

BRUCE A. THOMAS

Complainant

Vs

THE WEST HALF ($W\frac{1}{2}$) OF THE
NORTHWEST QUARTER ($NW\frac{1}{4}$) OF
THE NORTHEAST QUARTER ($NE\frac{1}{4}$),
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:

1.

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

Vs

THE WEST HALF ($W\frac{1}{2}$) OF THE
NORTHWEST QUARTER ($NW\frac{1}{4}$) OF
THE NORTHEAST QUARTER ($NE\frac{1}{4}$)
SECTION THIRTY-TWO (32),
TOWNSHIP 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

ANSWER

FILED
AUG 16 1950
ALICE I. DUCK, Register

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

To Alice A. Christian

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Bruce A. Thomas

as witnesses in behalf of Bruce A. Thomas in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Bruce A. Thomas

Complainant—
and Certain Lands, Fred Lee, et al.

Respondent—

on oath, to be by you administered, upon Bruce A. Thomas
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 1st day of December, 1950

Alice J. Hark

Register

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

BRUCE A. THOMAS

Complainant

VS.

CERTAIN LANDS, FRED LEE, ET AL.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Alica A. Christian

WITNESSES:

Bruce A. Thomas

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2510

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Mrs. Johnnie L. Sikes

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Mrs. Johnnie L. Sikes et als, Defendant

by BRUCE A THOMAS

Plaintiff

Witness my hand this 19th day of July 1950

Clerk

No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

vs. Plaintiffs

Defendants

SUMMONS and COMPLAINT

Filed, 19.....

....., Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

....., 19.....

....., Sheriff

I have executed this summons

this, 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff

BRUCE A. THOMAS,

Complainant

VS;

THE WEST HALF (WL $\frac{1}{2}$) OF THE
NORTHWEST QUARTER (NW $\frac{1}{4}$) OF
THE NORTHEAST QUARTER (NE $\frac{1}{4}$),
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 EQUITY:

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:

The West Half (WL $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$), Section Thirty-two (32), Township
Eight (8) South, Range Four (4) East.....

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 292-293, 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 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;

(7) Reese S. McGill and Ruth Vaughn McGill, his wife, conveyed this land to Bruce A. Thomas, the complainant, by quit claim deed dated June 1945, which deed is recorded in Deed Book 98 NS, pages 95-96;

(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 Ertzinger, 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.

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

To the end, therefore, that equity may be had 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 Johnnie 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 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 quieting 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.

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

Solicitor for Complainant

Before me, Gus Schultz, a Notary 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 Laverne, 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
Forest A. Christian

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed by me, this the 18th day of July, 1950.

Gus Schultz
Notary Public

BRUCE A. THOMAS,

COMPLAINANT

VS:

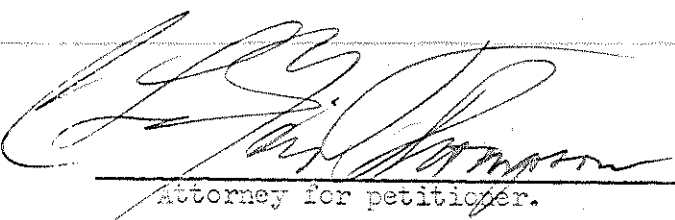
THE WEST HALF (W $\frac{1}{2}$) OF THE
NORTHWEST QUARTER (NW $\frac{1}{4}$) OF
THE NORTHEAST QUARTER (NE $\frac{1}{4}$)
SECTION THIRTY-TWO (32),
TOWNSHIP EIGHT (8) SOUTH,
RANGE FOUR (4) EAST, BALDWIN
COUNTY, ALABAMA; FRED LEE, W. S.
SIKES, W. M. SIKES, GLENNIE V.
SIKES, W. R. SIKES, MRS. JOHNNIE
L. SIKES,

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 OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

BRUCE A. THOMAS

Complainant

Vs.

CERTAIN LANDS, FRED LEE, ET AL.

Defendant

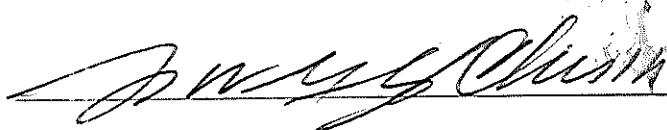
Motion is hereby made for a Decree Pro Confesso against Certain Lands, Fred Lee, et al.

