

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4205.

NOTE OF TESTIMONY

This cause is submitted for a final decree on behalf of the Complainant, upon the following:

1. Original verified Bill of Complaint.
2. Order designating newspaper in which notice of pendency of Bill of Complaint shall be published.
3. Notice of pendency of Bill of Complaint.
4. Proof of publication of notice of pendency of Bill of Complaint.
5. Register's Certificate as to service.
6. Motion for Decree Pro Confesso.
7. Decree Pro Confesso.
8. Motion of complainant for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States.
9. Decree dated March 28, 1958, setting this cause for hearing, on April 4, 1958, appointing Tolbert M. Brantley as guardian ad litem to represent any unknown minor or persons of unsound mind interested in this proceeding, and as attorney to represent any person interest in this proceeding who may be in the Military Service of the United State, and ordering that the testimony of the witnesses for the complainant be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended.
10. Notice of appointment of guardian and attorney to represent parties in Military Service, and acceptance of such appointment.

11. Answer of guardian ad litem and attorney for unknown parties interested in this proceeding who may be in the Military Service.

12. Testimony of complainant, Hannah Bess, and Dr. Amos Garrett and Joshua Campbell, witnesses for the Complainant taken in open court in the manner provided by Equity Rule #56, as amended.

DATED this 4th day of April, 1958.

Alice J. Black  
Register.

S. B. Black  
Solicitor for Complainant.

NOTE OF TESTIMONY

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES HEREIN-  
AFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4205.

44-05

INSTRUCTIONS TO DELIVERING EMPLOYEE

DELIVER ONLY TO ADDRESSEE (20¢ additional)

SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

Deliver to Addressee Only

3. DELIVERY DATE

1-24

19

58

4.

POSTMARK OF  
DELIVERING OFFICE

POD Form 3811, Dec. 1955

58

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

NAME OF SENDER

STREET AND NO. OR P. O. BOX

CITY, ZONE, AND STATE

RETURN TO



58

5-2-58

c16-71548-3

## RECEIPT FOR REGISTERED ARTICLE No. 199

Fee paid 50(Date) 1-21-1958

Class postage paid \_\_\_\_\_

Return receipt fee 10Declared value, \$ None

Special delivery fee \_\_\_\_\_

Surcharge paid, \$ \_\_\_\_\_

Restricted delivery  
(Accepting employee will place  
initials in proper space)

Fee paid \_\_\_\_\_

From

*alice J. Duck*

(Sender)

in person 50  
or order \_\_\_\_\_Addressed to *Ellie Graham*

(Addressee)

Fee paid \_\_\_\_\_

To *Clinton*

Fee paid \_\_\_\_\_

(Street and number)

(Post office and State)

GPO 69-16-12666-5

(Post office and State)

Postmaster, per *TH*



## W. R. STUART

Nº 2573

**PROBATE JUDGE**

Bay Minette, Ala.,

4-9, 19<sup>✓</sup>8

Received on

Mrs. Dech

4205

## INSTRUCTIONS TO DELIVERING EMPLOYEE

 DELIVER ONLY TO ADDRESSEE (20¢ additional) SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

## RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

## 1. SIGNATURE OR NAME OF ADDRESSEE

*Minnie Semeson*

## 2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

## 3. DELIVERY DATE

*Deliver to Addressee Only*

19

*JAN 25 1958*

4.

FILE  
RECEIPT  
REG'D  
MAIL  
27  
358  
GPO  
71548-3

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE \$300

POSTMARK OF  
DELIVERING OFFICE

RETURN TO

INSTRUCTIONS.—Show name, address and number of  
article below. Complete "Instructions to Delivering  
Employee" on other side, when applicable. Moisten  
gummed ends and securely attach to back of article. En-  
dorse front of article RETURN RECEIPT REQUESTED.

REGISTERED NO.

200

NAME OF SENDER

Alice J. Neucht

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Box 239

INSURED NO.

CITY, ZONE, AND STATE

Bay Minette, Ala

cl6-71548-3

# THE BALDWIN TIMES

## BALDWIN COUNTY

JIMMY PAULKNER  
AND  
BILL STEWART

E. R. MORRISSETTE, JR.  
EDITOR-MANAGER

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

### Legal Notice

#### NOTICE OF PENDENCY OF BILL OF COMPLAINT

HANNAH BESS

Complainant

vs.  
THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,  
Respondents

In The Circuit Court Of Baldwin  
County, Alabama, In Equity, 4205

Notice is hereby given to each  
and all of the Respondents named  
below and to all persons, firms or  
corporations claiming any right,  
title or interest in, lien or en-  
cumbrance on the lands herein-  
after described or any part there-  
of, that Hannah Bess, did, on the  
20th day of January, 1958, file  
in the Circuit Court of Baldwin  
County, Alabama, in Equity, a  
verified Bill of Complaint against  
the following described real pro-  
perty situated in Baldwin County,  
Alabama, to-wit:

The Northeast Quarter of the  
Southwest Quarter of Section  
22, Township 6 South, Range 4  
East, EXCEPTING THERE-  
FROM, all oil, gas and other  
minerals on, in or under the  
South half of the Southeast  
Quarter of the Northeast Quar-  
ter of the Southwest Quarter  
said property.

and against Alabama Sumatra and  
Havana Tobacco Company, a cor-  
poration; George Asmus, Irene  
Christine Asmus, Jane Bess, Mary  
Bess, Roscoe Bess, Walter Bess,  
Ida Fry, Allan G. Gilmour, Lilly  
G. Gilmour, Lillie Graham, Bell  
Haarey, Bell Haary, Bell Horey,  
Bell Hovey, H. O. Lengelson, W.  
C. Nicholson, Floyd R. Perkins,  
Trustee; Minnie Samson, South-  
ern Plantation Development Com-  
pany, a corporation, and Edwin  
F. Winegar, Trustee, and against  
his heirs or devisees, if deceased,  
and against her heirs and devi-  
sees, if deceased, and against the  
heirs and devisees of such of the  
said parties as may be dead, and  
against any and all persons, firms  
or corporations claiming any title  
or interest in, lien or encum-  
brance on the said lands, or any  
part thereof. The addresses of  
the respondents named above are  
unknown and cannot be ascer-  
tained after reasonable efforts and  
the making of diligent inquiry  
to ascertain the same, except that  
the last known address of Jane  
Bess, Mary Bess, Roscoe Bess, Ida  
Fry, Lillie Graham and Minnie  
Samson was Clinton, North Caro-  
lina.

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

*E. R. Morrisette, Jr.* being duly sworn, deposes and says  
that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published  
at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

*Hannah Bess vs. The Lands and  
Parties Hereinafter Described*

#### COST STATEMENT

1014 WORDS @ 62 cents ..... \$ 65.91

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

*E. R. Morrisette, Jr.*

Editor.

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

Date of 1st publication Jan. 23, 1958 Vol. 70 No. 2

Date of 2nd publication Jan. 30, 1958 Vol. 70 No. 3

Date of 3rd publication Feb. 6, 1958 Vol. 70 No. 4

Date of 4th publication Feb. 13, 1958 Vol. 70 No. 5

Subscribed and sworn before the undersigned this 13 day of Feb., 1958.

