

C. A. THOMPSON,

Complainant,

VS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

THE LANDS HEREINAFTER DESCRIBED,
and WILLIAM B. HOLYOKE, ET ALS,

IN EQUITY

Respondents.

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Register's Certificate as to Service; Motion for Decree Pro Confesso against Respondents; Decree Pro Confesso against Respondents; Decree ordering testimony taken in this case, as required by Equity Rule Number 56, as amended; and the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended, upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The complainant, C. A. Thompson, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Section 7, Township 4 South,
Range 3 East, containing 161.20 acres;

Northwest Quarter of Section 8, Township 4 South,
Range 3 East, containing 160.32 acres,

EXCEPT the following described property:

EXCEPTION NUMBER 1: The property conveyed by C. A. Thompson and wife to Baldwin County, Alabama for public road purposes by deed dated March _____, 1935 and recorded in Deed Book 58 N. S. at pages 41-2, Baldwin County, Alabama Records.

EXCEPTION NUMBER 2: The easement conveyed by C. A. Thompson and wife to the City of Fairhope, Alabama, a Municipal Corporation, by easement dated June 15, 1950 and recorded in Deed Book 155 at pages 261-2, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said complainant, C. A. Thompson, free and clear of and from the claim or claims

of any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, or any interest therein. The said complainant shall have and he is hereby given judgment against the said lands and against any and all persons claiming any title to, interest in, lien or encumbrances on the said lands, or any part thereof.

2. The complainant's title to the said lands and to each and every part thereof and each and every interest therein is hereby quieted against William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, and against the heirs, devisees and personal representatives of such of the said parties as may be dead, and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and any and all such claim or claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama and tax the expense of such recording as a part of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, and shall index the same in the indirect or reverse index of the said records in the name of C. A. Thompson.

5. The title hereby decreed to be in the said complainant, C. A. Thompson, shall inure to the benefits of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said C. A. Thompson, and such title or interest shall be at all times treated and considered as though it had been established in favor of the persons so procuring or deriving title from the said complainant.

6. The costs of this proceeding are hereby taxed against

the said complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 3rd day of
December, 1952.

Jelfair J. Maslbury, Jr.
Judge.

C. A. THOMPSON,

VS.

Complainant,

THE LANDS HEREINAFTER DESCRIBED,
and WILLIAM B. HOLYOKE, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Register's Certificate as to Service; Motion for Decree Pro Confesso against Respondents; Decree Pro Confesso against Respondents; Decree ordering testimony taken in this case, as required by Equity Rule Number 56, as amended; and the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended, upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The complainant, C. A. Thompson, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Section 7, Township 4 South,
Range 3 East, containing 161.20 acres:

Northwest Quarter of Section 8, Township 4 South,
Range 3 East, containing 160.32 acres,

EXCEPT the following described property:

EXCEPTION NUMBER 1: The property conveyed by C. A. Thompson and wife to Baldwin County, Alabama for public road purposes by deed dated March _____, 1935 and recorded in Deed Book 58 N. S. at pages 41-2, Baldwin County, Alabama Records.

EXCEPTION NUMBER 2: The easement conveyed by C. A. Thompson and wife to the City of Fairhope, Alabama, a Municipal Corporation, by easement dated June 15, 1950 and recorded in Deed Book 155 at pages 261-2, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said complainant, C. A. Thompson, free and clear of and from the claim or claims

of any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, or any interest therein. The said complainant shall have and he is hereby given judgment against the said lands and against any and all persons claiming any title to, interest in, lien or encumbrances on the said lands, or any part thereof.

2. The complainant's title to the said lands and to each and every part thereof and each and every interest therein is hereby quieted against William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, and against the heirs, devisees and personal representatives of such of the said parties as may be dead, and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and any and all such claim or claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama and tax the expense of such recording as a part of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, and shall index the same in the indirect or reverse index of the said records in the name of C. A. Thompson.

5. The title hereby decreed to be in the said complainant, C. A. Thompson, shall inure to the benefits of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said C. A. Thompson, and such title or interest shall be at all times treated and considered as though it had been established in favor of the persons so procuring or deriving title from the said complainant.

