

2247

J. D. HENDERSON,
Complainant

E Q U I T Y

No. _____

-vs-

UNKNOWN HEIRS AND
DISTRIBUTEES OF LUCIA
JOSEPHSON,
Defendants

CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

This cause coming on to be heard is submitted for final decree upon the pleadings and proof as noted by the Register; and upon consideration thereof the Court is of opinion that the Complainant is entitled to the relief prayed for in his bill of complaint. It is, therefore, ORDERED, ADJUDGED and DECREED by the Court:

1. That the Complainant, J. D. HENDERSON, is the owner of the real estate in the original bill in this cause and which real estate is situated in the County of Baldwin, State of Alabama; and more particularly described as follows:

The West thirteen acres, more or less, of the East half of the Southeast Quarter of the Northwest Quarter of Section Sixteen, Township Six South of Range Two East, excepting therefrom a strip forty feet wide along the South line; a strip thirty feet wide along the North line and a strip thirty feet wide along the West line which said strips are reserved for roads, all being in Baldwin County, Alabama.

2. That the heirs of Lucia Josephson, deceased, the Defendants in this cause, have no right, title, or interest in, or encumbrance upon such lands above described, or any part thereof.

3. That the Register, within thirty days from this date, file a certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said land lies; and that the Probate Judge record and index said decree, as required by Code 1940, Title 7, Section 1113.

4. That the Complainant pay the costs of this suit to be taxed by the Register, for which let execution issue.

Done this 6th day of May, 1949.

Julius J. Mashburn Jr.
Circuit Judge.

1472nd 473-4
Feb 5-11-49

J. D. HENDERSON,
Complainant

-VS-

UNKNOWN HEIRS AND
DISTRIBUTEES OF LUCIA
JOSEPHSON, Deceased

.....
DECREE QUIETING TITLE
.....

FILED

MAY 11 1949

ALICE J. DUCK, Register

that the complainant pay the costs of this suit

Done this

1949

at the City of New York

to be taken by the Register for the execution of the same.

TO THE HONORABLE TELFAIR J. MASHBURN, Jr., JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:

Humbly complaining sheweth unto your Honor, your orator,
J. D. HENDERSON, who is a resident of the State of Mississippi,
City of Biloxi, and is over the age of twenty-one years.

1. That the names, ages and residence of the heirs of
LUCIA JOSEPHSON are unknown to your orator and that the names,
ages and places of residence of the heirs of said Lucia Josephson
cannot be ascertained by your orator, after reasonable effort.

2. That your orator is the owner of the following
described tract of land which is situated in Baldwin County, State
of Alabama, to-wit:

The West thirteen acres, more or less, of
the East half of the Southeast Quarter of the
Northwest Quarter of Section Sixteen, Town-
ship Six, South of Range Two East, excepting
therefrom a strip forty feet wide along the
South line; a strip thirty feet wide along
the North line and a strip Thirty feet wide
along the West line which said strips are
reserved for roads, all being in Baldwin
County, Alabama.

3. That the heirs of said Lucia Josephson claim or are
reputed to claim some right, title, interest in or encumbrance
upon the above described lands.

4. That no suit is pending to enforce or test the validity
of such title, claim or encumbrance.

THE PREMISES CONSIDERED, your orator prays that your
Honor may take jurisdiction of the parties and subject matter
above set forth; that the heirs of Lucia Josephson may be made
defendants to this bill and proper process may issue from your
Honor's Court requiring said defendants to plead, answer or demur
to this bill within time fixed by law, and the rules of your
Honor's Court. That said defendants be required to set forth and
specify their title, claim, interest in or encumbrance upon said
lands, and how and by what instrument the same is derived and
created. That your Honor will by decree determine such title,

claim, interest or encumbrance and will by said decree vest the title to the above described lands in your orator, and if in any way your orator is mistaken as to the relief to which he is entitled your orator prays for such other, further and different relief as to your Honor may seem meet and proper.

Richard B. B...
Solicitors for Complainant.

STATE OF ALABAMA:

COUNTY OF BALDWIN:

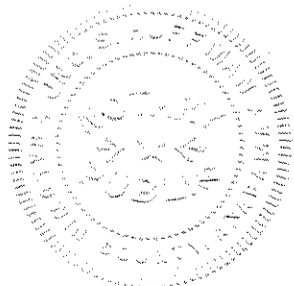
Before me, John S. Huffman, a Notary Public in and for said County and State, personally appeared Carl L. Bloxham, who is known to me and who being by me first duly sworn, deposes and says that he is the Agent of the Complainant in the above styled cause, that he has read the above bill, knows the contents thereof, and that the statement of facts contained therein are true.

Carl L. Bloxham

Sworn to and subscribed before me this 17 day of March, 1949.

John S. Huffman

Notary Public, Baldwin County, Alabama.



John S. Huffman, Notary Public
Baldwin Co. Ala.
My Commission Expires Oct. 6th, 1949.

RICKARBY & RICKARBY,
Solicitors for Complainant.

