(5510)

BRUCE A. THOMAS

Complainant

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THE WEST HALF (W2) OF THE NORTHWEST QUARTER (NW2) OF THE NORTHEAST QUARTER (NE2), SECTION THIRTY-TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALDWIN COUNTY, ALABAMA: FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, MRS. JOHNNIE L. SIKES,

Respondents

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER

Comes Allen Sikes, as an heir of Johnnie L. Sikes, deceased, respondent in said cause and for answer to the bill of complaint says, as follows:

٦.

As to count one, your Respondent Allen Sikes, as an heir named in said cause, denies the allegations in said count.

2.

As to count two, your Respondent, Allen Sikes, as an heir named in said cause, denies the allegations in said count.

3.

As to count three, your Respondent, Allen Sikes, as an heir named in said cause, denies the allegations in said count.

4.

As to count four, your Respondent, Allen Sikes, as an heir named in said cause, denies the allegations in said count.

5.

As to count five, your Respondent, Allen Sikes, as an heir named in said cause, denies the allegations in said count.

/Attorney for Allen Sikes, Respondent,

RECORDED

BRUCE A. THOMAS

Complainant

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THE WEST HALF (W2) OF THE NORTHWEST QUARTER (NW4) OF THE NORTHEAST QUARTER (NE4) SECTION THIRTY-TWO (32), TOWNSHIP FOUR (4) EAST, BALDWIN COUNTY, ALAPAMA: FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, HRS. JOHNNIE L. SIKES,

. Respondents

ANSWER

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THE STATE OF ALABAMA, BALDWIN COUNTY

Circuit Court

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Bruce A. Thomas

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	Defendants Att				4			Danie	Ob a stat
	Defendant's Attorney	i i	V.					Deputy	Snerm

BRUCE A. THOMAS,

Compla inant

VS.

THE WEST HALF (Wg) OF THE NORTHWIST QUARTER (NW) OF THE NORTHEAST QUARTER (NE), SECTION THIRTY TWO (52), TOWNSHIP EIGHT (8) SOUTE, RANGE FOUR (4) EAST, BALLWIN COUNTY, ALABAMA: TRED LEE, W. S. SIKES, W. M. SIKES, WLENNIE V. SIKES, W. R. SIKES, JOHNNIE L. SIKES,

Respondents

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN BUITY.

BILL OF COMPLAINE

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

Comes your Complainant, Bruce A. Thomas, being over the age of twenty-one years and a resident of Baldwin County, Alabama, and brings this Bill of Complaint against the following described real property situated in the County of Baldwin, State of Alabama, to wit:

And Complainant further brings his Bill of Complaint against any and all persons, firm or corporations claiming any title to, interest, lien or encumbrance upon the above described lands or any part thereof and especially brings this bill of complaint against Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, and Johnnie L. Sikes, if they be living, and if dead against their unknown heirs, devisees, and grantees, and Complainant respectfully shows unto your Honor as follows:

FIRST:

That he is in the actual, peaceable, adverse possession of the above described lands claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test Complainant's title to, interest in or right to possession of said land.

THIRD:

Complainant further shows that he claims the entire fee simple title in and to said lands, having acquired the same in the following manner:

- (1) The Southern Plantation Development Company conveyed this land to Fred Lee by warranty deed dated November 3, 1915, which deed is duly recorded in Deed Book 24 NS, pages 40-41, in the office of the Judge of Probate of Baldwin County, Alabams;
- (2) This land was conveyed by tax deed, dated June 2, 1922, in the name of Fred Lee by James M. Voltz, Judge of Probate, to W. S. and W. R. Sikes, which deed is recorded in Deed Book 32 NS, page 211, in the office of the Judge of Probate of Baldwin County, Alabama;

- (5) This land was conveyed by Glemmie V. Sikes, a widow, et al. to W. R. Sikes by quit claim deed dated August 16, 1929, which deed is recorded in Deed Book 47 NS, pages 292-293, in the office of the Judge of Probate of Baldwin County, Alabama;
- (4) W. R. Sikes and Johnnie L. Sikes, his wife, conveyed this land to W. M. Sikes, by quit claim deed, dated August 16, 1930, which deed is recorded in Deed Book 50 NS, pages 44-45, in the office of the Judge of Probate of Baldwin County, Alabama;
- (5) W. M. Sikes and Rena L. Sikes, his wife, conveyed this land to Mrs. Johnnie L. Sikes by quit claim deed dated April 16, 1952, which deed is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deem Book 52 NS, page 358;
- (6) This land was conveyed in the name of Ers. Johnnie L. Sikes by G. W. Robertson, Judge of Probate, to Reese McGill by Tax Deed dated July 14, 1944, which deed is recorded in Deed Book S5 NS, page 454, in the office of the Judge of Probate of Baldwin County, Alabama;
- (8) That your Complainant has been in continuous, actual, peaceable and adverse possession of all of the above described lands, claiming to own the same in his own right, in fee simple and using the same in every way that it is susceptible to use since June, 1945, and has assessed and paid taxes on this twenty acres of land each and every year since that date.

FOURTHS

Complainant further shows unto your Honor that all of the Respondents are over the age of twenty-one years and are non-residents of the State of Alabama, and that their places of residence and post office addresses are unknown to your Complainant, after diligent search and inquiry, especially seeking information from Mr. Ort Entzinger, who at one time knew the respondents, except that Mrs. Johnnie L. Sikes is believed to reside at Luverne, Alabama, her full address being unknown to your Complainant. If the above named Respondents be dead, the names and addresses of their heirs and devisees or grantees, if any, are unknown to your Complainant; Complainant further shows unto your Honor that he has used diligence in trying to ascertain the residences and addresses of these several defendants and has been unable to do so; Complainant has had a complete abstract of title to said lands prepared to ascertain the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or may be interested in the same, or who claim any interest therein.

FIRE:

Complainant further shows unto your Honor that he and those through whom he claims have paid taxes for a period of six years, consecutively, on the lands and that no other persons, except those under whom he claims, have paid taxes thereon during any part of said period, said lands being in the State for at least three years prior to this date.

That no one is known to your Complainant to claim said land or any part thereof or any interest therein, except your Complainant and the Defendants to this proceedings as herein above named, and Complainant calls upon the several persons hereinabove named as Defendants, or anyone else interested, to set forth or specify his or her or its claim, title, interest in or encumbrance upon said lands, and how and by what instrument or otherwise the same is derived or created.

PRAYER FOR PROCESS

To the end, therefore, that equity may behad in the premises, Complement prays that your Honor will cause the usual writ of process to issue to the following named Respondents, viz: Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes and Thinnie L. Sikes, if they be living and if dead, the unknown heirs and devisees of them and each of them, and to any and all other

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persons, firms or corporations claiming any interest in, right, or title to said lands, in the usual form and according to the practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint, as required by the laws of the State of Alabama, authorizing the questing of title in proceedings in rem; that your Honor will also order that notice be given of the filing of this Bill of Complaint, to the afcresaid Defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to the Bill of Complaint and requiring them to plead, answer or demur to the same within the time required by law, and personal service on the said Mrs. Johnnie L. Sikes.