6. The costs of this proceeding are hereby taxed against

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BOOK

the said complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 3rd day of
December, 1952.

(s) Telfair J. Mashburn, Jr.

Judge.

STATE OF ALABAMA)
BALDWIN COUNTY)

CERTIFICATE

I Alice J. Duck, Register of the Circuit Court of
Baldwin County Alabama, do hereby certify that the above and
foregoing is a full, true, and correct copy of the Final
Decree heretofore rendered in the case of C. A. Thompson,
Complainant, vs. the lands hereinafter described and William
B. Holyoke, et. al, Respondents.

Given under my hand and official seal this the
3rd day of December, 1952.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY

Filed 12-11-52.....1P..W

Recordeddeed.....book. 190 page 22-24

W. R. Stuart
Judge of Probate

J.

C. A. THOMPSON,

VS.

Complainant,

THE LANDS HEREINAFTER DESCRIBED,
and WILLIAM B. HOLYOKE, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

DECREE ORDERING ORAL EXAMINATION OF WITNESSES

The complainant in this cause having filed his written request that the testimony of the complainant, C. A. Thompson, and his witnesses, W. D. Stapleton and _____, be taken orally in open court, as provided by Equity Rule Number 56, as last amended, it is hereby ORDERED, ADJUDGED AND DECREED that the testimony of the said witnesses be taken orally, as provided in and by the said rule on this date.

ORDERED, ADJUDGED AND DECREED on this the 21st day of November, 1952.

J. J. Madhevaraj
Judge.

DECREE ORDERING ORAL EXAMINATION
OF WITNESSES.

C. A. THOMPSON,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED,
and WILLIAM B. HOLYOKE, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
NOV 21 1952
ALICE J. DUCK, Register

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Orator, C. A. Thompson, presents this Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Section 7, Township 4 South, Range 3 East, containing 161.20 acres;

Northwest Quarter of Section 8, Township 4 South, Range 3 East, containing 160.32 acres;

EXCEPT the following described property:

EXCEPTION NUMBER 1: The property conveyed by C. A. Thompson and wife to Baldwin County, Alabama for public road purposes by deed dated March _____, 1935 and recorded in Deed Book 58 N. S. at pages 41-2, Baldwin County, Alabama Records.

EXCEPTION NUMBER 2: The easement conveyed by C. A. Thompson and wife to the City of Fairhope, Alabama, a Municipal Corporation, by easement dated June 15, 1950 and recorded in Deed Book 155 at pages 261-2, Baldwin County, Alabama Records:

and against William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, and the heirs and devisees of such of said parties as may be dead and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof and, thereupon, your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator is over twenty-one years of age and a resident of Baldwin County, Alabama.

2. The respondents named above are, if living, over the age of twenty-one years, but their respective places of residence and post office addresses are unknown and cannot be ascertained after diligent effort and inquiry to ascertain the facts with regard thereto.

3. Your Orator owns the following described lands situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Section 7, Township 4 South, Range 3 East: containing 161.20 acres;

Northwest Quarter of Section 8, Township 4 South, Range 3 East, containing 160.32 acres,

EXCEPT the following described property:

EXCEPTION NUMBER 1: The property conveyed by C. A. Thompson and wife to Baldwin County, Alabama for public road purposes by deed dated March _____, 1935 and recorded in Deed Book 58 N. S. at pages 41-2, Baldwin County, Alabama Records.

EXCEPTION NUMBER 2: The easement conveyed by C. A. Thompson and wife to the City of Fairhope, Alabama, a Municipal Corporation, by easement dated June 15, 1950 and recorded in Deed Book 155 at pages 261-2, Baldwin County, Alabama Records;

in his own right, absolutely and in fee simple and is in the actual, peaceable possession of all of the said property claiming to own it. Your Orator, together with those through whom he claims title to the said lands, has held color of title thereto and has been in the actual, peaceable, continuous and undisputed possession of all of the said property for more than twenty (20) years next preceding the filing of this Bill of Complaint. No persons, firms or corporations, other than your Orator and those through whom he claims title to the said property, have had possession of the said property or any part thereof, and no persons, firms or corporations, other than your Orator and those through whom he claims title to the said property, have paid any taxes on the said lands, or any part thereof, or any interest therein for more than twenty (20) years next preceding the filing of this Bill of Complaint. No suit is pending to test your Orator's title to, interest in or right to possession of the said lands, or any part thereof; WHEREFORE, your Orator files this his verified Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, the county where the said lands are situated, against the said lands and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, to establish the title to the said lands and to clear up all doubts and disputes concerning the same.

