

2394

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

Wesley Brown,
Complainant,
Vs. E. F. Pringle, et al,
Respondent.

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

Walter Hadley

by the Sheriff of Baldwin County, on the 26 day of November,
1945.

And it further appears to the Register, that the said _____

Walter Hadley

_____, the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of Huber M. Hall Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said _____

Walter Hadley

This 27 day of March, 1945.

Walter F. French
Register.

RECORDED

No. _____

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 March,
194 50.

Alice J. Smith
Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. 2394 Circuit Court, In Equity.

Wesley Brown

Complainant

Vs.

B. F. Pringle, et al

Defendant

Motion is hereby made for a Decree Pro Confesso against

Charlie Hall, as agent of Hall & Holley

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant have failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 23 day of March 1950

[Signature]

Solicitor.

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Wesley Brown

Vs.

B.F. Pringle, et al

Motion for Decree Pro Confesso on
Personal Service

Filed March 23 19 50

Wesley Brown
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. 2394

Circuit Court, In Equity.

Wesley Brown

Complainant

Vs.

B. F. Pringle, et al

Defendant s

Motion is hereby made for a Decree Pro Confesso against

Walter Hadley

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 23 day of March 19 50

John Lee
Solicitor.

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Wesley Brown

Vs.

B. F. Pringle, et al

Motion for Decree Pro Confesso on
Personal Service

Filed March 23 19 50

David French
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Printing Co., Bay Minette, Ala.

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

Wesley Brown

Complainant,

Vs.

B. F. Pringle et al

Respondent.

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

W. N. Boulér

by the Sheriff of Baldwin County, on the 3rd day of December, 1945.

And it further appears to the Register, that the said

W. N. Boulér

the Respondent, having to the date hereof, failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of H. M. Hall

Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said

W. N. Boulér

This 27 day of March, 1945.

Register.

RECORDED
No. _____

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 March,
1945.

W. J. Pringle
Register.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Wesley Brown

Complainant

VS.

B. F. Pringle, et al

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Wesley Brown and Bobbie Hadley

witnesses named in the Requirement for Oral Examination, on the 27 day of May 1945, at the office of Hubert M. Hall in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Wesley Brown and Bobbie Hadley doth depose and say as follows:

My name is Wesley Brown. I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondents Wm. E. Probst and Walter Hadley Jr., are over twenty-one years of age and residents of Perdido Baldwin County, Alabama. W. N. Boulter is over twenty-one years of age and a resident of Escambia County, Alabama. The firm of Hall and Holley, both of 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 is 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 around the court house of Bay Minette, 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 Postom 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 said land by deed from Lesley Postom and Lucille Postom, his wife, dated December 16, 1944, 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 said land or had any possession thereof other than J. T. Pringle, Lesley M. 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 December 1944. Prior to the 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 M. Postom.

The title, and possession of J. T. Pringle, Lesley Postom and myself, 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 a 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.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proom 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 27 day of May, 194 50.

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Wesley Brown

vs. Complainant

B. F. Pringle, et al

Respondent.

Oral Deposition

Filed May 31, 194 50.

Dwight L. Smith, Register.

Recorded in _____

Record _____

Vol. _____ Page _____

_____, 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 sworn, deposes and says:

My name is Bobbie Hadley, 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 four and one-half miles from Perdido. The land belonged to Wesley Poston before Mr. Brown bought it, and Mr. Poston 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 or claimed any title to the land other than Wesley Brown, Wesley Poston 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 adjoining the land and seeing it almost daily. I have lived at Perdido all of my life, and know of no person having the name of Wesley Poston. Apparently an error was made in the drafting of the deed and the name Wesley Poston used as Grantee when the land was being conveyed to Wesley Brown. I know nothing of the whereabouts of W. F. Whitfield and B. F. Pringle, they have been gone from Perdido for a number of years and no one knows their addresses.

Bobbie Hadley

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Wesley Brown and Bobbie Hadley

as witnesses in behalf of Wesley Brown in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Wesley Brown

_____, Complainant
and B. F. Pringle, et al

_____, Respondent

on oath, to be by you administered, upon Evelyn Watts
to take and certify the deposition s of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 27th day of May, 1940

Archie L. Wrenn

Register.

Commissioner's Fee, \$ 10.00

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Wesley Brown

Complainant

VS.

B. F. Pringle, et al

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

RECORDED
INDEXED
MAR 2 1950
CLERK OF COURT
BIRMINGHAM, ALA.

THE STATE OF ALABAMA, }
Baldwin County

No. 2394 Circuit Court, In Equity.