PRAYER FOR RELIEF

Honor will establish Complainant's right to title to said lands and will decree that the Complainant is the owner in fee simple of the lands described and that no other persons, firms or corporations have any title to, interest in, or lien or encumbrance upon said lands or any part thereof, and especially fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, Mrs. Johnnie D. B. Sikes, if they be living and if dead, their unknown heirs and devisees of them and each of them, have no right, title, interest in, lien or encumbrance upon said land, that in said Decree your Honor will cause a certified copy of the Decree to be filed in the Probate Court of Baldwin County, Alabama, and to be recorded therein, and that in said Decree your Honor will direct in whose names shall be indexed in the Direct and Indirect Indexes of the Records thereof in said Probate Court of Baldwin County, Alabama, and Complainant further prays for such other, further, different and general relief as in equity may seem just and meet, and Complainant will ever pray.

Sclicitor for Complainsnt

THE STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, Gus Schultz, a Motary Public in and for said County and State, personally appeared Forest A. Christian, who upon oath deposes and says:

That he is the agent of, and the attorney for, the Complainant in the above styled cause and is therefore duly authorized to make this cath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and non-residents of the State of Alabama, their places of residence being unknown to your affiant, except that Mrs. Johnnie L. Sikes is believed to reside at Luverne, Alabama; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named Defendants are dead, the names of their heirs, devisees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residences as he believes are not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believe, and so states, that the same are true.

Forest A. Christian

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed by me, this the 1001 day of July, 1950.

otary Public

BRUCE A. THOMAS,

COMPLAINANT

VS:

THE WEST HALF (Wa) OF THE NORTHWEST QUARTER (NW4) OF THE NORTHEAST QUARTER (NEA) SECTION THIRTY=TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALDWIN COUNTY, ALABAMA; FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, MRS. JOHNNIE L. SIKES,

RESPONDENTS

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

MOTION

Comes your petitioner, Allen Sikes, by his attorney of record and moves the court to allow the withdrawal of his pleadings in said cause as heir of Mrs. Johnnie L. Sikes in the above styled cause.

Attorney for petitioner.

THE STATE					- 124 1 2/2
BALDW	N COUNTY	6·	•		, Term, 19
	BRUCE A. S	AND	Vs.		Complainant
	CERTAIN LAN	S, FRED LE	e, er al.	· · · · · · · · · · · · · · · · · · ·	Defendant
Motion is hereby ma	de for a Decree	Pro Confesso a	gainst — Certai	n Lands, Fred	Les, et al. Defendants
in the annexed state	d cause. on the g	round that mor	e than thirty days	have elapsed s	ince the perfection
of publication was m	ade under t h e or	der of this Cou	rt; and it having	been shown by	due proof to the
Court that said Defe	ndant is a non-r	esident of the S	tate of Alabama, a	nd has failed to	answer, plead or
demur to the Bill in	this cause, to the	e date hereof.			
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	Vs.
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THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY

BALDWIN COUNTY No.	, Term, 19
	Complainant
Vs.	
CERTAIN LANDS, FRED LEE, ET AL.	
In this cause it appears to the Register_Alice J. Duck the	
heretofore made in this cause, was published for four consecutive weeks, commen	ncing on the 20th
day of July , 19 50 , in the The Onlooker	a newspaper published
in Foley , Alabama, that a copy of said order was poste	d at the Court House door
in Baldwin County, on the day of	194_50
and	
And it now further appearing to the Register Alice J. Duck	, that the said
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having, to the date hereof, failed to demur, plead to, or answer the Bill of Comp	laint in this cause, it is
now, therefore, on motion of Complainant, ordered and decreed by the Registo	er
that the Bill of Complaint in this cause be, and it hereby	
confessed against the said Certain Lands, Fred Lee, et. al.	
This 157 day of December 1950	
This 15th day of December 1950 Chief rouch	Register.
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the Circuit Court	ad, answer or demur, wo of Baldwin County, State L. Sikes et als	te of Alabama, at B	ay Minette, ag	ainst	······	
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by BRUCE	A THOMAS					
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BRUCE A. THOMAS.

Compla inant

VS:

THE WEST HALF (W.) OF THE NORTHWEST QUARTER (W.) OF THE NORTHEAST QUARTER (NE2), SECTION THIRTY. TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALDWIN COUNTY, ALABAMA; FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, JOHNNIE L. SIKES.

Respondents

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

BILL OF COMPLAINT

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

Comes your Complainant, Bruce A. Thomas, being over the age of twenty-one years and a resident of Baldwin County, Alabama, and brings this Bill of Complaint against the following described real property situated in the County of Baldwin, State of Alabama, to wit:

And Complainant further brings his Bill of Complaint against any and all persons, firm or corporations claiming any title to, interest, lien or encumbrance upon the above described lands or any part thereof and especially brings this bill of complaint against Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, and Johnnie L. Sikes, if they be living, and if dead against their unknown heirs, devisees, and grantees, and Complainant respectfully shows unto your Honor as follows:

FIRST:

That he is in the actual, peaceable, adverse possession of the above described lands claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test Complainant's title to, interest in or right to possession of said land.

THIRD:

Complainant further shows that he claims the entire fee simple title in and to said lands, having acquired the same in the following manner:

- (1) The Southern Plantation Development Company conveyed this land to Fred Lee by warranty deed dated November 3, 1915, which deed is duly recorded in Deed Book 24 NS, pages 40-41, in the office of the Judge of Probate of Baldwin County, Alabama:
- (2) This land was conveyed by tax deed, dated June 2, 1922, in the name of Fred Lee by James M. Voltz, Judge of Probate, to W. S. and W. R. Sikes, which deed is recorded in Deed Book 32 NS, page 211, in the office of the Judge of Probate of Baldwin County, Alabama:

- (3) This land was conveyed by Glennie V. Sikes, a widow, et al. to W. R. Sikes by quit claim deed dated August 16, 1929, which deed is recorded in Deed Book 47 NS, pages 292-295, in the office of the Judge of Probate of Baldwin County, Alabama;
- (4) W. R. Sikes and Johnnie L. Sikes, his wife, conveyed this land to W. M. Sikes, by quit claim deed, dated August 16, 1930, which deed is recorded in Deed Book 50 NS, pages 44-45, in the office of the Judge of Probate of Baldwin County, Alabama;
- (5) W. M. Sikes and Rena L. Sikes, his wife, conveyed this land to Mrs. Johnnie L. Sikes by quit claim deed dated April 16, 1932, which deed is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52 NS, page 358;
- (6) This land was conveyed in the name of Mrs. Johnnie L. Sikes by G. W. Robertson, Judge of Probate, to Reese McGill by Tax Deed dated July 14, 1944, which deed is recorded in Deed Book 85 NS, page 434, in the office of the Judge of Probate of Baldwin County, Alabama;
- (8) That your Complainant has been in continuous, actual, peaceable and adverse possession of all of the above described lands, claiming to own the same in his own right, in fee simple and using the same in every way that it is susceptible to use since June, 1945, and has assessed and paid taxes on this twenty acres of land each and every year since that date.