4. Your Orator has and claims to have the absolute, fee simple title to all of the above described property. The title so held and claimed by your Orator in and to all of the said lands was obtained from the persons and through the instruments as will hereinafter appear and the title to all of the said lands stands

upon the records in the office of the Judge of Probate of Baldwin County, Alabama in the name of your Orator.

5. Your Orator claims the absolute, fee simple title to all of the said lands under, by and through the following instruments of writing, all of which are recorded or have been filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

- A. Patent, United States of America to William B. Holyoke dated March 1, 1859, the certified copy of which was filed for record in the office of the Judge of Probate of Baldwin County, Alabama on October 29, 1951.
- B. Deed, W. S. Perry and wife to Cecil A. Thompson, dated August 3, 1927 and recorded in Deed Book 44 at page 273.
- C. Deed, C. A. Thompson and wife to W. D. Stapleton, dated September 27, 1927 and recorded in Deed Book 43 at page 303.
- D. Deed, W. D. Stapleton and wife to Jesse M. Smith, dated June 20, 1932 and recorded in Deed Book 52 at pages 362-3.
- E. Deed, Jesse M. Smith, unmarried, to C. A. Thompson, dated July 19, 1933 and recorded in Deed Book 54 at pages 346-7.

Your Orator alleges that he has made and caused to be made a diligent search to ascertain the names, ages and addresses of all of the parties named herein who are now deceased and also to ascertain and determine if anyone is making claim to the said property or any part thereof. These said inquiries have continued since your Orator first acquired title to the said property and particularly during the last several months next preceding the filing of this Bill of Complaint. Your Orator has had a complete abstract of title made to the said property; has employed an attorney to examine the said abstract and the records in the offices of the Judge of Probate, the Tax Assessor and Tax Collector of Baldwin County, Alabama, and to ascertain whom the records show to have any claim to or encumbrance on the said property; he has caused a thorough inquiry to be made in the community where the lands are situated for the purpose of ascertaining any claimants to it or any other information having a bearing on the title to the said property. All of

the information so secured as to the prior ownership and possession of the said property and the names, ages and places of residence of all of the respondents named above is fully and completely set out in this Bill of Complaint.

PRAYER FOR PROCESS

Your Orator prays that the lands hereinabove described, the respondents named herein and the unknown heirs, devisees, personal representatives and next of kin of the respondents named herein who are dead, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof be made parties respondent to this Bill of Complaint and be brought into court by the usual and proper process.

PRAYER FOR RELIEF

Your Orator prays that each and all of the respondents herein named and the unknown heirs, devisees, legal representatives and next of kin of the said respondents named herein who are dead, and all other persons, firms or corporations who claim to own the said lands, or any part thereof, or any interest therein, or lien or encumbrance thereon be required to set forth and specify such claim, title, right, interest, lien or encumbrance and how and by what instrument the same is derived and created and that upon a final hearing of this cause it be Ordered, Adjudged and Decreed that your Orator, at the time of the filing of this Bill of Complaint, had the legal title to all of the above described lands and that none of the respondents herein specifically named or any other person, firm or corporation has any title to, interest in the said lands or any part thereof, or any lien or encumbrance thereon, and that all doubt and disputes concerning the said property be cleared up and your Orator's title to the said lands fully and completely quieted. Your Orator further prays for such other, further and general relief as he may be equitably entitled to, the premises considered.



Solicitor for Complainant.

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared C. A. THOMPSON, who, after being by me first duly and legally sworn, deposes and says: That he is the Complainant named in the foregoing Bill of Complaint; that he has read over the said Bill of Complaint and that the facts stated therein are true.

C. A. Thompson

Sworn to and subscribed before me on this the 3rd day of October, 1951.

Mary Lee Blackburn

Notary Public, Baldwin County, Alabama

C. A. THOMPSON,)	
)	
VS. Complainant,)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
THE LANDS HEREINAFTER DESCRIBED,)	
and WILLIAM B. HOLYOKE, ET ALS,)	IN EQUITY
)	
Respondents.)	