Wesley Brown

Complainant---

Vs.

B. F. Pringle, et al

Defendant----

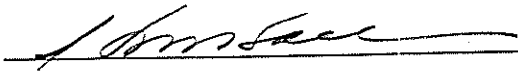
Motion is hereby made for a Decree Pro Confesso against

W. N. Boulter

Defendant-----

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant ----; and that said summons was duly served according to law, and that said Defendant -- ha s failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 23 day of March 19 50


Solicitor.

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

Wesley Brown

Vs.

E. F. Pringle, et al

Motion for Decree Pro Confesso on
Personal Service

Filed March 23 1950

Alice F. Houch
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

WESLEY BROWN

COMPLAINANT

VS

B. F. PRINGLE, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
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 filing 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. Boulter, and Hall & Holley, and decrees pro confesso on personal service issued against each of them; that service was perfected upon B.F. Pringle, Wesley Poston, W. T. Whitfield, the unknown heirs, devisees, grantees, personal representatives and assigns of B. F. Pringle, Wesley Poston 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. Boulter 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 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 140 yards 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 140 yards to the point of beginning, all being in Baldwin County, Alabama.

is vested absolutely in the Complainant, Wesley Brown.

~~IT 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.

Jeffrey A. Maddox, Jr.
JUDGE

RECORDED

WESLEY BROWN

COMPLAINANT

VS

B. F. PRINGLE, ET AL.,

RESPONDENTS

FINAL DECREE

FILED

JUN 10 1950

AUG 1. 1950, Register

Rec in Probate
154-241-3

WESLEY BROWN,	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
VS.	Ø	IN EQUITY
B. F. PRINGLE, ET AL,	Ø	NO. _____
RESPONDENTS	Ø	

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. Boulter
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 follow-
ing 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 purchase from Leslie Poston and
Lucille Poston his wife, on December 16, 1944, by Deed of record in 87
NS page 361-2; that no person, is known to have paid any taxes on said
land or to have been in possession thereof, within ten years next pre-
ceding 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. Boulter, 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.

Alice J. Duck
Register

H. M. Hall
Solicitor for Complainant

STATE OF ALABAMA }
BALDWIN COUNTY }

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.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY

Filed 11-25-49.....4 P.M

Recorded ..Deed.. Book 147 page 117-8

W. B. Pringle
Judge of Probate

25

NOV 23 1949

11-23-49

Wesley Brown 33

147-117-8

Wesley Brown
Complainant

vs.

B. J. Pringle 81

Respondent

FILED

NOV 23 1949

ALICE A. DUCK, Register

R. H. 15


Alice Duck

STATE OF ALABAMA
BALDWIN COUNTY

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. Boulter, 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. Boulter, and Hall & Holley, as Respondents.

WITNESS my hand this the 23 day of ^{November}~~October~~, 1949.


Register

WESLEY BROWN	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
B. F. PRINGLE, ET AL.	§	
RESPONDENTS	§	

TO HON. TELFAIR J. MASHEBURN 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. Boulter 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.

2.

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.

3.

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 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.

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.

5.

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

6.

That the title to said land claimed by your Complainant stands upon

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.

8.

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. Boulter and Hall & 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 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.

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, Walter Hadley Jr., W. N. Boulter 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.

H. M. Hall
Solicitor for Complainant

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.

H. M. Hall

Sworn to and subscribed before me on this the 23 day of ^{November}~~October~~, 1949.

[Signature]
Notary Public, Baldwin County, Alabama

RECORDED

NO 2394

_____ 19____
serving copy of within Summons and
Complaint on

Walter Hadley Jr. 11-26-49

William E. Fritwell 12-1-49

W. N. Bonler 12-3-49

Taylor Wilkins Sheriff

By H. F. Hall Deputy Sheriff

Wesley Brown
Complainant

VS.

B. F. Pringle et al.

Respondent.

Executed _____ 19____
by serving copy of within Summons and
Complaint on

Charlie Hall Agent of
Hall & Holley apartments
12-1-49

L. E. Fountain
Lawrence Fountain
Cremora Co.
Deputy Sheriff

RECEIVED
THIS DAY OF NOV 23 1949
Received in Sheriff's Office

FILED

NOV 23 1949

ALICE J. DUCK, Register

WESLEY BROWN	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
B. F. PRINGLE, ET AL.	§	NO. 2394
RESPONDENTS	§	

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

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. Boulter 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 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,

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 March, 1950.