Defendant s

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

This 1st day of December 19 50

746 Code

 Solicitor.

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

BRUCE A. THOMAS

Complainant _____

Vs.

CERTAIN LANDS, FRED LEE, ET AL.

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed 12-1 1928

Alvin H. H. H.

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

BRUCE A. THOMAS

Complainant

Vs.

CERTAIN LANDS, FRED LEE, ET AL.

Defendant-s

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 20th day of July, 1950, in the The Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the _____ day of _____ 1950 and _____

And it now further appearing to the Register Alice J. Duck that the said

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register _____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Certain Lands, Fred Lee, et. al.

This 15th day of December 1950

Alice J. Duck Register.

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

BRUCE A. THOMAS

Vs.

CERTAIN LANDS, FRED LEE, ET AL.

Decree Pro Confesso of Publication

Issued 12-1-1950

Wm. J. Wrench
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Printing Co., Bay Minette, Ala.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2510

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Mrs. Johnnie L. Sikes

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Mrs. Johnnie L. Sikes et als, Defendant

by BRUCE A THOMAS, Plaintiff

Witness my hand this 19th day of July 1950

Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

vs. Plaintiffs

Defendants

SUMMONS and COMPLAINT

Filed, 19.....

....., Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

....., 19.....

....., Sheriff

I have executed this summons

this, 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff

BRUCE A. THOMAS,

Complainant

VS:

THE WEST HALF (W $\frac{1}{2}$) OF THE
NORTHWEST QUARTER (NW $\frac{1}{4}$) OF
THE NORTHEAST QUARTER (NE $\frac{1}{4}$),
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.

BILL OF COMPLAINT

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

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:

The West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$), Section Thirty-two (32), Township
Eight (8) South, Range Four (4) East.....

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 292-293, 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 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;

(7) Reese S. McGill and Ruth Vaughn McGill, his wife, conveyed this land to Bruce A. Thomas, the complainant, by quit claim deed dated June 1945, which deed is recorded in Deed Book 98 NS, pages 95-96;

(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 Ertzinger, 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.

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


To the end, therefore, that equity may be had 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 Johnnie 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 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 quieting 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.

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)



Solicitor for Complainant

Before me, Gus Schultz, a Notary 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 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 18th day of July, 1950.


Notary Public

BRUCE A. THOMAS,
Complainant

VS:

THE WEST HALF (W $\frac{1}{2}$) of the NORTHWEST
QUARTER (NW $\frac{1}{4}$) of the NORTHEAST
QUARTER (NE $\frac{1}{4}$), 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 $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of
the Northeast Quarter (NE $\frac{1}{4}$), Section Thirty-two (32),
Township Eight (8) South, Range Four (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, whose names are set forth in the Bill of Complaint, have had due notice of these proceedings 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, ADJUDGED 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 names 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 29th day of December, 1950.

Jeffrey H. Marshall
Judge of Circuit Court, in Equity.

BRUCE A. THOMAS,

COMPLAINANT

VS:

THE WEST HALF ($W\frac{1}{2}$) OF THE
NORTHWEST QUARTER ($NW\frac{1}{4}$) OF
THE NORTHEAST QUARTER ($NE\frac{1}{4}$)
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 18, 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 Bruce 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.

Jelfair J. Marshall, Jr.
Circuit Judge

BRUCE A. THOMAS,

Complainant

VS.

THE WEST HALF (W $\frac{1}{2}$) OF THE
NORTHWEST QUARTER (NW $\frac{1}{4}$) OF
THE NORTHEAST QUARTER (NE $\frac{1}{4}$),
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. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

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:

The West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$), Section Thirty-two (32), Township
Eight (8) South, Range Four (4) East.....

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;

(7) Reese S. McGill and Ruth Vaughn McGill, his wife, conveyed this land to Bruce A. Thomas, the complainant, by quit claim deed dated June _____ 1945, which deed is recorded in Deed Book 98 NS, pages 95-96;

(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 Kitzinger, who at one time knew the respondents, except that Mrs. Johnnie L. Sikes is believed to reside at Laverne, 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.

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

To the end, therefore, that equity may be had 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 Johnnie 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 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 quieting 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

5210
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. B. Sikes, W. M. Sikes, Glennie V. Sikes, W. B. 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.

Forest A. Christian
Solicitor for Complainant

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

Before me, Gus Schultz, a Notary 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 the same are true.

Forest A. Christian
Forest A. Christian

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed by me, this the 16th day of July, 1950.