DECREE PRO CONFESSO

In this cause it being made to appear to the Register that the Notice of Pendency of the Bill of Complaint in this cause, dated October 31, 1951, was published once a week for four consecutive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, the said notice appearing in the issues of said paper of November 1, 1951, November 8, 1951, November 15, 1951 and November 22, 1951, and that on November 1, 1951 a copy thereof was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, and another copy thereof posted at the front door of the courthouse at Bay Minette in Baldwin County, Alabama, which notice required the respondents, William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, and any and all other persons, firms or corporations interested in the lands involved in this suit, namely:

Northeast Quarter of Section 7, Township 4 South, Range 3 East, containing 161.20 acres;

Northwest Quarter of Section 8, Township 4 South, Range 3 East, containing 160.32 acres,

EXCEPT the following described property:

EXCEPTION NUMBER 1: The property conveyed by C. A. Thompson and wife to Baldwin County, Alabama for public road purposes by deed dated March _____, 1935 and recorded in Deed Book 58 N. S. at pages 41-2, Baldwin County, Alabama Records.

EXCEPTION NUMBER 2: The easement conveyed by C. A. Thompson and wife to the City of Fairhope, Alabama, a Municipal Corporation, by easement dated June 15, 1950 and recorded in Deed Book 155 at pages 261-2, Baldwin County, Alabama Records,

to appear in this court and plead, answer or demur to the Bill of Complaint filed against them in this cause before January 1, 1952, or on the said date decrees pro confesso would be taken against them, and that the said respondents, William B. Holyoke, Wm. B. Holyoke,

Nathan S. Smith, N. S. Smith and Will Smith, have failed to date to appear in this cause and plead, answer or demur to the Bill of Complaint filed herein:

It is, therefore, on motion of the complainant, ORDERED, ADJUDGED AND DECREED that the Bill of Complaint in this cause shall be and it is hereby confessed against the respondents, William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, the heirs and devisees of such parties as may be dead and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in this suit, which is the property described above.

ORDERED, ADJUDGED AND DECREED on this the 30th day of October, 1952.



Register.

DEGREE PRO CONFESSED

C. A. THOMPSON,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED,
and WILLIAM B. HOLYOKE, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
OCT 30 1952

ALICE J. DICK, Register

NOTICE OF PENDENCY OF BILL OF COMPLAINT

C. A. THOMPSON,)	
)	
Complainant,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
)	
LANDS HEREINAFTER DESCRIBED,)	IN EQUITY
WILLIAM B. HOLYOKE, ET ALS,)	<i>m 2737</i>
)	
Respondents.)	

Notice is hereby given to William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith, Will Smith, the heirs and devisees of such parties as may be dead, and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 31st day of October, 1951 the complainant filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a Bill of Complaint against the following described property situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Section 7, Township 4 South, Range 3 East, containing 161.20 acres;

Northwest Quarter of Section 8, Township 4 South, Range 3 East, containing 160.32 acres,

EXCEPT the following described property:

EXCEPTION NUMBER 1: The property conveyed by C. A. Thompson and wife to Baldwin County, Alabama for public road purposes by deed dated March _____, 1935 and recorded in Deed Book 58 N. S. at pages 41-2, Baldwin County, Alabama Records.

EXCEPTION NUMBER 2: The easement conveyed by C. A. Thompson and wife to the City of Fairhope, Alabama, a Municipal Corporation, by easement dated June 15, 1950 and recorded in Deed Book 155 at pages 261-2, Baldwin County, Alabama Records,

and against William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, and the heirs and devisees of such of the said parties as may be dead and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of complainant to all of the said lands for the purpose of quieting his title thereto and to clear up all doubts and disputes concerning the title to the said property.