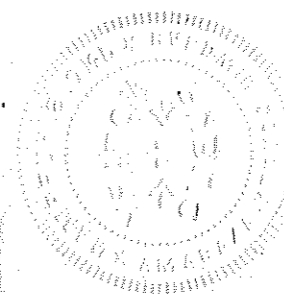
- VS -

UNKNOWN HEIRS AND DEVISEES
OF LUCIA JOSEPHSON,
Defendants

BILL TO QUIET TITLE

Filed 3-8-49
Dir. J. L. Clark
Register

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J. H. Henderson

vs.

Unknown Heirs and
Devisees of Lucijosephson

THE STATE OF ALABAMA,

Baldwin COUNTY.

CIRCUIT COURT, IN EQUITY.

Term, 19...

I, Alice J. Luck

Register of the Circuit Court of

Baldwin

County, of the State of Alabama, hereby certify that on the affidavit

of Carl L. Blodhorne

on the 8th day of March 1949, an order of publication was made toUnknown Heirs and Distributors of
Lucijosephson who are non-resident

who reside at Unknown

and was published in the Fairhope Courier

a newspaper published in Fairhope, Ala. once a week, for four

consecutive weeks, commencing on the 10th day of March 1949, requiringthe said Unknown Heirs and Distributors of
Lucijosephson to answer or demur to the Bill of Complaint in the cause on the 8th day of April

1949, or in thirty days therefrom a decree Pro Confesso may be taken against them

And that a copy of said order was forwarded by mail, on the day of

19, addressed to

at

and that one other copy of said order was posted at the Courthouse door of said County for four consecutive weeks,

commencing on the 5th day of March 1949

Alice J. Luck

Register.

J. D. HENDERSON,
Complainant

E Q U I T Y

No. _____

-VS-

UNKNOWN HEIRS AND DISTRIBUTEES
OF LUCIA JOSEPHSON,
Defendants

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA

In this cause it is made to appear to the Court by the affidavit of Carl L. Bloxham, Agent of the Complainant, that the defendants to this bill, who are the heirs and distributees of the estate of Lucia Josephson, deceased, are unknown both their names, ages and places of residence and cannot be ascertained after reasonable effort; that the bill of complaint is filed to quiet title to the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

The West thirteen acres, more or less, of the East half of the Southeast Quarter of the Northwest Quarter of Section Sixteen, Township Six South of Range Two East, excepting therefrom a strip forty feet wide along the South line; a strip thirty feet wide along the North line and a strip thirty feet wide along the West line which said strips are reserved for roads, all being in Baldwin County, Alabama.

It is therefore ordered by the Court that publication be made in the FAIRHOPE COURIER, a newspaper published in Baldwin County, Alabama, once a week for four successive weeks, requiring each of them, the heirs of said Lucia Josephson to plead, answer or demur to the bill in the above cause by the 8th day of April, 1949, or in thirty days thereafter a decree pro confesso may be taken against each of them in said cause.

Done this 8th day of March, 1949.

Arice J. Duck
Judge. *Register*

W 2249

J. D. HENDERSON,
Complainant

-VS-

UNKNOWN HEIRS AND DISTRIBUTORS
OF LUCIA JOSEPHSON,
Defendants

.....
ORDER OF PUBLICATION
.....

Filed 3-8-49
Alice French
Register

ELLIOTT G. RICKARBY

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

March 4, 1949

Mrs. Alice J. Duck
Register Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

With this we are handing you Bill to -
Quiet Title in the case of J. D. Henderson
vs. the Unknown Heirs and Devisees of Lucia
Josephson.


Please have notice of publication sent to
the Fairhope Courier and instruct them to send
us the bill for this ad.

Is it customary to send costs with this?
If so, please advise.

Yours very truly,

RICKARBY & RICKARBY

BY:-



EGRjr:la
572.

CC: Mr. Carl L. Bloxham
Agent
Fairhope, Ala.

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

May 2, 1949

Mrs. Alice J. Duck
Register Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

J. D. HENDERSON vs. UNKNOWN HEIRS
OF LUCIA JOSEPHSON:

With this we hand you Motion for
Decree Pro Confesso and Decree, Note of
Submission and proposed Decree quieting title,
together with two copies with certification.
As you know, one of the certified copies is
to be filed with the Judge of Probate and the
other sent us.

We ask that this case be submitted
at your early convenience.

Sincerely,

RICKARBY & RICKARBY

by:- 

EGRjr:la
572.
6 encls.

Please send cost bill,

THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

FAIRHOPE, ALABAMA

This is to certify that the attached
legal notice appeared in the Fairhope
Courier, a newspaper published in
Fairhope, Baldwin Co., on the dates
of March 10, 17, 24 and 31, 1949

Frances G. Crawford

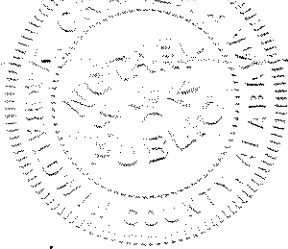
Frances G. Crawford, Editor

State of Alabama
Baldwin County

Subscribed and sworn to this 29th day of
April, A. D. 1949, before me.