*Dorothy Martin*  
Notary Public, Baldwin County.

*E. R. Morrisette, Jr.*

Editor.

The said Bill of Complaint has been filed for the purpose of establishing the title of the said Complainant to all of the said lands, for the purpose of quieting title thereto, and to clear up all doubts and disputes concerning the title to the said property.

Complainant claims the absolute fee simple title to all of the said lands under, from, by and through the following conveyances and instruments in writing which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama:

1. Deed from Marion Ard and Eliza Ard, his wife to Dan Bess and Hannah Bess, dated October 15, 1923, and recorded in Deed Book 34 at page 78, Baldwin County, Alabama Records;
2. Deed from State of Alabama, by Henry S. Long, State Land Commissioner, to Dan Bess, dated February 26, 1936, and recorded in Deed Book 60 at pages 143-4, Baldwin County, Alabama Records;
3. Deed from State of Alabama, by W. B. Allgood, as Auditor, to Hannah Bess, dated March 30, 1926, and recorded in Deed Book 39 at page 598, Baldwin County, Alabama Records;
4. Deed from State of Alabama, by Henry S. Long, President of the State Tax Commission, to Dan Bess, dated April 18, 1935, and recorded in Deed Book 57 at page 559, Baldwin County, Alabama Records;
5. Deed from Walter R. Dobson and Euvada Dobson, husband and wife, to Hannah Bess, dated August 30, 1947, and recorded in Deed Book 123 at pages 5-6, Baldwin County, Alabama Records;
6. Proceedings to set aside homestead in the matter of the Estate of Daniel Bess, which are recorded in Record Book N at page 219, Minute Book M at page 193, Record Book N at page 220 and Minute Book M at page 214, Baldwin County, Alabama Records;

The Complainant, in and by her said Bill of Complaint alleges and avers that she owns the said lands in her own right absolutely and in fee simple; that she is in the actual, peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of the Complainant; that no suit is pending to test Complainant's title to, interest in, or right to the possession of the said lands, or any part thereof; that Complainant and those through whom she claims title have held color of title to and have regularly assessed and paid taxes on the said lands and each and every part thereof for ten or more consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations, other than the Complainant and those through whom she claims title to the said lands have paid any taxes on the said lands, or any part thereof, or any interest therein, and no persons, firms or corporations, other than the Complainant and those through whom she claims title, have had possession of the lands, or any part thereof, within ten years next prior to the filing of the said Bill of Complaint.

The Respondents named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer, or demur to the said Bill of Complaint before the 25th day of February, 1958, or at the expiration of thirty days from the said date decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting Complainant's title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of this Court and affixed the seal of the said Court on this the 20th day of January, 1958.

Alice J. Duck,  
As Register of the Circuit

PT FOR REGISTERED ARTICLE No. 20050 1-21, 1958  
(Date)Postage paid \_\_\_\_\_  
Due, \$ NoneReturn receipt fee 10  
Special delivery fee \_\_\_\_\_Restricted delivery  
(Accepting employee will place  
initials in proper space) 

in person	<u>50</u>
or order	_____
Fee paid	_____



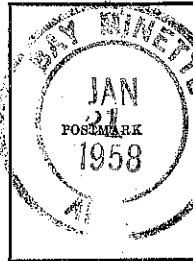
*Alie & Duck*  
(Sender)  
*Bonita*  
(Post office and State)  
*Clinton NC*  
(Address)  
(Street and number) GPO c9-16-12686-5 (Post office and State)

Postmaster, per APT FOR REGISTERED ARTICLE No. 20150 1-21, 1958  
(Date)Postage paid \_\_\_\_\_  
Due, \$ None

Paid, \$ \_\_\_\_\_

Return receipt fee 10  
Special delivery fee 50Restricted delivery  
(Accepting employee will place  
initials in proper space) 

in person	_____
or order	_____
Fee paid	_____



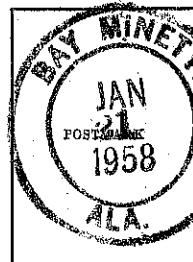
*Alie & Duck*  
(Sender)  
*Bonita*  
(Post office and State)  
*Clinton NC*  
(Address)  
(Street and number) GPO c9-16-12686-5 (Post office and State)

Postmaster, per BPT FOR REGISTERED ARTICLE No. 20250 1-21, 1958  
(Date)Postage paid \_\_\_\_\_  
Due, \$ None

Paid, \$ \_\_\_\_\_

Return receipt fee 10  
Special delivery fee 50Restricted delivery  
(Accepting employee will place  
initials in proper space) 

in person	<u>50</u>
or order	_____
Fee paid	_____



*Alie & Duck*  
(Sender)  
*Bonita*  
(Post office and State)  
*Clinton NC*  
(Address)  
(Street and number) GPO c9-16-12686-5 (Post office and State)

Postmaster, per B

ALICE J. DUCK, Circuit Clerk

## Baldwin County

**BAY MINETTE, ALA.**

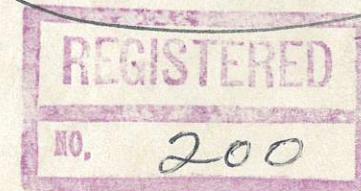


notified  
1-23-58  
WBN

1958 Deliver to Addressee Only



registered  
For Delivery only to Person  
To Whom Addressed  
Return Receipt Requested



opened by mistake  
Person intended for  
RETURN RECEIVED  
is deceased  
REQUESTED

REURN RACE REQUESTED

~~Minnie Samson  
Clinton, North Carolina~~

UNITED STATES POST OFFICE  
CLINTON, NORTH CAROLINA

OFFICIAL BUSINESS

P-4

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300



Alice J. Duck, Circuit Clerk  
Baldwin County  
Bay Minette, Ala.

Karen West

RECEIPT FOR REGISTERED ARTICLE No. 203Fee paid 50

1-21

(Date)

1958

Class postage paid 1Return receipt fee 10Declared value, \$ None

Special delivery fee

Surcharge paid, \$

Restricted delivery  
(Accepting employee will place initials in proper space)

in person

or order

Fee paid

From

Alie J Duck

(Sender)

Addressed to

John J. Duxbury

(Post office and State)

