

3203

C. C. GANTT,
COMPLAINANT,

VS

ALBERT ELMORE, LOUISE
M. ELMORE AND BAKER SORRELL,
DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. 3203

This cause being submitted upon the original bill of complaint, personal service on the defendants and decree pro confesso against the above named defendants, and the same being considered by the court, the court is of the opinion that the complainant is entitled to the relief prayed for;

It is therefore ORDERED, ADJUDGED AND DECREED that the defendants, Albert Elmore, Louise M. Elmore and Baker Sorrell, have no right, title, claim, interest in, lien or encumbrance upon the lands described in the bill of complaint, namely, Southwest quarter of the Northwest quarter of Section 19, Township 4 North, Range 4 East, in Baldwin County, Alabama, or any part thereof, and that the title to the said lands and each and every part and parcel thereof be and the same is hereby established and quieted in C. C. Gantt, as against the said defendants, Albert Elmore, Louise M. Elmore and Baker Sorrell and each of them.

It is further ORDERED, ADJUDGED AND DECREED that the defendants, Albert Elmore, Louise M. Elmore and Baker Sorrell, be and they are forever enjoined from asserting or attempting to assert, or claiming or attempting to claim any right, title or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof.

It is further ORDERED, ADJUDGED AND DECREED that the complainant pay the costs in this cause, for which let execution issue.

Done this the 27 day of August, 1954.

Hubert M. Hall
Judge.

CASE NO. 3203

C. C. GANTT,

COMPLAINANT,

VS

ALBERT ELMORE, LOUISE M.
ELMORE AND BAKER SORRELL,

DEFENDANTS.

FINAL DECREE

FILED

AUG 27 1954

ALICE L. DUCK, Register

STATE OF ALABAMA

BOOK 015 PAGE 320

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WE COMMAND YOU, that you summon, Albert Elmore, Louise M. Elmore, and Baker Sorrell, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by C. C. Gantt against the said Albert Elmore, Louise M. Elmore and Baker Sorrell, and further to do and perform what said Judge shall order and direct in that behalf, and this the defendants shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS, Alice J. Duck, Register of the said Circuit Court, this the 20th day of February, 1954.

Alice J. Duck
Register

C. C. GANTT,

COMPLAINANT

VS

ALBERT ELMORE, LOUISE
M. ELMORE AND BAKER SORRELL,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Comes C. C. Gantt, complainant and humbly complaining against Albert Elmore, Louise M. Elmore and Baker Sorrell, defendants, respectfully shows unto your Honor:

FIRST: That your complainant is over the age of twenty-one years and a resident of Baldwin County, Alabama; that the defendants are each over the age of twenty-one years; and their places of residence and post office addresses are: Albert Elmore, 1857 Dauphin Street, Mobile, Alabama; Louise M. Elmore, 1857 Dauphin Street, Mobile, Alabama; Baker Sorrell, 600 Tuttle Avenue, Mobile, Alabama.

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

Southwest quarter of the Northwest quarter
of Section 19, Township 4 North, Range 4
East, in Baldwin County, Alabama;

THIRD: That the said Albert Elmore, Louise M. Elmore
and Baker Sorrell claim, or are reputed to claim some right, title
or interest in, or incumbrance upon the above described lands, or
some part thereof, and the complainant calls upon them to set forth
and specify their right, title, claim, interest in or incumbrance
upon the said lands, or any part thereof, and to show how and by
what instruments the same is derived or created.

FOURTH: That there is no suit pending to enforce or test
the validity of the complainant's title to the said lands, or to
enforce or test the validity of the defendants right, title, claim
or interest in or incumbrance upon the said lands, or any part
thereof.

FIFTH: The Complainant further alleges that the above
described lands were sold for taxes June 17, 1937 and purchased by
the State of Alabama; that the State of Alabama sold its interest,
by virtue of the aforesaid tax sale, in the said lands to one of
the defendants, Albert Elmore April 7, 1948, recorded in the office
of the Judge of Probate of Baldwin County in Deed Book 129 at page
473, and the complainant is informed and believes and alleges upon
such information and belief that the defendants in this cause claim
the said lands, or some interest therein, by virtue of the afore-
said tax sale and tax deed; complainant was, at the time of the
aforesaid sale of the same for taxes, and is now the owner of the
same; that he was in possession of the same at the time of said
sale and has been in possession of the same continuously from the
date of the said sale to this date; and complainant further alleges
that the aforesaid tax sale was void; that the claim of the defend-
ants and each of them on the said lands is barred by the statute
of limitations; that the complainant under the laws of the State of
Alabama is entitled to redeem the said lands from the aforesaid tax
sale in the event this Honorable Court find any taxes due thereon.

