of the Complainant upon the following:

- 1. Original summons and complaint.
- 2. Lis Pendens filed for record in the Probate Office November 25, 1949.
- 3. Proof of publication of notice in the Baldwin Times in its issues of December 1, December 8, December 15, and December 22, 1949.
- 4. Decree pro confesso by publication against B. F. Pringle, Wesley Postom, W. T. Whitfield, W. E. Fretwell, Walter Hadley Jr., W. N. Bouler, and Hall & Holley, dated March 27, 1950.
- 5. Decrees pro confesso on personal service against W. M. Eouler, Walter Hadley Jr., Charles Hall as agent of Hall & Holley, and Wm. E. Fretwell, dated March 27, 1950.
 - 6. Request for appointment of commissioner.
 - 7. Appointment of commissioner.
 - 8. Commission to take depositions.
 - 9. Notice of time of taking testimony.
- 10. Oral depositions of Wesley Brown and Bobbie Hadley with exhibits attached.

Dated thisthe _____day of June, 1950.

Solicitor for the Complainant

Register

RECORDED

WESLEY BROWN

COMPLAINANT

/S

B. F. PRINGLE, ET AL,

RESPONDENTS

NOTE OF TESTIMONY

Filed 6-250 Auce J. renck Registy



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ALABAMA'S BEST COUNTY'S-

BEST NEWSPAPER

Legal Notice

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.
WESLEY BROWN, Complainant

B. F. PRINGLE, Et Al. Kespondents It having been made to appear in the above styled caused by proper affidavit that B. F. Pringle W. T. Whitfield and Wesley Poston, are non residents of the State of Alabama, and over twenty-one years of age, or if dead, their heirs, devisees, grantees, personal representa-tives and assigns are unknown, and cannot be ascertained after a diligent search and inquiry, and who are, from all information available, non residents of the Walter Hadley Jr. are over twenty-one win Times, Baldwin County, Alabama years of age and residents of Baldwin once a week for four consecutive weeks. Years of age and residents of Baldwin once a week 101 18th Collective News County, Alabama, that W. N. Bouler is over twenty-one years of age and a resident of Escambia County, Alabama, that Baldwin County, Alabama, have here-baldwin County, Alabama, have here-Hall & Holley is a partnership, and reunto set my hand and seal on this the 23 sidents of Escambia County, Alabama; day of November, 1949. that Wesley Brown is over twenty-one years of age, and a resident of Baldwin
County Alabama, and the owner in fee
H. M. Hall simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast quarter of Section 15, in Township 1 North, Range 4 East, less the West one hundred ten yards, and less beginning at a point 110 yards East and 306 yards North of the Southwest corner of the Northeast quarter of said Section 15 run South 306 yards, East 309 yards,

Poston, his wife on December 16, 1944 of the laws of the State of Alabama.

by Deed of record in 87 NS page 261 9 IN WITNESS WHEREOF, I have herethat no person is any taxes

DAV MAINIETTE . ALABAMA Poston and Wesley Brown.
IT IS THEREFORE ORDERED and notice is hereby given that the said B. F. Pringle, W. T. Whitfield, Wesley Poston, William E. Fretwell, Walter Hadley Jr., W. N. Bouler, and Hall & Holley the

unknown heirs, devisees, grantees, per sonal representatives and assigns of B. F. Pringle, W. T. Whitfield, Wesley Poston and any other person, firm or corporation claiming any title to, interest in, lien or encumbrance upon said land, or any parthereof to appear in this Court and plead, answer or demur to this bill of complaint on or before February 1st, 1950 or upon their having failed to do so upon the expiration of thirty days from said date, a decree pro confesso, shall be taken against them and this cause shall be at issue.

ALICE J. DUCK, Register for Complainant

STATE OF ALABAMA BALDWIN COUN-

I, Alice J. Duck, Register of the Circuit Court of Baldwin County Alabama, here-by certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper, published in Bay Minette, Baldwin County, Alabama in)RDS North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama. That he acquired title to said lands by purchase from Leslie Poston and Lucille lies in accordance with the lies in accordance with the provisions Poston, his wife on December 16, 1944.

unto set my hand and seal on this the day of November, 1949. ALICE J. DUCK.

Register

IDAVIT OF PUBLICATION

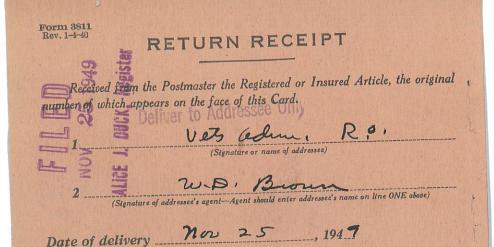
-aulknew, being duly sworn, deposes and says State of Alabama, and over twenty-one years of age; that William E. Fretwell, der and notice be published in the Bald-laldwin County, Alabama; that the notice hereto attached of

COST STATEMENT

Publisher.

newspaper for #consecutive weeks in the following issues:

| Date of 1st publication_ | Dec. 1 | 1949 | Vol. 60 No.45 |
|--------------------------|---------|-------|----------------|
| Date of 2nd publication_ | Dec. 8 | 1949 | Vol. 60 No. 45 |
| Date of 3rd publication | Dec. 15 | 1949 | Vol. 60 No. 47 |
| Date of 4th publication | Dec. 22 | 194 9 | Vol.60 No. 48 |



U. S. GOVERNMENT PRINTING OFFICE 18-12421

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JIMMY FAULKNER EDITOR AND PUBLISHER

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ALABAMA'S BEST COUNTY'S- MES

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WESLEY lighting equipment (1) When

B. F. PRINA motor vehicle is being open It having beon a roadway or shoulder a above styled hat B. F. Prient thereto during the times Vesley Poster.

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years of age; at a safe distance in advan

in Township 1 North, Range 4 East, less the West one hundred ten yards, and less beginning at a point 110 yards East and 306 yards North of the Southwest corner of the Northeast quarter of said Section 15 run South 306 yards, East 309 yards, North 30 yards, and Northwesterly 440 yards to the point of beginning, all being in Baldwin County, Alabama.

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BEST NEWSPAPER

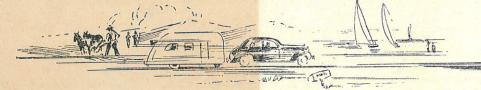
BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, BALDWIN COUNTY. , 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 COST STATEMENT 42 cents — — 6.55 WORDS @ I hereby certify this is correct, due and unpaid (paid). Publisher.

| Was published in said new | spaper for #consecutive | weeks in | the followi | ng issue |
|---------------------------|-----------------------------|----------|-------------|----------|
| Date of 1st publication | Dec. 1 | , 1949 | Vol. 60 | No.45 |
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| Date of 3rd publication | Dec. 15 | , 194 9 | Vol.60 | No. Y |
| Date of 4th publication | Dec. 22 | , 194 9 | Vol.60 | No. 48 |
| Subscribed and sworn b | efore the undersigned this. | 22day | of Olec | _, 1949 |
| Darsely | martin | | | |

Notary Public, Baldwin County. Publisher.



| W. R. ST Probate Jo No. 8253 Received of | | | | <i></i> 2 | | ·• | 19 73 | | | | | |
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| No. *7847 Received of Control | R. STUAI Probate Judge Bay Minette, Ala | | | Silver Silvery | | ************************************** | 19 💋 | <u> </u> | | | | |
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