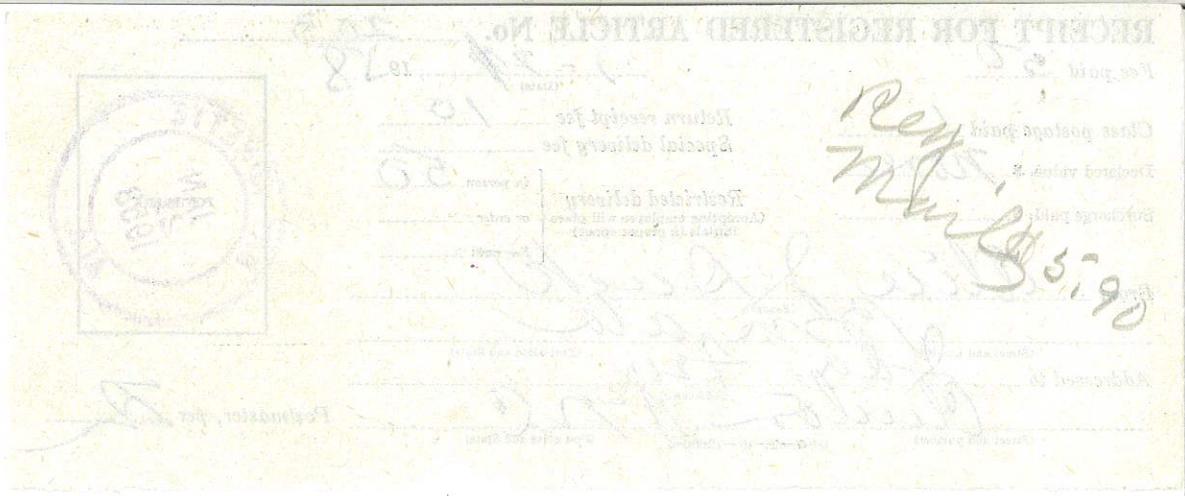
(Addressee)

(Street and number)

(Post office and State)

GPO 69-16-12666-5

Postmaster, per R



# Office Memorandum • POST OFFICE DEPARTMENT

SUBJECT: Registered Letter No. 200

DATE: 1/27/58

FROM: Postmaster,

IN REPLY  
REFER TO:

Clinton, North Carolina

TO: Alice J. Duck, Circuit Clerk,  
Baldwin County,  
Bay Minette, Alabama

Madam:

Enclosed you will find Registered Letter No. 200 addressed to Minnie Sampson, Clinton, North Carolina. Since there is no street address to help determine which Minnie Sampson this letter was intended for it was delivered to a Minnie Sampson this city. She has brought it back saying it was not hers but she knew who it was suppose to go to. The Minnie Sampson it was to go to is dead and has been for several years. The brother of the Minnie Sampson you intended the letter for is on his way to your city as of noon today I have just found out.

POD Form 31A — Exception to Standard Form 64 approved  
June 1954 by Bureau of the Budget August 1954.

Sincerely Yours,  
*James B. Darden* 16-70750a-2 GPO: 1954-O-318853  
James B. Darden  
Postmaster

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JANE BESS, MARY BESS,  
ROSCOE BESS, IDA FRY, LILLIE GRAHAM and MUNIZA SAMSON, to appear  
within thirty days from the service of this writ in the Circuit  
Court to be held for said County, Equity Side, at the place of  
holding the same, then and there to answer the Bill of Complaint  
of HANNAH BESS.

WITNESS my hand and seal on this the 20 day of  
January, 1956.

Alice L. Druck  
Notary.

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oraatrix, Hannah Bess, presents this Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said property,

and against Alabama Sumatra and Havana Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan C. Gilmour; Lilly C. Gilmour; Lillie Graham; Bell Harey; Bell Maary; Bell Morey; Bell Morey; H. O. Lengelsohn; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; and Edwin P. Winegar, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and, thereupon, your Oraatrix complains and shows unto the Court and your Honor as follows:

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

2. Alabama Sumatra and Havana Tobacco Company, was a corporation, which formerly did business in Baldwin County, Alabama, but the place where the said corporation was incorporated, the present place of business and Post Office Address of said corporation, the names and addresses of its officers, directors and stockholders, are unknown and it has no known agent in the State of Alabama.

Southern Plantation Development Company is a corporation that was organized under the laws of Alabama and formerly did business in Baldwin County, Alabama, but Complainant alleges on information and belief that the said corporation is not now in

business. If in business, its place of business and post office address is unknown, the names of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

The Respondent, Walter Bess, is deceased, but his heirs and devisees are unknown to your Cnatrix and the ages and places of address of his heirs and devisees are unknown to your Cnatrix and cannot be ascertained after reasonable efforts and the making of diligent inquiries to ascertain the same.

Each of the other individual respondents specifically named herein and those which are sued in their capacity as trustee, are, if living, over twenty-one years of age, but their respective places of residence and post office addresses are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto, except that the last known address of the respondents, Minnie Saunson, Ida Fry, Lillie Graham, Boscoe Bess, Mary Bess and Jane Bess was Clinton, North Carolina. The Respondents, Mary Bess and Jane Bess, are now married, but their married names are unknown to your Cnatrix and cannot be ascertain after reasonable efforts and the making of diligent inquiry to ascertain the same.

3. Your Cnatrix is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said lands in her own right, absolutely and in fee simple.

4. Your Cnatrix holds color of title to and she and those through whom she claims title, have paid taxes on the said lands for a period of ten or more consecutive years next preceding the filing of this Bill of Complaint, and no other persons, firms or corporations, other than your Cnatrix and those through whom she claims title, have paid taxes on, or have been in possession of the above described lands or any part thereof, for a period of ten or more consecutive years prior to the filing of this Bill of Complaint.

5. Title to all of the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Cratrix.

6. No suit is pending to test your Cratrix's title to, right to possession of the said lands, or any part thereof.

7. Your Cratrix has, and claims to have, the absolute unencumbered fee simple title to all of the real property herein described, by and through the following instruments of writing, and proceedings which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

1. Deed from Marion Ard and Eliza Ard, his wife to Dan Bess and Hannah Bess, dated October 15, 1923, and recorded in Deed Book 34 at page 78, Baldwin County, Alabama Records.
2. Deed from State of Alabama, by Henry S. Long, State Land Commissioner, to Dan Bess, dated February 26, 1936, and recorded in Deed Book 60 at pages 143-4, Baldwin County, Alabama Records.
3. Deed from State of Alabama, by W. B. Allgood, as Auditor, to Hannah Bess, Dated March 30, 1926, and recorded in Deed Book 39 at page 598, Baldwin County, Alabama Records.
4. Deed from State of Alabama, by Henry S. Long, President of the State Tax Commission, to Dan Bess, dated April 16, 1935, and recorded in Deed Book 57 at page 559, Baldwin County, Alabama Records.
5. Deed from Walter R. Dobson and Duvada Dobson, husband and wife, to Hannah Bess, dated August 30, 1947, and recorded in Deed Book 123 at pages 75-6, Baldwin County, Alabama Records.
6. Proceedings to set aside homestead in the matter of the Estate of Daniel Bess, which are recorded in Record Book N at page 219, Minute Book N at page 193, Record Book N at page 220 and Minute Book N at page 214, Baldwin County, Alabama Records.
8. Your Cratrix has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make, or

who are making any claim to the said lands, or any part thereof, or any interest therein, or any encumbrance thereon. Your Orixtrix further avers that these inquiries have continued faithfully and diligently over the past year; that within the past year she has employed an Abstract Company to make an examination of the records of Baldwin County, Alabama, and prepare an Abstract of Title to all of the above described property; she has employed an Attorney to examine the said Abstract and the records in the Courthouse in Bay Minette, Alabama; that she has made and caused her said attorney to make inquiry about the ages, addressees and heirs of any persons interested or who may be interested in the said property; that your Orixtrix has made and caused a thorough inquiry to be made in the community where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to the said property; that your Orixtrix has caused the records in the Probate Office of Baldwin County, Alabama, to be examined to determine if the companies or firms who are named as respondents herein were incorporated in Baldwin County, Alabama, and that these efforts by your Orixtrix, her agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies is as hereinabove set out.