FOURTH:

Complainant further shows unto your Honor that all of the Respondents are over the age of twenty-one years and are non-residents of the State of Alabama, and that their places of residence and post office addresses are unknown to your Complainant, after diligent search and inquiry, especially seeking information from Mr. Ort Entzinger, who at one time knew the respondents, except that Mrs. Johnnie L. Sikes is believed to reside at Luverne, Alabama, her full address being unknown to your Complainant. If the above named Bespondents be dead, the names and addresses of their heirs and devisees or grantees, if any, are unknown to your Complainant; Complainant further shows unto your Honor that he has used diligence in trying to ascertain the residences and addresses of these several defendants and has been unable to do so; Complainant has had a complete abstract of title to said lands prepared to ascertain the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or may be interested in the same, or who claim any interest therein.

FIFTH:

Complainant further shows unto your Honor that he and those through whom he claims have paid taxes for a period of six years, consecutively, on the lands and that no other persons, except those under whom he claims, have paid taxes thereon during any part of said period, said lands being in the State for at least three years prior to this date.

That no one is known to your Complainant to claim said land or any part thereof or any interest therein, except your Complainant and the Defendants to this proceedings as herein above named, and Complainant calls upon the several persons hereinabove named as Defendants, or anyone else interested, to set forth or specify his or her or its claim, title, interest in or encumbrance upon said lands, and how and by what instrument or otherwise the same is derived or created.

PRAYER FOR PROCESS

Fo the end, therefore, that equity may behad in the premises, Complainant prays that your Honor will cause the usual writ of process to issue to the following named Respondents, viz: Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes and Johnshie L. Sikes, if they be living and if dead, the unknown heirs and devisees of them and each of them, and to any and all other

persons, firms or corporations claiming any interest in, right, or title to said lands, in the usual form and according to the practice of this Hono mable Court, requiring them to plead, answer or demur to the same within the time required by law and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint, as required by the laws of the State of Alabama, authorizing the queting of title in proceedings in rem; that your Honor will also order that notice be given of the filing of this Bill of Complaint, to the aforesaid Defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to the Bill of Complaint and requiring them to plead, answer or demur to the same within the time required by law, and personal service on the said Mrs. Johnnie L. Sikes.

PRAYER FOR RELIEF

Your Complainant further prays that on a hearing of this case that your Honor will establish Complainant's right to title to said lands and will decree that the Complainant is the owner in fee simple of the lands described and that no other persons, firms or corporations have any title to, interest in, or lien or encumbrance upon said lands or any part thereof, and especially Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, Mrs. Johnnie L. Sikes, if they be living and if dead, their unknown heirs and devisees of them and each of them, have no right, title, interest in, lien or encumbrance upon said land, that in said Decree your Honor will cause a certified copy of the Decree to be filed in the Probate Court of Baldwin County, Alabama, and to be recorded therein, and that in said Decree your Honor will direct in whose names shall be indexed in the Direct and Indirect Indexes of the Records thereof in said Probate Court of Baldwin County, Alabama, and Complainant further prays for such other, further, different and general relief as in equity may seem just and meet, and Complainant will ever pray.

STATE OF ALABAMA, Solicitor for Complainant

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Before me, Gus Schultz, a Motary Public in and for said County and State, personally appeared Forest A. Christian, who upon oath deposes and says:

That he is the agent of, and the attorney for, the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and non-residents of the State of Alabama, their places of residence being unknown to your affiant, except that Mrs. Johnnie L. Sikes is believed to reside at Luverne, Alabama; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named Defendants are dead, the names of their heirs, devisees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residences as he believes are not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believe, and so states, that

Forest A. Christian

Sworn to and subscribed before me, a Notary Sublic, whose seal is hereto affixed by me, this the day of July, 1950.

"otary Public

Rec 161-432 gam 2.1951

BRUCE A. THOMAS,

Complainant

VS:

THE WEST HALF (W2) of the MORTHWEST QUARTER (NW2) of the NORTHEAST QUARTER (NE2), SECTION THIRTY TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALDWIN COUNTY, ALABAMA; FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, and MRS. JOHNNIE L. SIKES,

Respondents

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FINAL DECREE

This cause coming on to be heard is submitted for Final Decree upon the Bill of Complaint, the Affidavit attached hereto, the Notice of Publication, the Order Designating Newspaper, the Affidavit of Publication, and Lis Pendens Notice filed in the office of the Judge of Probate in Baldwin County, Alabama, against said Respondents, and the Testimony as noted. And it appearing to the Court that BRUCE A. THOMAS is in the actual, peaceable, adverse possession of the following described real estate, situated in the County of Baldwin, State of Alabama, to wit:

The West Half (W) of the Northwest Quarter (NW) of the Northeast Quarter (NE), Section Thirty-two (32), Township Eight (8) South, Range Rour (4) East.....

being the same land as heretofore described in the caption of this Decree and against which this proceeding is brought, claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use.

And it appearing to the Court that no suit is pending to test Complainant's title to, interest in or right to possession of said land.

And it appearing to the Court that all parties interested in said land, together with the Respondents, who se names are set forth in the Bill of Complaint, have had due notice of these precedings by publication for the length of time as prescribed by law and the rules of this Court, or by personal service, and the Court understanding the same is of the opinion that Complainant is entitled to the relief prayed for in his Bill of Complaint.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Complainant, is the owner in fee simple of the lands described in this Decree and that no other person, firm or corporation has any title to, interest in or lien or encumbrance upon said land or any part thereof and especially is this so as to the Respondents whose names are set forth in the caption of this Decree.

IT IS FURTHER ORDERED, ADJUIGED AND DECREED that any claim, title to, or interest in or encumbrance upon the aforesaid land or any part thereof that FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES and MRS. JOHNNIE L. SIKES, if they be living and if dead, the unknown heirs and devisees of them and each of them hold or claim to hold are a cloud upon the title of the Complainant in this cause as to the aforesaid land, and that their said title to, interest in, lien or encumbrance upon said land or any part thereof are hereby decreed to be null and void and as such are removed as a cloud upon the title of the Complainant and that such title to, interest in, lien or encumbrance upon said land or any part thereof held by the aforesaid Respondents or any of them, are hereby removed and held for naught as being void and of no force and effect, and such Respondents have no interest in, title to, lien or encumbrance upon said land or any part thereof.

Final Decree - Bruce A. Thomas vs. Certain Lands, Fred Lee, et al.

0 - Page 2 - 0

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this Decree be recorded in the Office of the Judge of Probate of Baldwin County, Alabama, and that said Decree shall be indexed on the Direct Indexes in the mames of FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES and MRS. JOHNNIE L. SIKES, and that it shall be indexed in the Indirect Indexes on the records of Baldwin County, Alabama, in the name of BRUCE A. THOMAS, and that the Register of this Court shall within thirty days from the rendition of this Decree file said certified copy of this Decree in the Office of the Judge of Probate for record and tax the expense thereof as a part of the cost of this proceeding, and that the Probate Judge shall record such a copy in the same book and manner in which deeds are recorded and index the same as said Decree orders and directs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that BRUCE A. THOMAS be and he is hereby taxed with the cost of this proceeding for which execution may issue.