Solicitor for Complainant

RECORDED

WESLEY BROWN

COMPLAINANT

VS

B. F. PRINGLE, ET AL,

MOTION FOR DECREE PRO
CONFESS ON PUBLICATION

Filed March 23, 1950

Alice L. Smith
Register

WESLEY BROWN

COMPLAINANT

VS.

B. F. PRINGLE, ET AL

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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. Boulter and Hall & Holley, Respondents have to date hereof failed to 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 ^{27th} day of ~~February~~ ^{March}, 1950.

Alice J. Smith
Register

RECORDED

WESLEY BROWN

COMPLAINANT

VS

B. F. PRINGLE, ET AL,

RESPONDENT

DECREE PRO CONFESSO
ON PUBLICATION

Filed March 27, 1950

Alice French
Register

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

Wesley Brown
Complainant,
Vs. E. F. Pringle et al
Respondent.

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

William E. Fretwell

by the Sheriff of Baldwin County, on the 1st day of December,
194 50.

And it further appears to the Register, that the said

William E. Fretwell

_____, the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of H. M. Hall Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said

William E. Fretwell

This 27 day of March, 194 50.

Alice J. Duck
Register.

No. **RECORDED**

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

Wesley Brown

Complainant,

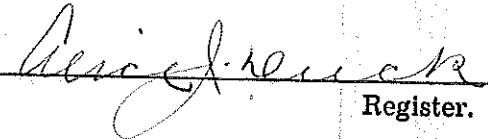
Vs.

B. F. Pringle et al

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this 27 day of March,
194 50.


Register.

THE STATE OF ALABAMA, }
Baldwin County

No. 2394 Circuit Court, In Equity.

Wesley Brown

Complainant...

Vs.

E. F. Pringle, et al,

Defendant....

Motion is hereby made for a Decree Pro Confesso against

William E. Fretwell

Defendant....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant ..

has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 23 day of March 19 50



Solicitor.

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

Wesley Brown

Vs.

B. F. Pringle, et al

Motion for Decree Pro Confesso on
Personal Service

Filed March 23 19 50

W. J. H. H. H.
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

WESLEY BROWN

COMPLAINANT

VS.

E. F. PRINGLE, ET AL

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 2394

TO: E. F. Pringle, Wesley Poston, W. T. Whitfield, William E. Fretwell, Walter Hadley Jr., W. N. Boulter 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 15 day of April, 1950.

Shirley
Solicitor for Complainant

Evelyn Watts
Special Commissioner

RECORDED

WESLEY BROWN

COMPLAINANT

VS

B. F. PRINGLE, ET AL,

RESPONDENT

APPOINTMENT OF COMMISSIONER

Filed May 15, 1950

Alice J. Necker
Register

WESLEY BROWN

COMPLAINANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

VS.

IN EQUITY

B. F. PRINGLE, ET AL

NO. 2394

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 March, 1950.


Solicitor for Complainant

RECORDED

WESLEY FROMM

COMPLAINANT

VS

B. F. PRINGLE, ET AL,

RESPONDENT

REQUEST FOR APPOINTMENT
OF COMMISSIONER

Filed March 30, 1950

Alice J. Hendon
Register

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

Wesley Brown
Complainant,
Vs. E.F. Pringle, et al
Respondent.

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 Holley

by the Sheriff of Escambia County, on the 1st day of December,
1945.

And it further appears to the Register, that the said

Charlie Hall, as agent of Hall and Holley

_____, the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of H. M. Hall Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said

Charlie Hall, as agent of Hall and Holley

This 27 day of March, 1945.

Price Smith
Register.

RECORDED

No. _____

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 March,
194 50.

Alfred. H. H. H.
Register.

WESLEY BROWN

COMPLAINANT

VS

B. F. PRINGLE, ET AL,

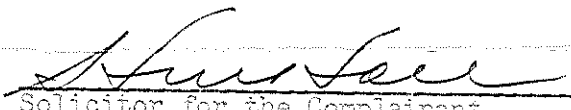
RESPONDENTS

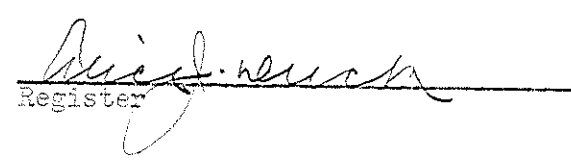
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY

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. Boulter, and Hall & Holley, dated March 27, 1950.
5. Decrees pro confesso on personal service against W. M. Boulter, 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 this the 7th day of June, 1950.