PRAYER FOR PROCESS

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

PRAYER FOR RELIEF

Your Oratrix prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of such of the respondents named herein who are dead, and any and all persons, firms and corporations who claim to own the said lands, or any part thereof, or any interest therein, or any lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause it be ordered, adjudged and decreed that your Oratrix, at the time of the filing of this Bill of Complaint had the fee simple title to all of the above described lands and that none of the respondents herein specifically named, their heirs, or devisees, or any other person, firm or corporation has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up, and that your Oratrix's title to the said lands be fully and completely quieted. Your Oratrix prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

J. T. T. Blackburn  
Attala County Sheriff  
Attala County, Mississippi  
Attala County Sheriff  
Attala County Sheriff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hannah Ross, who, after being by me first duly and legally sworn, deposes and says:

That she is the Complainant in the above styled cause; that she has read over the foregoing BILL of Complaint and that the

facts stated therein are true.

Hannah Bear

Sworn to and subscribed before  
me on this the 17<sup>th</sup> day of  
January, 1958.

John R. O.  
Notary Public, Baldwin County, Alabama.

1  
2  
3  
4  
5

FILED  
FEB 19 1958  
CLERK OF COURT  
Baldwin County, Alabama

4205

Sp. S. S.

4205

FILED  
JAN 20 1958

ALICE J. DUCK, Register

ALICE J. DUCK, CIRCUIT CLERK

Baldwin County  
BAY MINETTE, ALA.

Reunited  
to Writer  
R.M.S.  
Unclaimed  
Unknown  
Insufficient address  
Moved, Left no address  
No such office  
Do not mail in this envelope

RETURN RECEIPT REQUESTED

Registered  
For Delivery only to Person  
To whom addressed  
Return Receipt Requested



Deliver to Addressee Only



Mary Bess  
Clinton, North Carolina

Unclaimed by  
Carriers

nat to 44 D  
JAN 2 1953



STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JANE BESS, MARY BESS, ROSCOE BESS, IDA FRY, LILLIE GRAHAM and MINNIE SAMSON, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding the same, then and there to answer the Bill of Complaint of HANNAH BESS.

WITNESS my hand and seal on this the 20 day of January, 1958.

Annie J. Wren  
Register

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Cratix, Hannah Bess, presents this Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said property,

and against Alabama Sumatra and Havana Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hevey; H. C. Lengelson; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; and Edwin F. Winegar, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and, thereupon, your Cratix complains and shows unto the Court and your Honor as follows:

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

2. Alabama Sumatra and Havana Tobacco Company, was a corporation, which formerly did business in Baldwin County, Alabama, but the place where the said corporation was incorporated, the present place of business and Post Office Address of said corporation, the names and addresses of its officers, directors and stockholders, are unknown and it has no known agent in the State of Alabama.

Southern Plantation Development Company is a corporation that was organized under the laws of Alabama and formerly did business in Baldwin County, Alabama, but Complainant alleges on information and belief that the said corporation is not now in

business. If in business, its place of business and post office address is unknown, the names of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

The Respondent, Walter Bess, is deceased, but his heirs and devisees are unknown to your Cratrix and the ages and places of address of his heirs and devisees are unknown to your Cratrix and cannot be ascertained after reasonable efforts and the making of diligent inquiries to ascertain the same.

Each of the other individual respondents specifically named herein and those which are sued in their capacity as trustee, are, if living, over twenty-one years of age, but their respective places of residence and post office addresses are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto, except that the last known address of the respondents, Minnie Samson, Ida Fry, Lillie Graham, Roscoe Bess, Mary Bess and Jane Bess was Clinton, North Carolina. The Respondents, Mary Bess and Jane Bess, are now married, but their married names are unknown to your Cratrix and cannot be ascertain after reasonable efforts and the making of diligent inquiry to ascertain the same.

3. Your Cratrix is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said lands in her own right, absolutely and in fee simple.

4. Your Cratrix holds color of title to and she and those through whom she claims title, have paid taxes on the said lands for a period of ten or more consecutive years next preceding the filing of this Bill of Complaint, and no other persons, firms or corporations, other than your Cratrix and those through whom she claims title, have paid taxes on, or have been in possession of the above described lands or any part thereof, for a period of ten or more consecutive years prior to the filing of this Bill of Complaint.

5. Title to all of the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Cratrix.

6. No suit is pending to test your Cratrix's title to, right to possession of the said lands, or any part thereof.

7. Your Cratrix has, and claims to have, the absolute unencumbered fee simple title to all of the real property herein described, by and through the following instruments of writing, and proceedings which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

1. Deed from Marion Ard and Eliza Ard, his wife to Dan Bess and Hannah Bess, dated October 15, 1923, and recorded in Deed Book 34 at page 78, Baldwin County, Alabama Records.
2. Deed from State of Alabama, by Henry S. Long, State Land Commissioner, to Dan Bess, dated February 26, 1936, and recorded in Deed Book 60 at pages 143-4, Baldwin County, Alabama Records.
3. Deed from State of Alabama, by W. B. Allgood, as Auditor, to Hannah Bess, Dated March 30, 1926, and recorded in Deed Book 39 at page 598, Baldwin County, Alabama Records.
4. Deed from State of Alabama, by Henry S. Long, President of the State Tax Commission, to Dan Bess, dated April 18, 1935, and recorded in Deed Book 57 at page 559, Baldwin County, Alabama Records.
5. Deed from Walter R. Dobson and Euvada Dobson, husband and wife, to Hannah Bess, dated August 30, 1947, and recorded in Deed Book 123 at pages 75-6, Baldwin County, Alabama Records.
6. Proceedings to set aside homestead in the matter of the Estate of Daniel Bess, which are recorded in Record Book N at page 219, Minute Book N at page 193, Record Book N at page 220 and Minute Book M at page 214, Baldwin County, Alabama Records.
8. Your Cratrix has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make, or

who are making any claim to the said lands, or any part thereof, or any interest therein, or any encumbrance thereon. Your Oraatrix further avers that these inquiries have continued faithfully and diligently over the past year; that within the past year she has employed an Abstract Company to make an examination of the records of Baldwin County, Alabama, and prepare an Abstract of Title to all of the above described property; she has employed an Attorney to examine the said Abstract and the records in the Courthouse in Bay Minette, Alabama; that she has made and caused her said attorney to make inquiry about the ages, addresses and heirs of any persons interested or who may be interested in the said property; that your Oraatrix has made and caused a thorough inquiry to be made in the community where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to the said property; that your Oraatrix has caused the records in the Probate Office of Baldwin County, Alabama, to be examined to determine if the companies or firms who are named as respondents herein were incorporated in Baldwin County, Alabama, and that these efforts by your Oraatrix, her agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies is as hereinabove set out.