DATED at Bay Minette, Alabama, this the 29 day of December, 1950.

Jeffair J. Massilvere, Se.
Judge of Circuit Court, in Equity.

BRUCE A. THOMAS,

COMPLA INANT

VS:

THE WEST HALF (W2) OF THE NORTHWEST QUARTER (NW2) OF THE NORTHEAST QUARTER (NE2) SECTION THIRTY_TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALDWIN COUNTY, ALABAMA; FRED LEE, W.S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, MRS. JOHNNIE L. SIKES,

RESPONDENTS

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

DECREE

Alan Sikes having moved this Honorable Court on August 18, 1950, that permission be granted to him as an heir of Johnnie L. Sikes, and in his own right to redeem said property, in accordance with the law so prescribed; and the said Alan Sikes, having filed an answer in said cause, on August 16, 1950, and having moved the Court on November 20, 1950 to allow the withdrawal of his pleadings in said cause as an heir of Mrs. Johnnie L. Sikes, it is

Ordered, adjudged and decreed that said motion which petitions the Court to allow the withdrawal of his pleadings be granted in said cause that the costs be assessed against Eruce A. Thomas, the Complainant, and that the register will enter this order on the minutes of the Court, ordered this the 9th day of December, 1950.

Jelser A. Mosse Gerrey Jr.

BINGE A. THINAS.

Compla mant

WO2

THE WEST HALF (W) OF THE WORTHWEST QUARTER (W) OF THE NORTHEAST QUARTER (NE), SECTION THIRTY-TWO (32), TOWNSHIP ENGET (8) SOUTH, RANGE FOUR (4) BAST, BALDUM COUNTY, ALABAMA: FRED LEE, W. S. SIKES, W. H. SIKES, FRED LEUNIE V. SIKES, W. R. SIKES, JOHNNIE L. SIKES.

Respondents

IN THE CIRCUIT COURT OF BALDVIN COUNTY, ALABAMA

IN MUITY.

BILL OF COMPLAINT

TO THE HOMORABLE TELVAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN MULTY'S

Comes your Complainant, Bruce A. Thomas, being over the age of twentyone years and a resident of Baldwin County, Alabama, and brings this Bill of Complaint against the following described real property situated in the County of Baldwin, State of Alabama, to wits

And Complainant further brings his Bill of Complaint against any and all persons, firm or corporations claiming any title to. Interest, lien or encumbrance upon the above described lands or any part thereof and especially brings this bill of complaint against Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, and Johnnie L. Sikes, if they be living, and if dead against their unknown heirs, devisees, and grantees, and Complainant respectfully shows unto your Honor as follows:

VIRUE.

That he is in the actual, peaceable, adverse possession of the above described lands claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use.

SECOMD:

That no suit is pending to test Complainant's title to, interest in or right to possession of said land.

PHIRDS

Complainant further shows that he claims the entire fee simple title in and to said lands, having acquired the same in the following manner:

- (1) The Southern Plantation Development Company conveyed this land to Fred Lee by warranty deed dated November 3, 1915, which deed is duly recorded in Deed Book 24 NS, pages 40-41, in the office of the Judge of Probate of Baldwin County, Alabama;
- (2) This land was conveyed by tax deed, dated June 2, 1922, in the name of Fred Les by James M. Voltz, Judge of Probate, to W. S. and W. H. Sikes, which deed is recorded in Deed Book 32 NS, page 211, in the office of the Judge of Probate of Baldwin County, Alabama;

- (3) This land was conveyed by Glennie V. Sikes, a widow, et al. to W. R. Sikes by quit claim deed dated August 16, 1929, which deed is recorded in Deed Book 47 MS, pages 292-295, in the office of the Judge of Probate of Baldwin County, Alabama;
- (4) W. R. Sikes and Johnnie L. Sikes, his wife, conveyed this land to W. M. Sikes, by quit claim deed, dated August 16, 1930, which deed is recorded in Deed Book 50 NS, pages 44-45, in the office of the Judge of Probate of Baldwin County, Alabama;
- (5) W. M. Sikes and Rena L. Sikes, his wife, conveyed this land to Mrs. Johnnie L. Sikes by quit claim deed dated April 16, 1932, which deed is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52 NS, page 358;
- (6) This land was conveyed in the name of Ers. Johnnie L. Sikes by G. W. Eobertson, Judge of Probate, to Boose McGill by Tax Deed dated July 14, 1944, which deed is recorded in Deed Book SS NS, page 434, in the office of the Judge of Probate of Baldwin County, Alabama;
- (8) That your Complainant has been in continuous, actual, peaceable and adverse possession of all of the above described lands, claiming to own the same in his own right, in fee simple and using the same in every way that it is susceptible to use since June, 1945, and has assessed and paid taxes on this twenty acres of land each and every year since that date.

FOR BUYES

Complainant further shows unto your Monor that all of the Mespondents are over the age of twenty-one years and are non-residents of the State of Alabama, and that their places of residence and post office addresses are unknown to your Complainant, after diligent search and inquiry, especially seeking information from Mr. Ort Extringer, who at one time knew the respondents, except that Mrs. Johnnie L. Sikes is believed to reside at Luverne, Alabama, her full address being unknown to your Complainant. If the above named Respondents be dead, the names and addresses of their heirs and devisees or grantees, if any, are unknown to your Complainant, Complainant further shows unto your Monor that he has used diligence in trying to ascertain the residences and addresses of these several defendants and has been unable to do so; Complainant has had a complete abstract of title to said lands prepared to ascertain the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or may be interested in the same, or who claim any interest therein.

PIPPE

Complainant further shows unto your Bonor that he and those through whom he claims have paid taxes for a period of six years, consecutively, on the lands and that no other persons, except those under whom he claims, have paid taxes thereon during any part of said period, said lands being in the State for at least three years prior to this date.

That no one is known to your Complainant to claim said land or any part thereof or any interest therein, except your Complainant and the Defendants to this proceedings as herein above named, and Complainant calls upon the several persons hereinabove named as Defendants, or anyone else interested, to set forth or specify his or her or its claim, title, interest in or encumbrance upon said lands, and how and by what instrument or otherwise the same is derived or created.

PRATER FOR PROCESS

To the end, therefore, that equity may behad in the premises, Complainant prays that your Monor will cause the usual writ of process to issue to the following named Bespondents, viz: Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes and Thinkie L. Sikes, if they be living and if deed, the unknown helms and devisees of them and each of them, and to any and all other

persons, firms or corporations claiming any interest in, right, or title to said lands, in the usual form and according to the practice of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint, as required by the laws of the State of Alabama, authorizing the questing of title in proceedings in rem; that your Honor will also order that notice be given of the filing of this Bill of Complaint, to the aforesaid Defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to the Bill of Complaint and requiring them to plead, answer or demur to the same within the time required by law, and personal service on the said Mrs. Johnnie L. Sikes.