E. C. Daniel

Notary Public, Baldwin County, Alabama.



THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

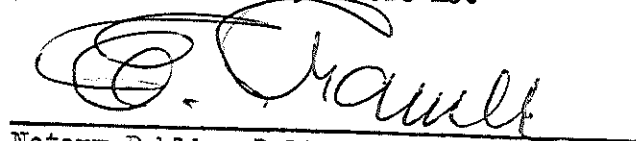
FAIRHOPE, ALABAMA

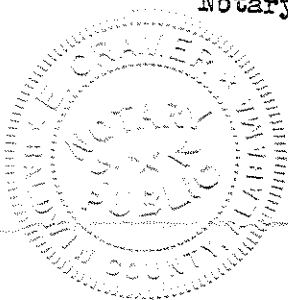
This is to certify that the attached
legal notice appeared in the Fairhope Courier
a newspaper published in Fairhope, Baldwin
County on the dates of March 10, 17, 24,
and 31, 1949.


Frances G. Crawford, Editor

State of Alabama
Baldwin County

Subscribed and sworn to this 4th day of
April, A. D. 1949, before me.


Notary Public, Baldwin County, Alabama.



J. D. HENDERSON,
Complainant

-vs-

E Q U I T Y

No. _____

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

UNKNOWN HEIRS AND
DISTRIBUTORS OF
LUCIA JOSEPHSON,
Defendants

In this cause it being made to appear to the

Court that the order of publication heretofore made in this cause

was published for four consecutive weeks, commencing on the

10th day of March, 1949, in the FAIRHOPE COURIER, a newspaper

published in the City of Fairhope, Baldwin County, Alabama, and

it further appearing to the Court that the said heirs of Lucia

Josephson have to this date, failed to plead, answer, or demur

to the bill of complaint in this cause, it is, therefore, on

~~motion of complainant ORDERED and DECREED by the Court that the~~

said bill of complaint be and the same is hereby in all things

taken as confessed against said heirs of Lucia Josephson.

Done this the 3rd day of May, 1949.

Wm. J. Lewis
Judge.
Reynolds

J. D. HENDERSON,
Complainant

-vs-

UNKNOWN HEIRS AND DISTRIBUTORS
OF LUCIA JOSEPHSON, Deceased,

DEGREE PRO CONFESSO

M
L
H
B
C
D

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19⁴⁹

J. D. HENDERSON,

Complainant

Vs.

UNKNOWN HEIRS AND DISTRIBUTEES OF LUCIA JOSEPHSON,

Defendant

Motion is hereby made for a Decree Pro Confesso against the Unknown heirs and
Distributees of Lucia Josephson

Defendant^s

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 3rd day of May, 19⁴⁹.

746 Code

Richard S. Kelly
Solicitors for Complainant.

~~Solicitor~~

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

J. D. HENDERSON,

Complainant _____

Vs.

UNKNOWN HEIRS AND DISTRIBUTEES

OF LUCIA JOSEPHSON,

Defendant S _____

Motion for Decree Pro Confesso
On Publication

Filed 5-3, 19 49

W. J. Hendrick
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The Baldwin Times, Bay Minette, Ala.

J. D. HENDERSON,
Complainant

EQUITY

-vs-

No. _____

UNKNOWN HEIRS AND
DISTRIBUTEES OF
LUCIA JOSEPHSON,
Defendants

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA

NOTE OF SUBMISSION

Cause submitted for final decree upon
pleadings and proof.

Complainant, being called, offers the
following testimony, to-wit:

1st.: Original bill of complaint
and affidavit of complainant's agent thereto.

2nd. Order of publication against
Defendants.

3rd. Decree pro confesso on publication
against Defendants, The Unknown Heirs and Distributees of
Lucia Josephson.

Defendant, being also called, offers
nothing.

I hereby certify that the above note of
submission is correct, this 5th day of May, 1949.

Reis J. Ruck
Register.

Richard J. Ruck
Solicitors for Complainant.

Bill Henderson
Solicitors for Complainant

W. J. Duck
Register

subpoena is correct, this day of May, 1949.

I hereby certify that she spoke none of

nothing.

Defendant, being also called, offers

in his Josephson.

against Defendant; the Unknown Heirs and Distributees of

and. Decree to confess on application

Defendants.

and. Order of application against

and against of complaint and agent thereof.

and. Order of application against

following testimony, to-wit:

Complainant, being called, offers the

testimony and proof.

and. Order of application against

J. D. HENDERSON,
Complainant

- vs -

UNKNOWN HEIRS AND
DISTRIBUTEES OF LUCIA
JOSEPHSON,
Defendants

Defendants
THAT JOSEPHSON
DISTRIBUTEES OF
UNKNOWN HEIRS AND

NOTE OF SUBMISSION

FILED
MAY 13 1949
ALICE J. DUCK, Register

ATTEST
BY THE CLERK
CIRCUIT COURT OF

W D U I T Y

COMPLAINANT
J. D. HENDERSON

6702