#### PRAYER FOR PROCESS

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

PRAYER FOR RELIEF

Your Cratrix prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of such of the respondents named herein who are dead, and any and all persons, firms and corporations who claim to own the said lands, or any part thereof, or any interest therein, or any lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause it be ordered, adjudged and decree that your Cratrix, at the time of the filing of this Bill of Complaint had the fee simple title to all of the above described lands and that none of the respondents herein specifically named, their heirs, or devisees, or any other person, firm or corporation has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up, and that your Cratrix's title to the said lands be fully and completely quieted. Your Cratrix prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

J. T. Blackmun  
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hannah Bess, who, after being by me first duly and legally sworn, deposes and says:

That she is the Complainant in the above styled cause; that she has read over the foregoing Bill of Complaint and that the

facts stated therein are true.

Hannah Bess

Sworn to and subscribed before  
me on this the 17<sup>th</sup> day of  
January, 1958.

John R. O.

Notary Public, Baldwin County, Alabama.

1432

FILED  
1-28-58  
FBI - BIRMINGHAM

4205

SEARCHED INDEXED SERIALIZED FILED  
FEB 20 1958

Photo to one accompanying notice

John W. Basye

LESTER SPENCER PROSPECTIVE SALE LISTED

FILED  
JAN 20 1958

ALICE J. DUCK, Register

ALICE J. DUCK, Circuit Clerk

Baldwin County  
BAY MINETTE, ALA.



Returned to writer  
REASON CHECKED  
Unclaimed  
Unknown  
Insufficient address  
Moved, Left no address  
No such office in state  
Do not remail in envelope

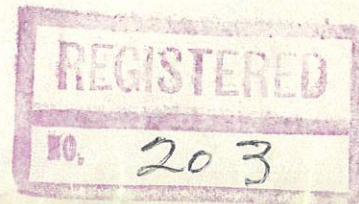
RETURN RECEIPT REQUESTED

Registered  
For Delivery only to Person  
To Whom Addressed  
Return Receipt Requested

Deliver to Addressee Only

Ida Fry  
Clinton, North Carolina

~~Unknown all  
carriers~~ JAN 24 1958





STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JANE BESS, MARY BESS, ROGCOE BESS, IDA FRY, LILLIE GRAHAM and MINNIE SAMSON, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding the same, then and there to answer the Bill of Complaint of HANNAH BESS.

WITNESS my hand and seal on this the 20 day of January, 1958.

Levie L. Duck  
Register.

TO THE HONORABLE RUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oratrix, Hannah Bess, presents this Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said property,

and against Alabama Sumatra and Havana Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Hearrey; Bell Mary; Bell Morey; Bell Morey; H. O. Lenglecon; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; and Edwin F. Winegar, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and, thereupon, your Oratrix complains and shows unto the Court and your Honor as follows:

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

2. Alabama Sumatra and Havana Tobacco Company, was a corporation, which formerly did business in Baldwin County, Alabama, but the place where the said corporation was incorporated, the present place of business and Post Office Address of said corporation, the names and addresses of its officers, directors and stockholders, are unknown and it has no known agent in the State of Alabama.

Southern Plantation Development Company is a corporation that was organized under the laws of Alabama and formerly did business in Baldwin County, Alabama, but Complainant alleges on information and belief that the said corporation is not now in

business. If in business, its place of business and post office address is unknown, the names of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

The Respondent, Walter Bess, is deceased, but his heirs and devisees are unknown to your Cratix and the ages and places of address of his heirs and devisees are unknown to your Cratix and cannot be ascertained after reasonable efforts and the making of diligent inquiries to ascertain the same.

Each of the other individual respondents specifically named herein and those which are sued in their capacity as trustee, are, if living, over twenty-one years of age, but their respective places of residence and post office addresses are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto, except that the last known address of the respondents, Minnie Samson, Ida Fry, Lillie Graham, Roscoe Bess, Mary Bess and Jane Bess was Clinton, North Carolina. The Respondents, Mary Bess and Jane Bess, are now married, but their married names are unknown to your Cratix and cannot be ascertain after reasonable efforts and the making of diligent inquiry to ascertain the same.

3. Your Cratix is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said lands in her own right, absolutely and in fee simple.

4. Your Cratix holds color of title to and she and those through whom she claims title, have paid taxes on the said lands for a period of ten or more consecutive years next preceding the filing of this Bill of Complaint, and no other persons, firms or corporations, other than your Cratix and those through whom she claims title, have paid taxes on, or have been in possession of the above described lands or any part thereof, for a period of ten or more consecutive years prior to the filing of this Bill of Complaint.

5. Title to all of the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Cestrix.

6. No suit is pending to test your Cestrix's title to, right to possession of the said lands, or any part thereof.

7. Your Cestrix has, and claims to have, the absolute unencumbered fee simple title to all of the real property herein described, by and through the following instruments of writing, and proceedings which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

1. Deed from Marion Ard and Eliza Ard, his wife to Dan Bess and Hannah Bess, dated October 15, 1923, and recorded in Deed Book 34 at page 78, Baldwin County, Alabama Records.
2. Deed from State of Alabama, by Henry S. Long, State Land Commissioner, to Dan Bess, dated February 26, 1936, and recorded in Deed Book 60 at pages 143-4, Baldwin County, Alabama Records.
3. Deed from State of Alabama, by W. D. Allgood, as Auditor, to Hannah Bess, Dated March 30, 1926, and recorded in Deed Book 39 at page 598, Baldwin County, Alabama Records.
4. Deed from State of Alabama, by Henry S. Long, President of the State Tax Commission, to Dan Bess, dated April 18, 1935, and recorded in Deed Book 57 at page 559, Baldwin County, Alabama Records.
5. Deed from Walter R. Bobson and Euvada Dooley, husband and wife, to Hannah Bess, dated August 30, 1947, and recorded in Deed Book 123 at pages 75-6, Baldwin County, Alabama Records.
6. Proceedings to set aside homestead in the matter of the Estate of Daniel Bess, which are recorded in Record Book N at page 219, Minute Book N at page 193, Record Book N at page 220 and Minute Book N at page 214, Baldwin County, Alabama Records.
7. Your Cestrix has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make, or

who are making any claim to the said lands, or any part thereof, or any interest therein, or any encumbrance thereon. Your Orixtrix further avers that these inquiries have continued faithfully and diligently over the past year; that within the past year she has employed an Abstract Company to make an examination of the records of Baldwin County, Alabama, and prepare an Abstract of Title to all of the above described property; she has employed an Attorney to examine the said Abstract and the records in the Courthouse in Bay Minette, Alabama; that she has made and caused her said attorney to make inquiry about the ages, addressees and heirs of any persons interested or who may be interested in the said property; that your Orixtrix has made and caused a thorough inquiry to be made in the community where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to the said property; that your Orixtrix has caused the records in the Probate Office of Baldwin County, Alabama, to be examined to determine if the companies or firms who are named as respondents herein were incorporated in Baldwin County, Alabama, and that these efforts by your Orixtrix, her agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies is as hereinabove set out.