PRAYER FOR PRIJUR

Four Complains at further prays that on a hearing of this case that your Honor will establish Complainant's right to title to said lands and will decree that the Complainant is the owner in fee simple of the lands described and that no other persons, firms or corporations have any title to, interest in, or lien or encumbrance upon said lands or any part thereof, and especially Fred Lee, V. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. B. Sikes, Mrs. Johnnis L. Sikes, if they be living and if dead, their unknown heirs and devisees of them and each of them, have no right, title, interest in, lien or encumbrance upon said land, that in said Decree your Honor will cause a certified copyoff the Decree to be filed in the Probate Court of Faldwin County, Alabama, and to be recorded therein, and that in said Decree your Honor will direct in whose names shall be indexed in the Direct and Indirect Indexes of the Records thereof in said Probate Court of Baldwin County, Alabama, and Complainant further prays for such other, further, different and general relief as in equity may seem just and meet, and Complainant will ever pray.

Solicitor for Complainment

THE STATE OF ALABAMA,

BALDWIN COULTY.

Before me, Gus Schultz, a Motary Public in and for said County and State, personally appeared Forest A. Christian, who upon oath deposes and says:

That he is the agent of, and the attorney for, the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and non-residents of the State of Alabama, their places of residence being unknown to your affiant, except that Mrs. Johnnie L. Sikes is believed to reside at Luverne, Alabama; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named Defendants are dead, the names of their heirs, devisees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residences as he believes are not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believe, and so states, that

Forest A. Christian

Sworn to and subscribed before me, a Notary Public, whose seel is hereto affixed by me, this the day of July, 1950.

Potary Public

LAW OFFICE OF

FOREST A. CHRISTIAN FOLEY, ALABAMA

July 18, 1950

Mrs. Alice J. Duck Clerk of Court Bay Minette, Alabama

Re: Bruce A. Thomas vs: Certain Lands, et. al.

Dear Mrs. Duck:

Enclosed is a Bill of Complaint and Notice to Non-Resident adefendants. I am starting to advertise this in the Foley Onlooker this week, which I hope meets with your approval and I believe I am sending enough copies so you can file one in the Lis Pendens records and pose one on the Courthouse door.

You may serve Mrs. Johnnie L. Sikes at Luverne, Alabama.

Yours very truly,

Bruggo Churcher

m 2510

Bruce a. Thomas O'S. Certain Lunds

Quiet 2-19-50

1. Complaint 2. Omblications 3. Lis Pen

BALDWIN NEWS-HERALD THE FOLEY ONLOOKER FOLEY, ALA., Aug. 14 HOWELL PUBLISHING CO. HIGH QUALITY JOB PRINTING aliee J. Duck Bay minette, alu Brought Forward July 20 Legal aug. 3 Por In Bruce Thomas.

BRUCE A. THOMAS,

Complainant

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THE WEST HALF (W1) OF THE NORTHWEST QUARTER (NW1) OF THE NORTHEAST QUARTER (NE1), SECTION THIRTY-TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (1) EAST, BALDWIN COUNTY, ALABAMA: FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, MRS. JOHNNIE L. SIKES,

Respondents

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY

MOTION

Comes your Respondent Allen Sikes, as an heir of Johnnie L. Sikes, deceased, and moves the honorable court that permission be granted your Respondent, as the heir of said Johnnie L. Sikes and in his own right to redeem said property in accordance with the laws so prescribed.

That he is in the actual, peaceable, adverse possession of the above described lands claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use.

And your Respondent further prays for such other, further, different and general relief as in equity may seem just and meet and your Respondent will ever pray.

Solicitor for Respondent Allen Sikes,

RECORDED

BRUCE A. THOMAS,

Complainant

Vs

THE WEST HALF (W2) OF THE NORTHWEST QUARTER (NW4) OF THE HORTHEAST QUARTER (NE4), SECTION THIRTY-TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALDWIN COUNTY, ALABAMA: FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, MRS. JOHHNIE L. SIKES,

Respondents

MOTION

FILED AUG 18 1950 NUCE I NOCK; Register

NOTION TO NOW ARSIDED TO DEFENDANTS

BRIDE A. TROMS.

Complainant

VS.

The West Helf (W) of the Northwest (warter (NW)) of the Northeest (warter (NE)), Section Thirty-two (32), Township Eight (8) South, Range Four (4) East, Baldwin County, Alakama; Fred Lee, V. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, and Ers. Johnnie E. Sikes,

Respondents

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAM IN BOULTY.

It having been made to appear in the above styled cause from the affidavit of Forest A. Christian, the Solicitor of Record for the Complainant in said cause that the Defendants above named, or their heirs or devisees are non-residents of the State of Alakam, their residences and post office addresses being unknown to Complainant.

NOTICE IS HEREBY GIVEN to Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, and Mrs. Johnnie L. Sikes, if they be living and if dead the unknown heirs, essigns, and devises of them and each of them, and to any and all persons, firms, corporations claiming any interest in, title to, lien or encumbrance upon the land herein described; that on the 19th day of July, 1950, Bruce A. Thomas filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint a minst the following described land in Baldwin County, Alabama, viz:

The West Balf (Wg) of the Morthwest warter (NW) of the Mortheast Quarter (NE), Section Thirty-two (32), Township Eight (8) South, Range Four (4) East, Baldwin County, Alabama......

and against the Defendants here mbove named and any and all other persons, firms or comporations claiming any interest in, lien or encumbrances upon the above described lands, and you are hereby notified to appear and plead, answer or demur within thirty days from the completion of publication, the 17th day of August, 1950, or a decree pro confesso will be rendered against you;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainand to said lands for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same;

That title to said lands stands in the name of the Complainant on the record in the office of the Judge of Probate of Baldwin County, Alabama;

That Complainant claims title to said lands by virtue of warranty deed executed by Fred Lee on November 3, 1915, and recorded in Deed Book 24 NS, pages 40.41; by tax deed executed by James M. Voltz, Judge of Probate on June 2, 1922, and recorded in Deed Book 32 NS, page 211; by quit claim deed executed by Clemnie V. Sikes, a widow, et al. on August 16, 1929, and recorded in Deed Book 47 NS, pages 292.293; by quit claim deed executed by W. R. Sikes and Johnnie L. Sikes, his wife, on August 16, 1930, and recorded in Deed Book 50 NS, Pages 44.45; by quit claim deed executed by W. M. Sikes and Rena L. Sikes, his wife, on April 16, 1932, and recorded in Deed Book 52 NS, page 358; by tax deed executed by G. T. Obertson, Judge of Probate on July 14, 1944, and recorded in Deed Book 85 NS, page 434; and by quit claim deed executed by Recoe 3. McGill and Juth Vaughm McGill, his wife, dated June 1945, and recorded in Deed Book 98, NS, pages 95-96; all of the records referred to above being in the office of the Judge of Probate of Baldwin County, Alabama.