WHEREFORE, your complainant prays this Honorable Court
take jurisdiction of the cause made by this bill of complaint and

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PAGE 621

make the said Albert Elmore, Louise M. Elmore and Baker Sorrell parties defendant hereto, and by appropriate process require them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause this Honorable Court will make and enter an order and decree adjudging and decreeing that the said defendants, Albert Elmore, Louise M. Elmore and Baker Sorrell, have no right, title, claim, interest in or incumbrance upon the said lands, or any part thereof, and that the title to the said lands be quieted and established in this complainant as against the said defendants; and that the said defendants be forever enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title or interest in, or incumbrance upon the said lands, or any part thereof.

Complainant further prays that if he shall be mistaken in the relief prayed for, that this Honorable Court will ascertain the amount of taxes and costs for which the said lands were sold, and interest thereon, and the taxes and interest thereon subsequent to the said sale, and that this complainant be permitted to redeem the said lands from the aforesaid tax sales; and this complainant prays for such other, further or different relief as in equity it shall be entitled to receive in the premises.

Becker & Livingston
Solicitors for Complainant

109K 015 PAEL 022

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

C. C. GANTT

Complainant,

Vs.

ALBERT ELMORE, LOUISE M. ELMORE
BAKER SORRELL, Respondents.

In the Circuit Court.

In Equity No. 3203.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent^SALBERT ELMORE, LOUISE M. ELMORE + BAKER
SORRELLby the Sheriff of MOBILECounty, on the 25TH day of FEBRUARY
3RD MARCH
26TH MARCH1954And it further appears to the Register, that the said ALBERT ELMORE,LOUISE M. ELMORE + BAKER SORRELL,_____, the Respondent^S, 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 BEEBE + SWEARINGEN, 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 ALBERT ELMORE,LOUISE M. ELMORE + BAKER SORRELL, RESPONDENTS.This 24TH day of AUGUST, 1954.Archie J. Tucker
Register.

No. 3203

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.
IN EQUITY

C. C. Gentt

Complainant,

Vs.

Albert Elmore, Louise M.

Elmore & Robert Lowell

Respondents.

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued this FILED day of _____,
1944. NOV 24 .954
ALICE A. DICK, Register
Register.

THE STATE OF ALABAMA,
Baldwin County

No. 3203 Circuit Court, In Equity.

C. C. Gantt

Complainant...

Vs.

ALBERT ELMORE, LOUISE M. ELMORE & BAKER SORRELL

Defendant S...

Motion is hereby made for a Decree Pro Confesso against

ALBERT ELMORE, LOUISE

M. ELMORE & BAKER SORRELL

Defendant S...

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

This 24TH day of AUGUST 1954

Baker & Swearingen
By J. D. Swearingen

Solicitor.

No. 3203

Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

C.C. Smith, Complainant

Vs.

Albert Elmore, Louise
M. Elmore & Parker Smith,
Respondents

Motion for Decree Pro Confesso on
Personal Service

Filed _____ 19 ____

Register.

Recorded in _____ Record

Vol. _____

FILED
AUG 24 1954

ALICE J. DUCK, Register

Register.

C. C. GANTT,
COMPLAINANT
VS
ALBERT ELMORE, LOUISE
M. ELMORE AND BAKER SORRELL
DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
703203.
IN EQUITY

TO WHOM IT MAY CONCERN:

Notice is hereby given that the complainant in this cause has on this date filed in the Circuit Court of Baldwin County, Alabama, Equity side, against the defendants, a suit to quiet complainant's title to the property hereinafter described, and to clear up all doubts and disputes concerning same.

The complainant alleges in his said bill of complaint that he claims to own and is in actual, peaceable possession of the property described in the said suit, namely: the Southwest quarter of the Northwest quarter of Section 19, Township 4 North, Range 4 East, in Baldwin County, Alabama, and that no suit is pending to enforce or test the title to the said lands.

The said complainant prays for a decree quieting his title to the said property against the said defendants, and for general relief.

All persons are cautioned against purchasing the said property, except subject to the rights of the said complainant in this suit.

Dated this 20 day of Feb., 1954.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 2-20-54 8 A.M.

Recorded Li. Prod book 4 page 45

MR. Stewart
Judge of Probate

Baker & Swearingen
Solicitor for complainant

ONE Bldg
12-50

3203

703203

C. C. Gantt

VI:

Albert Elmore

House No. 5

Baker Sonnet

12

X-45

FILED

FEB 20 1954

ALICE J. DUCK, Register