PRAYER FOR PROCESS

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

PRAYER FOR RELIEF

Your Cratix prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of such of the respondents named herein who are dead, and any and all persons, firms and corporations who claim to own the said lands, or any part thereof, or any interest therein, or any lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause it be ordered, adjudged and decree that your Cratix, at the time of the filing of this Bill of Complaint had the fee simple title to all of the above described lands and that none of the respondents herein specifically named, their heirs, or devisees, or any other person, firm or corporation has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up, and that your Cratix's title to the said lands be fully and completely quieted. Your Cratix prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

J. T. Blackburn  
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hannah Ross, who, after being by me first duly and legally sworn, deposes and says:

That she is the Complainant in the above styled cause; that she has read over the foregoing Bill of Complaint and that the

facts stated therein are true.

Hannah Bess

Sworn to and subscribed before  
me on this the 17<sup>th</sup> day of  
January, 1958.

John R. O.

Notary Public, Baldwin County, Alabama.

11/10/02

Notary Public  
State of Alabama  
John R. O.

4205

~~SEARCHED INDEXED SERIALIZED FILED~~

~~1-3~~

SEARCHED INDEXED SERIALIZED FILED  
NOV 20 1957

~~SEARCHED INDEXED SERIALIZED FILED~~

SEARCHED INDEXED SERIALIZED FILED  
NOV 20 1957

FILED  
JAN 20 1958

ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JANE BESS, MARY BESS, ROSCOE BESS, IDA FRY, LILLIE GRAHAM and MINNIE SAMSON, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding the same, then and there to answer the Bill of Complaint of HANNAH BESS.

WITNESS my hand and seal on this the 20 day of January, 1958.

Alice L. Wrench  
Register.

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3. Your Cratrix is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said lands in her own right, absolutely and in fee simple.

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PRAYER FOR PROCESS

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

PRAYER FOR RELIEF

Your Oratrix prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of such of the respondents named herein who are dead, and any and all persons, firms and corporations who claim to own the said lands, or any part thereof, or any interest therein, or any lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause it be ordered, adjudged and decree that your Oratrix, at the time of the filing of this Bill of Complaint had the fee simple title to all of the above described lands and that none of the respondents herein specifically named, their heirs, or devisees, or any other person, firm or corporation has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up, and that your Oratrix's title to the said lands be fully and completely quieted. Your Oratrix prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

J. T. B. Blackburn  
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hannah Bess, who, after being by me first duly and legally sworn, deposes and says:

That she is the Complainant in the above styled cause; that she has read over the foregoing Bill of Complaint and that the

facts stated therein are true.

Hannah Best

Sworn to and subscribed before  
me on this the 17<sup>th</sup> day of  
January, 1958.



Notary Public, Baldwin County, Alabama.

340



Alice J. Duck, Circuit Clerk

Baldwin County  
Bay Minette, Ala.



Reasons checked:  
Refined Writer  
Unclaimed  
Unknown  
Insufficient address  
Moved, left no address  
No such office in state  
Do not mail in this envelope

Registered  
For Delivery only to Person  
To whom addressed  
Return Receipt Requested



RETURN RECEIPT REQUESTED

Roscoe Bess  
Clinton, North Carolina

unkown -  
all carriers

JAN 24 1958





ALICE J. DUCK, CIRCUIT CLERK

Baldwin County  
BAY MINETTE, ALA.



RETURN RECEIPT REQUESTED

Deliver to Addressee Only

Registered  
for Delivery only to Person  
To Whom Addressed  
Return Receipt Requested

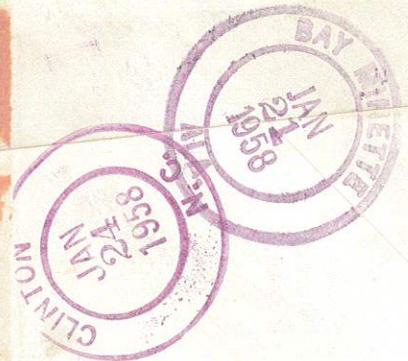


Returned to Writer  
REASON CHECKED  
Unclaimed ..... Refused .....  
Unknown .....  
Insufficient address .....  
Moved, Left no address .....  
No such office in this ~~area~~ state .....  
Do not remail in this ~~area~~

Jane Bess  
Clinton, North Carolina

~~Unknown  
Delivery Carriers~~

JAN 24 1958



STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JANE BESS, MARY BESS, ROSSCOE BESS, IDA FRY, LILLIE GRAHAM and MINNIE SAMSON, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding the same, then and there to answer the Bill of Complaint of HANNAH BESS.

WITNESS my hand and seal on this the 20 day of January, 1958.

Archie L. Drick  
Register.

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oratrix, Hannah Bess, presents this Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said property,

and against Alabama Sumatra and Havana Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. C. Lengelson; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; and Edwin F. Wine, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and, thereupon, your Oratrix complains and shows unto the Court and your Honor as follows:

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

2. Alabama Sumatra and Havana Tobacco Company, was a corporation, which formerly did business in Baldwin County, Alabama, but the place where the said corporation was incorporated, the present place of business and Post Office Address of said corporation, the names and addresses of its officers, directors and stockholders, are unknown and it has no known agent in the State of Alabama.

Southern Plantation Development Company is a corporation that was organized under the laws of Alabama and formerly did business in Baldwin County, Alabama, but Complainant alleges on information and belief that the said corporation is not now in

business. If in business, its place of business and post office address is unknown, the names of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

The Respondent, Walter Bess, is deceased, but his heirs and devisees are unknown to your Cnatrix and the ages and places of address of his heirs and devisees are unknown to your Cnatrix and cannot be ascertained after reasonable efforts and the making of diligent inquiries to ascertain the same.

Each of the other individual respondents specifically named herein and those which are sued in their capacity as trustee, are, if living, over twenty-one years of age, but their respective places of residence and post office addresses are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto, except that the last known address of the respondents, Minnie Samson, Ida Fry, Lillie Graham, Roscoe Bess, Mary Bess and Jane Bess was Clinton, North Carolina. The Respondents, Mary Bess and Jane Bess, are now married, but their married names are unknown to your Cnatrix and cannot be ascertain after reasonable efforts and the making of diligent inquiry to ascertain the same.

3. Your Cnatrix is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said lands in her own right, absolutely and in fee simple.

4. Your Cnatrix holds color of title to and she and those through whom she claims title, have paid taxes on the said lands for a period of ten or more consecutive years next preceding the filing of this Bill of Complaint, and no other persons, firms or corporations, other than your Cnatrix and those through whom she claims title, have paid taxes on, or have been in possession of the above described lands or any part thereof, for a period of ten or more consecutive years prior to the filing of this Bill of Complaint.