The Complainant further alleges that in his Bill of Complaint that he is in the quiet and peaceable possession of said land claiming to own the same absolutely and in fee simple and that he and those under whom he claims, have been in possession of said lands for more than six years next preceding the

BRUCE A. THOMAS,

Complainant

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THE WEST HALF (W1) OF THE MORTHWEST QUARTER (NW1) OF THE NORTHEAST QUARTER (NE1), SECTION THIRTY-TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALLWIN COUNTY, ALABAMA: FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, MRS. JOHNNIE L. SIKES,

Respondents

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY

MOTION

Comes your Respondent Allen Sikes, as an heir of Johnnie L. Sikes, deceased, and moves the honorable court that permission be granted your Respondent, as the heir of said Johnnie L. Sikes and in his own right to redeem said property in accordance with the laws so prescribed.

That he is in the actual, peaceable, adverse possession of the above described lands claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use.

And your Respondent further prays for such other, further, different and general relief as in equity may seem just and meet and your Respondent will ever pray.

Solicitor for Respondent Allen Sikes,

RECORDED

BRUCE A. THOMAS,

Complainant

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THE WEST HALF (W12) OF THE NORTHWEST QUARTER (NW14) OF THE NORTHEAST QUARTER (NE14), SECTION THIRTY-TWO (32), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, BALDWIN COUNTY, ALABAMA: FRED LEE, W. S. SIKES, W. M. SIKES, GLENNIE V. SIKES, W. R. SIKES, MRS. JOHHNIE L. SIKES,

Respondents

MOTION

FILED

AUG 18 1950

NUCE J. DUCK; Register

filing of the Bill of Complaint, and they have paid the taxes on said lands for the last six years, prior to the filing of said Bill of Complaint and no other person, firm or corporation has paid any taxes on said lands during said six year period, being in the State for at least three years previous to the date hereof.

Witness my hand this the 19th day of July, 1950

Register of the Circuit Court of Baldwin County, Alabama

Forest A. Christian, Solicitor

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Octo, Oct. July 18

THE STATE OF ALABAMA, Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

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	BRUCE A. TI	HOMAS	Complainant	
		VS.		
	CERTAIN LANDS, FRED LE	E, et al.	Responder	ıt
I,A	lica A. Christian			
	and Commissioner			
have called	and caused to come before n	neBroce	A. Thomas	
Marine Service Control of the Contro	Methodologica and the first state of the first stat	and the second s	e garage garage seems and a seem of the seems of the seem	
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witness;	named in the Requirement for the office of $Forest A$.	or Oral Exami Phristian	ination, on the 12 day of -	December
in	Foley , Alabama,	and having fi	rst sworn said Witness	to speak the
or trong the wi	Ave.		And a second	
I am the c			follows: My name is Bruce e: and I am over the age	
		. •	erse possession of the l	~

I am the complainant in the above styled cause; and I am over the age of twenty—one years. I am in the actual, peaceable, adverse possession of the lands described as: The West Half (W2) of the Northwest Quarter (NW2) of the Northeast Quarter (NE2), Section Thirty-two (32), Township Eight (8) South, Range Four (4) East, Baldwin County, Alabama, and was in such possession at the time of filing the Bill of Complaint in this cause. There is no suit pending to test my title to, interest in or right to possession of said lands.

Before proceeding with the above styled cause, I had an abstract of title made to this property, described above, which abstract shows the following:

- (1) The Southern Plantation Development Company conveyed this land to Fred Lee by Warranty Deed, dated November 3, 1915, which deed is duly recorded in Deed Book 24 NS, pages 40-41, in the office of the Judge of Probate of Baldwin County, Alabama.
- (2) This land was conveyed by tax deed dated June 2, 1922, in the name of Fred Lee by James M. Voltz, Judge of Probate, to W. S. and W. E. Sikes, which deed is recorded in Deed Book 32 NS, page 211, in the office of the Judge of Probate of Baldwin County, Alabama.
- (3) This land was conveyed by Glennie V. Sikes, a widow, et al. to W. R. Sikes by quit claim deed dated August 16, 1929, which deed is recorded in Deed Book 47 NS, pages 292-293, in the office of the Judge of Probate of Baldwin County, Alabama.
- (4) W. R. Sikes and Johnnie L. Sikes, his wife, conveyed this land to W. M. Sikes, by quit claim deed, dated August 16, 1930, which deed is recorded in Deed Book 50 NS, pages 44-45, in the office of the Judge of Probate of Baldwin County, Alabama.
- (5) W. M. Sikes and Rena L. Sikes, his wife, conveyed this land to Mrs. Johnnie L. Sikes by quit claim deed dated April 16, 1932, which deed is recorded in the office of the 'udge of Probate of Baldwin County, Alabama, in Deed Book 52 NS, page 358.
- (6) This land was conveyed in the rame of Mrs. Johnnie L. Sikes by G. W. Robertson, Jud e of Probate, to Reese McGill by Tax Deed dated uly 14, 1944, which deed is recorded in Deed Book 85 NS, page 434, in the office of the Judge of Probate of Baldwin County, Alabama.
- (7) Reese S. McGill and Ruth Vaughn McGill, his wife, conveyed this land to Bruce A. Thomas, the affiant, by quit claim deed dated June_____, 1945, which deed is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 98 NS, pages 95-96.
 - (8) That your affiant has been in continuous, actual, peaceable and adverse possession of all of the above described lands, claiming to own the same in my own right, in fee simple, and using the same in every way that it is susceptible to use since June_____, 1945, and have assessed and paid taxes on this property each and every year since that date.

That the respondents are over the age of twenty-one years and are non-residents of the State of Alatama, and that their places of residence and post office addresses are unknown to me; that my attorney and I have made diligent search and inquiry as to the names and addresses of the respondents. That I have paid taxes on said property for the past six consecutive years and that no other person, except those under whom I claim, have paid taxes thereon for any part of said period. That I know of no person, other than myself, who claims said land or any part thereof. During part of this six year period to wit: the past six years, I have grown crops of watermelon and corn the property described in this suit.

Brise A. Thomas

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Cat the respondents of the Otter of the their places of residence non-residents of the Otter of the Other places of residence and post office addresses are unknown to me, that my sitemely and I have made diligent search and inquiry as to the names and addresses of the respondents. That I have peid taxes on the property for the past six consciutive years and that no other person, except those under whom I claim, have paid taxes thereon for any part of said period. That I know of no person, other than myself, who obins said jeriod. That I know for no person, other than myself, who obins said land or any part thereof. For the past six years, I have crops of watermelon and sorn the property described in this six years property described in this sait.

ova the same in ay one revolute to the staple, and us ag no tank the every way that is susceptible to not ofthe June June 1965, and have samesed and gold taxes on this property evok and every year along that date.

I, Alica A. Christian, as taken down by me in writing in the words of the virnessoring deposition—on Oral Examination was taken down by me in writing in the words of the witness—and read over to him and Forest A. Christian

and Forest A. Christian

and Forest A. Christian

and Porcent interested the presence of the identity of said witness—ithat I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result-thereof or of kin to any of the parties to said cause, or any manner interested in the result-thereof counsel or of kin to and or of the parties to said cause, or any manner interested in the result-thereof in the result-thereof or of kin to and or of the parties of ending in an envelope to the Register of said Court.