Solicitor for the Complainant


Register

RECORDED

WESLEY BROWN

COMPLAINANT

VS

B. F. PRINGLE, ET AL,

RESPONDENTS

NOTE OF TESTIMONY

Filed 6-7-50
A. J. Reuck
Register

Probate Judge

Bay Minette, Ala., 6/13, 1920

Received of Mrs. Beach 1

[illegible]

FOR RECORD

19381 MARSHALL & BRUCE-BIRMINGHAM

TOTAL

Judge of Probate.

Form 3811
Rev. 1-4-40

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Deliver to Addressee Only

1 Wesley Brown, R.P.

(Signature or name of addressee)

2 W.D. Brown

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery Nov 25, 1947

U. S. GOVERNMENT PRINTING OFFICE 16-12421

ALABAMA'S BEST COUNTY'S-

BEST NEWSPAPER

The **BALDWIN**
Times
BAY MINETTE, ALABAMA

JIMMY FAULKNER
EDITOR AND PUBLISHER

Legal Notice

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

B. F. PRINGLE, Et Al. Respondents
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 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. Boulter 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 purchase from Leslie Poston and Lucille Poston, his wife, on December 16, 1944, by Deed of record in 87 NS page 261, and that no person is known to him who has any tax

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. Boulter, 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.

ALICE J. DUCK,
Register
H. M. Hall
for Complainant

STATE OF ALABAMA BALDWIN COUNTY

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.

ALICE J. DUCK,
Register

45-4tc.

AFFIDAVIT OF PUBLICATION

Faulkner, being duly sworn, deposes and says I am the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published in Baldwin County, Alabama; that the notice hereto attached of

Brown vs.
Pringle

COST STATEMENT

WORDS @ 4½ cents — — — \$ 29.48

this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

was published in this newspaper for 4 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. 46

Date of 3rd publication Dec. 15, 1949 Vol. 60 No. 47

Date of 4th publication Dec. 22, 1949 Vol. 60 No. 48

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)

POSTMARK OF DELIVERING OFFICE

Return to Alice J Duck Clerk
(NAME OF SENDER)

Street and Number,
or Post Office Box,

REGISTERED ARTICLE
No. 430

INSURED PARCEL

Post Office Bay Minette
State Ala

No. 16-12421

Le
ped.
IN THE CIR
COUNTY, ALA
WESLEY
B. F. PRIN
It having be
above styled
that B. F. Pr
Wesley Poston
State of Alaba
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not be ascertain
and inquiry, den
formation avail
State of Alaba
years of age,
Walter Hadley
years of age
County, Alabama
over twenty-one
sident of Escam
Hall & Holley
sidents of Esce
that Wesley Br
years of age, a
County, Alabama
simple of and in
the following de
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 North-
east 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, Ala-
bama,
that he acquired title to said lands by
purchase from Leslie Poston and Lucille
Poston, his wife, on December 16, 1944,
by Deed of record in 87 NS page 381
that no person is known to have
any taxes

Merry C

IN WITNESS WHEREOF, I have here-
unto set my hand and seal on this the
23 day of November, 1949.
ALICE J. DUCK,
Register

45-41c.

JIMMY FAULKNER
EDITOR AND PUBLISHER

The **BALDWIN** *Times*
ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Wesley Brown vs.
B. F. Pringle

COST STATEMENT

655 WORDS @ 4 1/2 cents — — — \$ 29.48

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

Was published in said newspaper for 4 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. 46

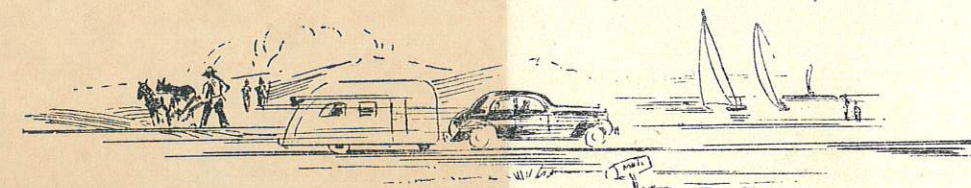
Date of 3rd publication Dec. 15, 1949 Vol. 60 No. 47

Date of 4th publication Dec. 22, 1949 Vol. 60 No. 48

Subscribed and sworn before the undersigned this 22 day of Dec, 1949.

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



Probate Judge

No. 8253

Bay Minette, Ala.,

. 19

Received of _____

[illegible]

W. R. STUART

Probate Judge

No. 7847

Bay Minette, Ala.,

19

Received of

[illegible]