5. Title to all of the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Cratrix.

6. No suit is pending to test your Cratrix's title to, right to possession of the said lands, or any part thereof.

7. Your Cratrix has, and claims to have, the absolute unencumbered fee simple title to all of the real property herein described, by and through the following instruments of writing, and proceedings which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

1. Deed from Marion Ard and Eliza Ard, his wife to Dan Bess and Hannah Bess, dated October 15, 1923, and recorded in Deed Book 34 at page 78, Baldwin County, Alabama Records.
2. Deed from State of Alabama, by Henry S. Long, State Land Commissioner, to Dan Bess, dated February 26, 1936, and recorded in Deed Book 60 at pages 143-4, Baldwin County, Alabama Records.
3. Deed from State of Alabama, by W. B. Allgood, as Auditor, to Hannah Bess, Dated March 30, 1926, and recorded in Deed Book 39 at page 598, Baldwin County, Alabama Records.
4. Deed from State of Alabama, by Henry S. Long, President of the State Tax Commission, to Dan Bess, dated April 16, 1935, and recorded in Deed Book 57 at page 559, Baldwin County, Alabama Records.
5. Deed from Walter R. Dobson and Fuvada Dobson, husband and wife, to Hannah Bess, dated August 30, 1947, and recorded in Deed Book 123 at pages 75-6, Baldwin County, Alabama Records.
6. Proceedings to set aside homestead in the matter of the Estate of Daniel Bess, which are recorded in Record Book N at page 219, Minute Book N at page 193, Record Book N at page 220 and Minute Book M at page 214, Baldwin County, Alabama Records.
7. Your Cratrix has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make, or

who are making any claim to the said lands, or any part thereof, or any interest therein, or any encumbrance thereon. Your Oratrix further avers that these inquiries have continued faithfully and diligently over the past year; that within the past year she has employed an Abstract Company to make an examination of the records of Baldwin County, Alabama, and prepare an Abstract of Title to all of the above described property; she has employed an Attorney to examine the said Abstract and the records in the Courthouse in Bay Minette, Alabama; that she has made and caused her said attorney to make inquiry about the ages, addresses and heirs of any persons interested or who may be interested in the said property; that your Oratrix has made and caused a thorough inquiry to be made in the community where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to the said property; that your Oratrix has caused the records in the Probate Office of Baldwin County, Alabama, to be examined to determine if the companies or firms who are named as respondents herein were incorporated in Baldwin County, Alabama, and that these efforts by your Oratrix, her agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies is as hereinabove set out.

PRAYER FOR PROCESS

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

PRAYER FOR RELIEF

Your Cratrix prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of such of the respondents named herein who are dead, and any and all persons, firms and corporations who claim to own the said lands, or any part thereof, or any interest therein, or any lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause it be ordered, adjudged and decree that your Cratrix, at the time of the filing of this Bill of Complaint had the fee simple title to all of the above described lands and that none of the respondents herein specifically named, their heirs, or devisees, or any other person, firm or corporation has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up, and that your Cratrix's title to the said lands be fully and completely quieted. Your Cratrix prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

*J. T. S. Blackburn*  
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hannah Bess, who, after being by me first duly and legally sworn, deposes and says:

That she is the Complainant in the above styled cause; that she has read over the foregoing Bill of Complaint and that the

facts stated therein are true.

Hannah Bess

Sworn to and subscribed before  
me on this the 17<sup>th</sup> day of  
January, 1958.

Xan R. O.  
Notary Public, Baldwin County, Alabama.



Missed by 15

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FILED  
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U.S. DISTRICT COURT  
N.D. ILLINOIS, CHICAGO

APR 4 1958

WILLIE L. DAWK, Register

B7.50

HANNAH BESS, )  
Complainant, )  
VS. )  
THE LANDS AND PARTIES HEREINAFTER )  
DESCRIBED. )  
Defendants )  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA  
NO. 4205

DOCTOR AMOS GARRETT, A WITNESS FOR THE COMPLAINANT, BEING FIRST  
DULY SWORN, TESTIFIED:

Direct examination by Mr. Owen.

Q. Your name is Doctor Amos Garrett?

A. Yes sir.

Q. Where do you live, Doctor?

A. Robertsdale.

Q. How long have you lived there?

A. 35 years

Q. Are you familiar with the property described in the bill of  
complaint which is the Northeast East Quarter of Southwest  
Quarter, Section 22, Township 6 South, Range 4 East?

A. Yes sir, I know it every bit.

Q. How long have you known the property?

A. I would say 25 years.

Q. Do you know the Complainant, Hannah Bess?

A. Yes sir.

Q. Does she live on this property?

A. Yes sir.

Q. Is there a house on it?

A. There was one on it, but it burned down last year and there  
is just a shack on it now.

Q. Does she live in the shack?

A. Yes sir, she lives in a little partial crib or shack.

Q. Doctor, you said a house burned down on the property?

A. Yes sir.

Q. How long had that house been there that burned, if you know?

A. Oh Lord, ever since I can recollect - 20 years or more.

Q. Did Hannah Bess live in that house?

A. Yes sir.

Q. This forty acres of land described in this complaint, has it been in cultivation since you have known it?

A. All but about five acres and that is in a pasture.

Q. Under fence?

A. Yes sir.

Q. All of the 40 acres is under fence?

A. Yes sir.

Q. How long has it been under fence?

A. Ever since I can recollect -- 15 or 20 years - ever since I can recollect it has been there.

Q. Do you know of any other person there in the community or any where else who claims this property or any part of the property otherthan Hannah Bess?

A. No sir.

Q. Has any one other than Hannah Bess been in possession of this 40 acres in the last 20 years?

A. Nobody but she and her husband when her husband was living

Q. Do you know when he died?

A. No sir, I couldn't say off-hand.

Q. But Hannah Bess and her husband have been in possession of it for over 20 years?

A. Yes sir.

Q. Actually living on it?

A. Yes sir.

ON CROSS EXAMINATION OF THIS WITNESS HE TESTIFIED:

Examination by Mr. Brantley, guardian ad litem.

Doctor, let me ask you this: Whose land joins this tract of land on the north, if you know, please?

A. Who joins on the north?

Q. Yes?

A. A fellow named Horn-

Q. Who joins it on the south?

A. Walter Dobson.

Q. On the East?

A. The Airport now - The Summerville Airport.

Q. West?

A. Bennie Lee Campbell owns 30 acres on the west; Barnett owned the whole 40 and he sold Bennie Lee the east part that joins this land and he has 10 acres left.

Q. Doctor, do you know where Hannah Bess and her husband had any children?

A. If they did I don't ever remember seeing them.

Q. You have known them how long?

A. I know for over 20 years.

Q. Do you know of your own knowledge that Hannah Bess and her husband were the ones using the property?

A. They have been using it ever since I have known the property.

Q. Has the Alabama Sumatra and Savannah Tobacco Company had any possession of this land in the past 20 years?

A. Not in the past 20 years; they used to own it; that's the reason the stuff was divided up in five acre plots.

Q. Do you know anything about the taxes on this land?

A. She has been paying the taxes on it - she and her husband.

Q. Both of them together--

A. While he was living.

Q. As far as you know she and her husband did not have any children?

A. Not that I know anything about.

Q. This five acres that you are talking about not in cultivation, how long has it been under fence?

A. The whole time - the whole forty acres is under one fence.

Q. Did Walter Bess live on this land continuously?

A. Yes sir.

Q. You would say for 20 years?

A. 20 years or better.

HANNAH BESS, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Owen.