Given under my hand and seal, this—day of December 1942 50.

OKAL EXAMINATION.

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Complainant

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CIRCUIT COURT, IN EQUITY.

THE STATE OF ALABAMA BALDWIN COUNTY CERTAIN LANDS, FRED LEB, ET ALL

Respondent.

Respondent.

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e este ¹ este ² este ²	:	5400 \$4000	Ô	. ja	vs.			

Certain Lands. FRED LEE, et al.

THE STATE OF ALABAMA Baldwin County

IN EQUITY Circuit Court of Baldwin County

This cause	e is submitted in behalf of Co	omplaint upon the original Bil	l of Complaint,
		otice of publication the	order designating
newspap		ublication, and Lis Pend	ens Notice filed in
the offic	ce of the Judge of Prob	bate in Baldwin County,	Alabama.

and in behalf of Defendant upon Decree pro confesso on publication and Decree on motion by Alan Sikes as heir of Mrs. Johnnie L. Sikes, to withdraw his oleadings in said cause.

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BRUCE	: A. T	HOMAS		
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	vs.			
Certain land	is, FR	ED LEE	, et a	11.
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	THE STATE OF ALABAMA,
	BALDWIN COUNTY
BRUCE A. THOMAS	
VS.)
	IN EQUITY
CERTAIN LANDS, FRED LEE, ET AL.	
	CIRCUIT COURT OF BALDWIN COUNTY
)
This cause is submitted in behalf of Complains	int upon the original Bill of Complaint,
Afficant to attached hometo motion	of Publication, The order Designating
	ation, Decree Pro Confesso on Publication
	fice of the Judge of Probate in Baldwin
County, Alabama, against said Resp	ondents, and the Testimony of Bruce A.
Thomas.	
and in behalf of Defendant upon Decree Pro	Canfesso on Publication
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RECORDED

No.
The State of Alabama,
IN EQUITY CIRCUIT COURT OF BALDWIN COUNTY
VS.
NOTE OF TESTIMONY
Filed in Open Court this 15th day of 1940 Click Luck Register.
(/ Register,

Moore Printing C

NOTICE TO NON_RESIDENT DEFENDANTS

BRUCE A. THOMAS,

Complainant

VS:

The West Half (Wz) of the Northwest Quarter (NWZ) of the Northeast Quarter (NEZ), Section Thirty_two (32), Township Eight (8) South, Range Four (4) East, Baldwin County, Alabama; Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, and Mrs. Johnnie L. Sikes,

Respondents

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

It having been made to appear in the above styled cause from the affidavit of Forest A. Christian, the Solicitor of Record for the Complainant in said cause that the Defendants above named, or their heirs or devisees are non-residents of the State of Alakama, their residences and post office addresses being unknown to Complainant.

NOTICE IS HEREBY GIVEN to Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes, and Mrs. Johnnie L. Sikes, if they be living and if dead the unknown heirs, assigns, and devisees of them and each of them, and to any and all persons, firms, corporations claiming any interest in, title to, lien or encumbrance upon the land herein described; that on the 19th day of July, 1950, Bruce A. Thomas filed in the Equity Side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described land in Baldwin County, Alabama, viz:

The West Half (W2) of the Northwest Quarter (NW2) of the Northeast Quarter (NE2), Section Thirty-two (32), Township Eight (8) South, Range Four (4) East, Baldwin County, Alabama......

and against the Defendants hereinabove named and any and all other persons, firms or corporations claiming any interest in, lien or encumbrances upon the above described lands, and you are hereby notified to appear and plead, answer or demur within thirty days from the completion of publication, the 17th day of August, 1950, or a decree pro confesso will be rendered against you;

hat said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainand to said lands for the purpose of quieting its title thereto and clearing up all doubts and disputes concerning the same;

That title to said lands stands in the name of the Complainant on the record in the office of the Judge of Probate of Baldwin County, Alabama;

That Complainant claims title to said lands by virtue of Warranty deed executed by Fred Lee on Movember 3, 1915, and recorded in Deed Book 24 MS, pages 40.41; by tax deed executed by James M. Voltz, Judge of Probate on June 2, 1922, and recorded in Deed Book 32 MS, page 211; by quit claim deed executed by Glennie V. Sikes, a widow, et al. on August 16, 1929, and recorded in Deed Book 47 MS, pages 292.293; by quit claim deed executed by W. R. Sikes and Johnnie L. Sikes, his wife, on August 16, 1930, and recorded in Deed Book 50 MS, Pages 44.45; by quit claim deed executed by W. M. Sikes and Rena L. Sikes, his wife, on April 16, 1932, and recorded in Deed Book 52 MS, page 356; by tax deed executed by G. W. Tobertson, Judge of Probate on July 14, 1944, and recorded in Deed Book 85 MS, page 434; and by quit claim deed executed by Reece S. McGill and Tuth Vaughm McGill, his wife, dated June ..., 1945, and recorded in Deed Book 98, MS, pages 95-96; all of the records referred to above being in the office of the Judge of Probate of Baldwin County, Alabama.

The Complainant further alleges that in his Bill of Complaint that he is in the quiet and peaceable possession of said land claiming to own the same absolutely and in fee simple and that he and those under whom he claims, have heen in possession of said lands for more than six years next preceding the

filing of the Bill of Complaint, and they have paid the taxes on said lands for the last six years, prior to the filing of said Bill of Complaint and no other person, firm or corporation has paid any taxes on said lands during said six year period, being in the State for at least three years previous to the date hereof.

Witness my hand this the 19th day of July, 1950.

Register of the Circuit Court of Baldwin County, Alabama

Forest A. Christian, Solicitor

STATE OF ALABAMA, BALDWIN COUNTS

Filed 7-20-50

Recorded book page 314-7

Judge of Probate

ALICE J. DUCK, Register

BRUCE A. CERAS.

Comple ment

VSs

THE WEST BALF (W.) OF THE MORPHUSE QUARTER (MR.) OF THE BORNERAST QUARTER (MR.). STOLION PHIRTY-ING (SC). TOWARD PROPERTY (S) SOUTH, RANGE FOUR (4) PAST, BALWAR GOUNTY, ALABAMA, FRED LEG, W. S. SIKES, W. R. SIKES, W. S. SIKES, W. R. SIKES, WORNTE V. SIKES, W. R. SIKES, WORNTE L. SIKES, WORNTE L.

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DALDVIE COUNTY, ALABALA

IN DUTTE.