Gus Schultz
Notary 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-Residents & Defendants.
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,

Forest A. Christian

NO 25710

Bruce A. Thomas

D.S.

Certani Lundz
et al.

Quit Title

Filed 7-19-50

Sumit
1. Complaint

2. Publication

3. Lis Pen.

THE FOLEY ONLOOKER

BALDWIN NEWS-HERALD

FOLEY, ALA., Aug. 14 1936

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Alice J. Duck

Bay Minette, Ala.

Brought Forward

July 20
" 27
Aug. 3
" 10

Legal
notice
for
Bruce Thomas.

32.22

BRUCE A. THOMAS,

Complainant

Vs

THE WEST HALF ($W\frac{1}{2}$) OF THE
NORTHWEST QUARTER ($NW\frac{1}{4}$) OF
THE NORTHEAST QUARTER ($NE\frac{1}{4}$),
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 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 ($W\frac{1}{2}$) OF THE
NORTHWEST QUARTER ($NW\frac{1}{4}$) OF
THE NORTHEAST QUARTER ($NE\frac{1}{4}$),
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

MOTION

FILED

AUG 18 1950

WILLIE J. DUCK, Register

NOTICE TO NON-RESIDENT DEFENDANTS

BRUCE A. THOMAS,

Complainant

VS:

The West Half (W $\frac{1}{2}$) of the Northwest
Quarter (NW $\frac{1}{4}$) of the Northeast
Quarter (NE $\frac{1}{4}$), 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 Alabama, 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 (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section Thirty-two (32), Township Eight (8) South, Range Four (4) East, Baldwin County, Alabama.....

and against the Defendants hereinafore 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;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainant 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 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 358; by tax deed executed by G. W. Robertson, 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 Ruth Vaughn 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 been in possession of said lands for more than six years next preceding the

BRUCE A. THOMAS,

Complainant

Vs

THE WEST HALF ($W\frac{1}{2}$) OF THE
NORTHWEST QUARTER ($NW\frac{1}{4}$) OF
THE NORTHEAST QUARTER ($NE\frac{1}{4}$),
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

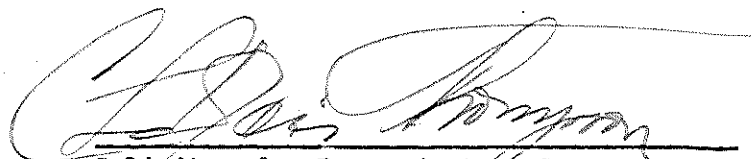
IN EQUITY

MOTION

Comes your 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 proscribed.

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 ($W\frac{1}{2}$) OF THE
NORTHWEST QUARTER ($NW\frac{1}{4}$) OF
THE NORTHEAST QUARTER ($NE\frac{1}{4}$),
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

MOTION

FILED

AUG 18 1950

NICE 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

5215

RECORDED

INDEXED

FILED
JUL 19 1950
JUL 19 1950

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

BRUCE A. THOMAS

Complainant

VS.

CERTAIN LANDS, FRED LEE, et al.

Respondent

I, Alica A. Christian
as ~~Register and~~ Commissioner

have called and caused to come before me Bruce A. Thomas

witness named in the Requirement for Oral Examination, on the 12th day of December 1945, at the office of Forest A. Christian in Foley, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Bruce A. Thomas

doth depose and say as follows: My name is Bruce A. Thomas; 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 (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), 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. 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 292-293, 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 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.

(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 Alabama, 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.

Bruce A. Thomas
Bruce A. Thomas

NO. _____ PAGE _____

THE STATE OF ALABAMA

BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

BRUCE A. THOMAS

vs. Complainant

CERTAIN LANDS, FRED LEE, ET AL.

Respondent.

Oral Deposition

Filed 12-15, 1962

Wickham, Register.

Recorded in

Record

Vol. _____ Page _____

Register.

Alice C. Christy (1889)

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 17th day of December, 1947 50.

I, ALICE A. CHRISTIAN, as ~~competent~~ Commissioner hereby certify that the foregoing deposition was taken down by me in writing in the words of the witness and read over to him and he signed the same in the presence of myself and Forest A. Christian

ORAL EXAMINATION.

The above was the only one of the two which was
 made by the same person. The other was made by
 the same person. The above was the only one of the two which was
 made by the same person. The other was made by the same person.

BRUCE A. THOMAS

vs.