BOOK 002 pg 400

The complainant claims the absolute fee simple title to all of the said lands under, by and through the following conveyances, all of which are recorded or have been filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

- A. Patent, United States of America to William B. Holyoke, dated March 1, 1859, the certified copy of which was filed for record in the office of the Judge of Probate of Baldwin County, Alabama on October 29, 1951.
- B. Deed, W. S. Perry and wife to Cecil A. Thompson, dated August 3, 1927 and recorded in Deed Book 44 at page 273.
- C. Deed, C. A. Thompson and wife to W. D. Stapleton, dated September 27, 1927 and recorded in Deed Book 43 at page 303.
- D. Deed, W. D. Stapleton and wife to Jesse M. Smith, dated June 20, 1932 and recorded in Deed Book 52 at pages 362-3.
- E. Deed, Jesse M. Smith, unmarried, to C. A. Thompson, dated July 19, 1933 and recorded in Deed Book 54 at pages 346-7.

The complainant, in and by his said Bill of Complaint, alleges and avers that he owns the said lands in his own right, absolutely and in fee simple; that/^{title to}the said lands stands upon the records in the office of the Judge of Probate of Baldwin County, Alabama in his name; that he is in the actual, peaceable possession of all of the said lands, claiming to own it; that no suit is pending to test his title to, interest in or right to possession of the said lands, or any part thereof, and that no persons, firms or corporations, other than the complainant and those through whom he claims title to the said property, are known to him to have had any possession of the said lands or any part thereof, or paid any taxes thereon for more than twenty (20) years next preceding the filing of the said Bill of Complaint and that for more than twenty (20) years prior to the filing of the said Bill of Complaint the complainant and those through whom he claims title have been in the actual, peaceable, continuous and undisputed possession of the said property.

The parties named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court

and plead, answer or demur to the Bill of Complaint filed in this cause before the 1st day of January, 1952, or on the said date decrees pro confesso will be taken against them, testimony taken and the cause submitted for a final decree, quieting the complainant's title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 31st day of October, 1951.

Heice J. Leach

As Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

J. B. BLACKBURN,
Solicitor for Complainant.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 10-31-51.....4P.
Recorded *Li. Ind.* book.....2.....page 359-61
W. H. Stuart
Judge of Probate

009 1951

C. A. THOMPSON,

Complainant,

VS.

LANDS HEREINAFTER DESCRIBED,
WILLIAM B. HOLYOKE, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

STATE OF ALABAMA)

BALDWIN COUNTY)

I, Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that on the filing of this suit on the 31st day of October, 1951, I posted a copy of the notice of the pendency of Bill of Complaint in this cause at the front door of the courthouse of Baldwin County, Alabama and filed a copy thereof for record in the office of the Judge of Probate of Baldwin County, Alabama.

I further certify that on the 31st day of October, 1951 I delivered a copy of the notice of the pendency of the said Bill of Complaint to the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, and that the said notice was published in the issues of said paper which were published on November 1st, November 8th, November 15th and November 22, 1951.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the court on this the 29th day of Oct, 1952

Alice J. Duck
Register.

C. A. THOMPSON,) IN THE CIRCUIT COURT OF
Complainant,) BALDWIN COUNTY, ALABAMA
VS.) IN EQUITY
LANDS HEREINAFTER DESCRIBED,)
WILLIAM B. HOLYOKE, ET ALS,)
Respondents.)

REQUEST FOR ORAL EXAMINATION OF WITNESSES

Now comes the complainant, by his Solicitor, and moves
the Court to take the testimony of the complainant and his witness-
es, W. D. Stapleton and _____,
orally, as provided by Equity Rule Number 56, as last amended.

Respectfully submitted,

J. B. Blackburn
Solicitor for Complainant.

C. A. THOMPSON,
Complainant,
VS.
THE LANDS HEREINAFTER DE-
SCRIBED, and WILLIAM B.
HOLYOKE, ET ALS,
Respondents.


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MOTION FOR DECREE PRO
CONFESSO

Now comes the complainant, by his solicitor, and shows unto the court that the Notice of Pendency of Bill of Complaint in this cause was published once a week for four successive weeks, requiring the respondents, William B. Holyoke, Wm. B. Holyoke, Nathan S. Smith, N. S. Smith and Will Smith, to appear in this court and plead, answer or demur to the Bill of Complaint filed in this cause before the 1st day of January, 1952, and further that the said notice was published in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, once a week for four consecutive weeks, the first publication of the said notice appearing in the issue of said paper of November 1, 1951, and that the said respondents and each of them have to date hereof failed to appear and plead, answer or demur to the Bill of Complaint filed in this cause.

