

3282

STATE OF ALABAMA

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. Dick, Register of the said Circuit Court, this the 24<sup>th</sup> day of June, 1954.

*Alice J. Dick*  
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 lands situated in the County of Baldwin, State of Alabama, to-wit:

Northeast quarter of Southeast quarter,  
Southeast quarter of Northeast quarter  
of Section 24, Township 4 North, Range  
3 East.

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 encumbrance 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 encumbrance 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 encumbrance 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 aforesaid 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 defendants 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 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 encumbrance 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 encumbrance 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 & Swearingen*  
*By F. D. Swearingen*  
Solicitors for Complainant

Received in Sheriff's Office  
this 24 day of June 1954  
TAYLOR WILKINS, Sheriff

9/5 7103282 255

Complaint

C. C. Gantt,  
Complainant

24/5 vs. 28/11  
Albert Emore, Louise  
M. Emore and Baker  
Lowell, Defendants

EXECUTED  
This 28 day of June 54  
by serving copy of this on  
Albert Emore  
W. H. HOLCOMBE, Sheriff  
By Ferguson S.

EXECUTED  
This 28 day of June 54  
by serving copy of this on  
Louise M. Emore  
W. H. HOLCOMBE, Sheriff  
By Ferguson S.

EXECUTED  
This 29 day of June 54  
by serving copy of this on  
Baker Lowell  
W. H. HOLCOMBE, Sheriff  
By Matthews S.

FILED  
JUN 21 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

703282

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:

Northeast quarter of Southeast quarter,  
Southeast quarter of Northeast quarter  
of Section 24, Township 4 North, Range  
3 East.

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 his 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 the 23 day of June, 1954.

BEEBE & SWEARINGEN

By: J. D. Swearingen  
Solicitor for complainant.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 6-24-54 10 A.M.

Recorded Lie. Paul back 4 page 75

M. J. Stewart  
Judge of Probate

5

87

6-23-54

Lia Pendens Notice

C. C. Gaults  
Complainant

vs.

Albert Elmore, Louise  
M. Elmore and Baker  
Sorrell,  
Defendants

4-75

FILED

JUN 24 1954

ALICE J. DRUCK, Register

R. 75

Mrs. Druck

101-4-15

C. C. GANTT,  
Complainant,  
Vs. ALBERT ELMORE, LOUISE M. ELMORE +  
BAKER SORRELL, Respondents.

In the Circuit Court.  
In Equity No. 3282.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent<sup>s</sup> \_\_\_\_\_

ALBERT ELMORE, LOUISE M. ELMORE + BAKER SORRELL

by the Sheriff of MOBILE County, on the <sup>28<sup>TH</sup></sup><sub>29<sup>TH</sup></sub> day of JUNE,  
1954.

And it further appears to the Register, that the said ALBERT ELMORE,  
LOUISE M. ELMORE + BAKER SORRELL,

\_\_\_\_\_, the Respondent<sup>s</sup>, 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 24<sup>TH</sup> day of AUGUST, 1954.

Archie J. ...  
Register.

No. 3282

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

C. C. Gantt

Complainant,

Vs.

Albert Moore, Louise M.

Moore & Helen Lovell,

Respondents.

**DECREE PRO CONFESSO ON  
PERSONAL SERVICE.**

Issued this 24<sup>th</sup> day of Aug,  
1924.

W. J. French  
Register.



THE STATE OF ALABAMA, }  
Baldwin County

No. 3282 Circuit Court, In Equity.

C. C. GIANTT

Complainant...

Vs.

ALBERT ELMORE, LOUISE M. ELMORE + BAKER SORRELL

Defendant...

Motion is hereby made for a Decree Pro Confesso against ALBERT ELMORE LOUISE

M. ELMORE + BAKER SORRELL

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 24<sup>TH</sup> day of AUGUST 1954

Decker Swearingen  
F. L. Swearingen

Solicitor.

No. 3282

Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, In Equity

C. C. Gantt, Complainant

Vs.

Albert Elmore, Louise  
M. Elmore & Peter Howell,  
Respondents

Motion for Decree Pro Confesso on  
Personal Service

Filed \_\_\_\_\_ 19 \_\_\_\_\_

**FILED**

AUG 24 1954

Register.

Recorded in JUDGE J. DUCK, Register Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

No. 3282

Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, In Equity

*C. C. Gantt, Complainant*

Vs.

*Albert Elmore, Louise*

*M. Elmore & Robert Lowell*

*Respondents*

Motion for Decree Pro Confesso on  
Personal Service

Filed \_\_\_\_\_ 19 \_\_\_\_\_

**FILED**

**AUG 24 1954**

Register.

Recorded in *MISS J. DUCK, Register* \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

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  
CASE NO. 3282

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, Northeast quarter of Southeast quarter, Southeast quarter of Northeast quarter of Section 24, Township 4 North, Range 3 East, in Baldwin County, Alabama, or any part or parcel 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. 3282

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

FINAL DECREE

FILED  
AUG - 27 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 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:

Northeast quarter of Southeast quarter,  
Southeast quarter of Northeast quarter  
of Section 24, Township 4 North, Range  
3 East.

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 his 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 the 23 day of June, 1954.

BEEBE & SWEARINGEN

By: J. B. Swearingen  
Solicitor for complainant.

456  
W  
4  
P  
4

FILED  
JUN 23 1954  
BALDWIN COUNTY, ALA.

Solicitor for complainant.  
By: [Signature]  
BERBE & SWEARINGEN

Dated this the 23 day of June, 1924.

suit.

erty, except subject to the rights of the said complainant in this

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

erty, except subject to the rights of the said complainant in this suit.

erty.

and that no suit is pending to enforce or test the title to the said

3 East.  
of Section 24, Township 4 North, Range  
Southeast quarter of Northeast quarter,  
Northeast quarter of Southeast quarter,

erty described in the said suit, namely:

he claims to own and is in actual, peaceable possession of the pro-

The complainant alleges in his said bill of complaint that all disputes and disputes concerning same.

and's title to the property hereinafter described, and to clear same, strictly alike, against the defendants, a bill to quiet title was on this date filed in the Circuit Court of Baldwin County, Ala-

Notice is hereby given that the complainant in this cause

TO WHOM IT MAY CONCERN:

*Lia Pendens Notice*

DEFENDANTS:

ELMORE AND BAKER SOBRETT,  
ALBERT ELMORE, LOUISE W.

IN EQUITY

AS

COMPLAINANT

BALDWIN COUNTY, ALABAMA

C. C. GAVITT,

IN THE CIRCUIT COURT OF

FILED  
JUN 24 1924  
ALICE I. WICK, Register

NO 3282.