Certain Lands, FRED LEE, et al.

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Affidavit attached thereto, 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.

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
pleadings in said cause.



Solomon
Annie J. Smith
Register.

RECORDED

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

BRUCE A. THOMAS

vs.

Certain lands, FRED LEE, et al.

NOTE OF TESTIMONY

Filed in Open Court this 27th.

day of December, 1945.

W. J. H. H. H.
Register.

Printed by The Baldwin Times, Bay Minette.

BRUCE A. THOMAS

VS.

CERTAIN LANDS, FRED LEE, ET AL.

THE STATE OF ALABAMA,
BALDWIN COUNTYIN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

~~Affidavit attached hereto, notice of Publication, The order Designating
Newspaper, The Affidavit of Publication, Decree Pro Confesso on Publication,
Lis Pendens Notice filed in the office of the Judge of Probate in Baldwin
County, Alabama, against said Respondents, and the Testimony of Bruce A.
Thomas.~~

and in behalf of Defendant upon Decree Pro Confesso on Publication*James H. Smith*
*Secretary**Grace J. Luck* Register

RECORDED

No. _____

The State of Alabama,

BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this

15th

day of

Dec

1960

Wiley J. Luck
Register.

Moore Printing Co.

NOTICE TO NON-RESIDENT DEFENDANTS

BRUCE A. THOMAS,
Complainant

VS:

The West Half (W $\frac{1}{2}$) of the Northwest
Quarter (NW $\frac{1}{4}$) of the Northeast
Quarter (NE $\frac{1}{4}$), 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 Alabama, 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 (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), 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;

That said Bill of Complaint was and is filed for the purpose of establishing the title of said Complainant 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 Glennie 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 356; by tax deed executed by G. W. Robertson, Judge of Probate on July 14, 1944, and recorded in Deed Book 85 NS, page 434; and by quit claim deed executed by Reece S. McGill and Ruth Vaughn 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

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.

Forest A. Christian,
Solicitor

Cecil J. Duck
Register of the Circuit Court
of Baldwin County, Alabama

STATE OF ALABAMA, BALDWIN COUNTY

Filed 7-20-50

Recorded book 2 page 314-15

M. P. ...
Judge of Probate

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no. 257D

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Bruce A Thomas

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Fred Lee et al

2231475

R 100
Mrs. Duck

FILED

JUL 19 1950

ALICE J. DYCK, Register

BRUCE A. THOMAS,

Complainant

VS:

THE WEST HALF (W $\frac{1}{2}$) OF THE
NORTHWEST QUARTER (NW $\frac{1}{4}$) OF
THE NORTHEAST QUARTER (NE $\frac{1}{4}$),
SECTION THIRTY-TWO (32),
TOWNSHIP EIGHT (8) SOUTH,
RANGE FOUR (4) EAST, BALDWIN
COUNTY, ALABAMA; FRED LEE, W. S.
SIKES, W. R. 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 WELFAIR J. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

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:

The West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the
Northeast Quarter (NE $\frac{1}{4}$), Section Thirty-two (32), Township
Eight (8) South, Range Four (4) East.....

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. R. 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. Veltz, 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. E. Sikes by quit claim deed dated August 16, 1929, which deed is recorded in Deed Book 47 MS, pages 292-293, in the office of the Judge of Probate of Baldwin County, Alabama;

(4) W. E. Sikes and Johnnie L. Sikes, his wife, conveyed this land to W. E. Sikes, by quit claim deed, dated August 16, 1930, which deed is recorded in Deed Book 50 MS, pages 44-45, in the office of the Judge of Probate of Baldwin County, Alabama;

(5) W. E. 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 MS, 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 MS, 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 complainant, by quit claim deed dated June 1945, which deed is recorded in Deed Book 98 MS, pages 95-96;

(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 Btzinger, who at one time knew the respondents, except that Mrs. Johnnie L. Sikes is believed to reside at Laverne, 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.

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

To the end, therefore, that equity may be had 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. E. Sikes, W. M. Sikes, Glennie V. Sikes, W. E. Sikes and Johnnie 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 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 quieting 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

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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. E. Sikes, W. M. Sikes, Glennie V. Sikes, W. E. 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.

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

Forest A. Christian
Solicitor for Complainant

Before me, Gus Schnitz, a Notary 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 Laverne, 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
Forest A. Christian

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed by me, this the 18th day of July, 1950.

Gus Schnitz
Notary Public