WHEREFORE, complainant moves the Court to make and enter a Decree Pro Confesso against the said respondents and each of them.

Dated this 30th day of October, 1952.


Solicitor for Complainant.

C. A. THOMPSON,

Complainant,

VS.

THE LANDS HEREINAFTER DE-
SCRIBED, and WILLIAM B.
HOLYOKE, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
OCT 30 1952

ALICE J. DICK, Register

NOTICE OF PENDENCY OF BILL OF
COMPLAINT
A. THOMPSON, Complainant, VS.
Lands hereinafter described, WILLIAM
B. HOLYOKE, Et Als, Respondents.
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

EXCEPTION NUMBER 1: The property conveyed by C. A. Thompson and wife to Baldwin County, Alabama for public road purposes by deed dated March 1, 1935 and recorded in Deed Book 58 N. S. at pages 41-2, Baldwin County, Alabama Records.

EXCEPTION NUMBER 2: The easement conveyed by C. A. Thompson and wife to the City of Fairhope, Alabama, a Municipal Corporation, by easement dated June 15, 1950 and recorded in Deeds or corporations claiming any title or interest in, lien or encumbrance on said lands, or any part thereof, the Bill of Complaint having been filed for the purpose of establishing the title complainant to all of the said lands for the purpose of quieting his title therefrom to clear up all doubts and discrepancies concerning the title to the said property.

complaint, in and by his said complainant, alleges and avers that the said lands in his own right, title and in fee simple; that till the said lands stands upon the records of the office of the Judge of Probate of the County, Alabama in his name; that he is in the actual, peaceable possession of all of the said lands, claiming the same; that no suit is pending to test his title to, interest in or right of possession of the said lands or any part thereof, and that no persons, firms or corporations, other than the complainant and those whom he claims title to the said lands, are known to him to have any possession of the said lands or any part thereof, or paid any taxes on the same for more than twenty (20) years preceding the filing of the said complaint and that for more than twenty (20) years prior to the filing of the said Bill of Complaint the complainant and those through whom he claims title to the said lands have been in the actual peaceable, exclusive and undisputed possession of the said lands and property.

titles named above and all persons or corporations claiming any interest in, lien or encumbrance said lands, or any part thereof, appear in this court and plead, answer to the Bill of Complaint in this cause before the 1st day of 1952, or on the said date default confession will be taken.

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

Jimmy Faulkner, 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

C. A. Thompson &
Co. Land

85-8 WORDS @ 62 cents --- \$ 55.77
I hereby certify this is correct, due and unpaid (paid).

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

John Faulkner
Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Nov. 1, 1951 Vol. 62 No. 41

Date of 2nd publication Nov. 8 1951 Vol. 62 No. 42

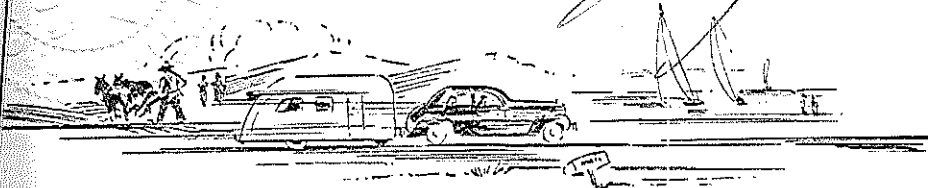
Date of 3rd publication Nov-15, 1951, Vol. 62 No. 43

Date of 4th publication Nov. 22 1951 Vol. 62 No. 44

Subscribed and sworn before the undersigned this 23 day of Nov, 1951

Dorothy Martin
Notary Public, Baldwin County.

nty. Jimmy Faulkner
Publisher.



the BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

OWREY, Complainant, VS.
lands described as follows: The
East Quarter of the Southeast
er of Section 12, Township 7 South,
e 4 East of St. Stephens Meridian,
OTTO NEUKIRCH, and any and
ersons, firms or corporations claim-
ny title to, interest in, lien or en-
ances on said land or any part
f.
Respondents.