RILL OF COMPLAINT

TO THE HONOMABLE TRIVAIR J. MASHDIRM, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COURT, ALABAMA, IN MUSTY:

Comes your Complainant, Brace A. Thomas, being over the age of twentyone years and a resident of Baldwin County, Alabama, and brings this Bill of Complaint against the following described real property situated in the County of Baldwin, State of Alabama, to with

and Complainant further brings his Bill of Complaint against any and all persons, firm or corporations claiming any title to, interest, lien or encumbrance upon the above described lands or any part thereof and especially brings this bill of complaint against Fred Les. W. S. Sikes, W. H. Sikes, Clennie V. Sikes, W. R. Sikes, and Johnnie L. Sikes, if they be living, and if dead against their unknown heirs, devisees, and grantees, and Complainant respectfully shows unto your Homor as follows:

Piese

That he is in the actual, pesseable, adverse possession of the above described lands claiming to own the same in his own right in fee simple and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test Complainant's title to, interest in or right to possession of said land.

PHINT

Complainant further shows that he claims the entire fee simple title in and to said lands, having acquired the some in the following manner:

- (1) The Southern Plantation Development Company conveyed this land to Fred Lee by warranty deed dated Ecvember 3, 1915, which deed is duly recorded in Deed Book 24 NS, pages 40-41, in the office of the Judge of Probate of Baldwin County, Alabama;
- (2) This land was conveyed by tax deed, dated June 2, 1922, in the name of Fred Lee by James M. Voltz, Judge of Probate, to V. S. and V. M. Sikes, which deed is recorded in Deed Book 32 NS, page 211, in the office of the Judge of Probate of Baldwin County, Alabama;

- (3) This land was conveyed by Glennie V. Sikes, a widow, et al. to W. R. Sikes by quit claim deed dated August 16, 1929, which deed is recorded in Deed Book 47 NS. pages 292-295, in the office of the Judge of Probate of Baldwin County, Alabama;
- (4) W. E. Sikes and Johnnin L. Sikes, his wife, conveyed this land to W. M. Sikes, by quit claim deed, deted August 16, 1950, which deed is recorded in Deed Book 50 MS, pages 44-45, in the office of the Judge of Probate of Deldwin Jounty, Alabama;
- (5) W. M. Bikes and Bens L. Sikes, his wife, conveyed this land to Mrs. Johnnie L. Bikes by quit claim deed dated April 15, 1952, which deed is recorded in the office of the Judge of Probate of Beldwin County, Alabama, in Deed Book 52 MS, page 358;
- (6) This land was conveyed in the name of Bro. Johnnie L. Sikes by G. W. Robertson, Judge of Probate, to Reese EdVill by Tax Deed dated July 14, 1944, which deed is recorded in Beed Book SS BS, page 434, in the office of the Judge of Probate of Baldwin County, Alabema;
- (8) That your Complainant has been in continuous, actual, peaceable and adverse possession of all of the above described lands, claiming to own the same in his own right, in fee simple and using the same in every way that it is susceptible to use since June, 1945, and has assessed and paid tames on this twenty sores of land each and every year since that date.

MITTER

Complainant further shows unto your Konor that all of the Respondents are over the age of twenty-one years and are non-residents of the State of Alabama, and that their places of residence and post office addresses are unknown to your Complainant, after diligent search and inquiry, especially seeking information from Mr. Ort Estzinger, who at one time knew the respondents, except that Mrs. Johnnie L. Sikes is believed to reside at Luverne, Alabama, her full address being unknown to your Complainant. If the above named Respondents be dead, the names and addresses of their heirs and devisees or grantees, if any, are unknown to your Complainant; Complainant further shows unto your Konor that he has used diligened in trying to ascertain the residences and addresses of those several defendants and has been unable to do so; Complainant has had a complete abstract of title to said lands prepared to ascertain the ownership of the same, the possession of the same and the whereabouts of any and all persons who are, or may be interested in the same, or who claim any interest therein.

ILIZI

Complainant further shows unto your Honor that he and those through whom he claims have paid taxes for a period of six years, consocutively, on the lands and that no other persons, except those under whom he claims, have paid taxes thereon during any part of said period, said lands being in the State for at least three years prior to this date.

That no one is known to your Complainant to claim said land or any part thereof or any interest therein, except your Complainant and the Defendants to this proceedings as herein above named, and Complainant calls upon the several persons hereinabove named as Defendant; or anyone else interested, to set forth or specify his or her or its claim, title, interest in or encumbrance upon said lands, and how and by what instrument or otherwise the same is derived or created.

PRAINT MIT PROMES

To the end, therefore, that equity may behad in the premises, Complainant prays that your Monor will cause the usual writ of process to issue to the following named Respondents, viz: Fred Lee, W. S. Sikes, W. M. Sikes, Glennie V. Sikes, W. R. Sikes and Winnie L. Sikes, if they be living and if deed, the unknown heirs and devisees of them and each of them, and to any and all other

persons, fines or corporations claiming any interest in, right, or title to said lands, in the usual form and according to the practice of this Hono mable Court, requiring them to plead, answer or demur to the same within the time required by law and the practice of this Honorable Court, and that your Honor will also cause notice to be published of the proceedings instituted by the filing of this Bill of Complaint, as required by the laws of the State of Alabama, suthorizing the queting of title in proceedings in rea; that your Honor will also order that notice be given of the filing of this Bill of Complaint, to the afcresaid Defendants by publication in some newspaper published in Baldwin County, Alabama, making them parties to the Bill of Complaint and requiring them to plead, enswer or demur to the same within the time required by law, and personal service on the Said Wrs. Johnnie L.

DEALER CAR SEALVE

Your Complained further prays that on a hearing of this case that your Konor will establish Complainant's right to title to said lands and will decree that the Complainant is the owner in fee simple of the lands described and that no other persons, firms or corporations have any title to, interest in, or lien or encumbrance upon said lands or any part thereof, and especially fred Lee, W. J. Sikes, W. R. Sikes, Clemnie V. Sikes, W. R. Sikes, Mrs. Columnie L. Sikes, if they be living and if dead, their unknown heirs and devisees of them and each of them, have no right, title, interest in, lien or encumbrance upon said land, that in said Decree your Konor will cause a certified copy of the Decree to be filed in the Frobate Court of Faldwin County, Alabame, and to be recorded therein, and that in said Decree your Konor will direct in whose names shall be indexed in the Direct and Indirect Indexes of the Records thereof in said Frobate Court of Baldwin County, Alabama, and Complainant further prays for such other, further, different and general relief as in equity may seem just and meet, and Complainant will ever pray.

Solicitor for Complainment

THE STATE OF ALABAMA,

BALDVIN CONTEX.

Before me, Gus Sebultz, a Motory Rublic in and for said County and State, personally appeared Forest A. Christian, who upon oath deposes and says:

That he is the agent of, and the attorney for, the Complainant in the above styled cause and is therefore duly authorized to make this cath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and non-residents of the State of Alabema, their places of residence being unknown to your affiant, except that Ers. Johnnie L. Sikes is believed to reside at Luverne, Alabema; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named Defendants are dead, the sames of their heirs, devisees or grantees are unknown and affiant has made diligent inquiry to ascertain the same and that their residences as he believes are not in this State; that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believe, and so states, that

Day (Oly 6/1/2)

Sorn to and subscribed before me, a Notary Public, whose seel is hereto affixed by me, this the Sold day of July, 1950.

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