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN EQUITY
NO. 2735
NOTICE:

ving been made to appear from
idavit of Norborne C. Stone, one
Solicitors of Record for the Com-
t in the above styled cause that
vidence of Otto Neukirch, one of
espondents in the above styled
is unknown and cannot be as-
ed after a reasonable effort and
a said Otto Neukirch is believed
over the age of twenty-one years;
CE IS HEREBY GIVEN to the said
eukirch, if living and if dead,
heirs at law, devisees and next
of the said Otto Neukirch, and to
nd all persons, firms or corpora-
claiming any title to, interest in,
encumbrance on said lands de-
herein or any part thereof; that
31st day of October, 1951, J. S.
filed his Bill of Complaint in the
Court of Baldwin County, Ala-
in Equity, against the above
Respondents and the following
ed lands situated in Baldwin
County, Alabama, to-wit:
Northeast Quarter of the Southeast
er of Section 12, Township 7 South,
e 4 East of St. Stephens Meridian.
ou are hereby notified to appear
lead, answer or demur to said Bill
omplaint by December 10th, 1951, or
ree pro confesso will be rendered
t you.

Bill of Complaint alleges that the
inant claims to own the entire
ple title to said lands, having ac-
the same by deed from the State
abama dated July 19, 1944 which
is recorded in the Office of the
of Probate of Baldwin County, Ala-
in Deed Book 171 N. S. at page
the Bill of Complaint also alleges
the title to said lands stands in
ame of the Complainant on the
s of the probate Court of Baldwin
y, Alabama, and that no suit is
ing to test Complainant's title to,
in or right to possession of said
is further alleged in the said Bill

of Complaint that the Complainant is in
the actual, peaceable possession of said
lands, claiming to own the same in his
own right, in fee simple and that no one
has paid taxes at any time within ten
years next preceding the filing of the
said Bill of Complaint on the said lands
or any part thereof and no one is known
to the Complainant to have had any pos-
session of any part of said lands during
said period.

It is further alleged in said Bill of Com-
plaint that such suit is filed for the pur-
pose of establishing the title of said
Complainant to the lands described above
and for the purpose of clearing up all
doubts and disputes concerning the same.

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

J. S. Lawrence vs.
Cert. Lands.

COST STATEMENT

556 WORDS @ 6 1/2 cents --- \$ 36.14
I hereby certify this is correct, due and unpaid (paid).

Witness my hand and seal this 31st
day of October, 1951.

ALICE J. DUCK, as Register
of the Circuit Court of
Baldwin County, Alabama,
in Equity.

CHASON & STONE
Solicitors for Complainant. 41-41c.

Jimmy Faulkner
Publisher.

weeks in the following issues:

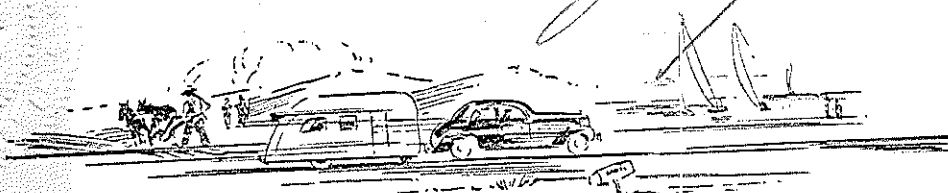
ation Nov. 1, 1951 Vol. 62 No. 41
ation Nov - 8, 1951 Vol. 62 No. 42
ation Nov. 15, 1951 Vol. 62 No. 43
ation Nov. 22, 1951 Vol. 62 No. 44

Date of 4th publication Nov. 22, 1951 Vol. 62 No. 44

Subscribed and sworn before the undersigned this 23 day of Nov, 1951.

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



W. R. STUART

PROBATE JUDGE

2554

No.

Bay Minette, Ala., 12-11, 1952

Received of Mrs. Duck

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	C. A. Thompson - Certain Lands + William B. Holyoke					1	25	1	25

FOR RECORD

TOTAL \$ 1.25

W. R. Stuart
Judge of Probate.

PROBATE JUDGE

No. 891

No. 551

Received of.

Bay Minette, Ala., 10-31, 1951

Received of Mrs. Duck

[illegible]

FOR RECORD

TOTAL \$

41939 MARSHALL & BRUCE-NASHVILLE

Judge of Probate.