Q. Your name is Hannah Bess?

A. That's right.

Q. You are the complainant in this case?

A. I reckons that's what you calls me.

Q. You are the one that brought this suit?

A. Yes sir.

Q. You're familiar with the forty acres of land that is described in this suit, aren't you?

A. Oh Yes.

Q. How long have you known this land?

A. Well since 1923. We started buying in 1923.

Q. You bought a part of it in 1923?

A. 10 acres.

Q. Did you put a house on the 10 acres?

A. Yes sir.

Q. Did you and your husband, Dan Bess, live on this property?

A. Yes sir.

Q. Have you continuously lived on the property since '23?

A. Since '24 - we didn't buy it until October of 1923.

Q. Is there a fence around the property?

A. It is about rotted down now.

Q. When was that fence put there?

A. We would spread it out as we bought the land - we started fencing in '24 and as we would buy we could connect the fence.

Q. Has any one other than you and your husband, Dan Bess, been in possession of any of this property for the last 20 years?

A. No more than the last 5 acres; I bought that from Mr. Waters.

Q. When did you buy that?

A. It must have been in '47.

Q. 1947?

A. Yes sir.

Q. After you bought that from Mr. Dobson did you go in possession of that five acres?

A. Yes sir.

Q. Did you cultivate it?

A. Yes sir, every year.

Q. Have you had any trouble with any one down there about any of this property, or has anybody other than you and your husband, Dan Best, claimed any of the property since the time you bought it?

A. No sir.

Q. Is Dan Best living or dead?

A. He is dead.

Q. When did he die?

A. The 19th day of December, 1942.

Q. Did he leave any children?

A. No sir.

Q. Did he ever have any children?

A. No sir.

Q. Did you ever have any children?

A. No sir.

NO CROSS EXAMINATION BY GUARDIAN AD LITEM.

MR. JOSHUA CAMPBELL, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. Your name is Joshua Campbell?

A. Yes sir.

Q. Where do you live?

A. About two miles from this land.

Q. How long have you lived there?

A. About 20 years.

Q. How long have you known this property?

A. I've been knowing it since '20.

Q. 1920?

A. Yes sir.

Q. You knew Dan Bess during his life time?

A. Yes sir.

Q. Of course you know Hannah Bess, the complainant?

A. Yes sir.

Q. Where does Hanna Bess live?

A. She lives southeast of Robertsdale - about four miles.

Q. Does she live on the property described in this complaint?

A. Yes sir.

Q. How long has she been living there?

A. I couldn't tell you what time she built the little house,  
but it has been around 30 years.

Q. Have you ever heard of any one making claim to any part of  
this property that is described in this complaint other  
than Hannah Bess or Dan Bess?

A. No sir.

Q. They cultivated this property?

A. It has been in cultivation.

Q. For how long? q

A. Since they bought it. Folks tried to get me to buy it, but it  
was too little a tract of land.

ON CROSS EXAMINATION OF THIS WITNESS, HE TESTIFIED:

Examination by Mr. Brantley, guardian ad litem.

Q. Do you know when these people bought this land?

A. In '20 some odd - I was here and looked at the first tract they bought -- the 10 acre tract and it was too small.

Q. How much land do they have?

A. They have the whole entire forty.

Q. When did they get the next 10 acres?

A. I couldn't tell you.

Q. About how long?

A. I don't know.

Q. Do you know when they bought the last piece of land?

A. No I don't --- not the last five acres.

Q. Has it been more than 10 years ago?

A. Yes sir; I thought they owned the whole business, but because it was under fence.

Q. How long has the fence been there?

A. It has been there so long it has rotted down.

Q. Been there for 20 years?

A. Yes sir.

Q. Does anybody cultivate this land besides Hanna?

A. She rents it out.

Q. During the time of her husband's life time did anybody cultivate it except them?

A. Not that I know of.

Q. How far do you live from this land?

A. About two miles northeast of it.

Q. How often do you see it?

A. Maybe twice a year.

Q. Do you know anything about any children of Hanna and Dan?

A. She said they never had any.

Q. You never saw any?

A. No sir.

Q. Do you know the description of the land involved?

A. I think it is in Section 22.

Q. All right, who owns the land on the north?

A. A fellow named Harmes.

Q. Who owns the land on the south?

A. I think Walter Dobins. It has been bought and sold back and forth.

Q. Do you know who owns the land on the east?

A. I think the Government owns that for an airport.

Q. Who owns it on the west?

A. My boy joins it on the west.

Q. How many acres are involved?

A. 40 acres, I suppose.

-----  
C E R T I F I C A T E:

I hereby certify that the foregoing is a true and correct transcript of the testimony as taken by me in open court, in the above styled cause, on April 4, 1958

This 4th day of April, 1958.

*Levi D. Pennington*  
Court Reporter, 28th Judicial Circuit  
of Alabama.

4205

HANNAH BESS, )  
Complainant, )  
vs. )  
THE LANDS AND PARTIES )  
HEREINAFTER DESCRIBED, )  
Respondents. )  
)

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
NO. 4205.

DECREE:

This cause coming on to be heard on this date is submitted on the written motion of the Complainant praying that a proper order be made or decree rendered setting this cause for hearing; that a guardian ad litem be appointed to represent any minor or person of unsound mind interested in this proceeding and that an attorney be appointed to represent any person interested in this proceeding who may be in the Military Service, and prescribing the method of taking testimony in this cause; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. This said cause shall be and it is hereby set for hearing at 9 o'clock P. M. on the 4 day of April, 1958.

2. Robert Brantly, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, who is, in all respects, a fit and proper person to be appointed as guardian ad litem shall be, and he is hereby appointed as guardian ad litem to represent any minor or person of unsound mind interested in this proceeding.

3. Robert Brantly, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, shall be, and he is hereby appointed as Attorney to represent any person interested in this proceeding who may be in the Military Service of the United States.

4. Testimony of the witnesses for the Complainant shall be taken orally in open court and transcribed in the manner provided by Equity Rule No. 56 as amended.

ORDERED, ADJUDGED AND DECREED on this the 28 day of March, 1958.

Robert M. Brantly  
Judge.

DECREE:

HANNAH BESS,  
Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4205.

FILED  
MAR 28 1958

ALICE L. BUCK, Register

HANNAH BESS,  
Complainant,  
vs.  
THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,  
Respondents.

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

ORDER OF PUBLICATION

It is ordered in this cause that the notice provided for in Section 1119, Title 7 of the 1940 Code of Alabama, be published in the Baldwin Times, which is a newspaper having general circulation, and published in Baldwin County, Alabama, where the lands described in the Bill of Complaint are situated.

ORDERED, this the 20 day of January, 1958.

Hubert M. Tidwell  
Judge.

FILED

JAN 20 1958

Alice J. BUCK, Clerk

HANNAH BESS, ) IN THE CIRCUIT COURT OF  
Complainant, ) BALDWIN COUNTY, ALABAMA  
vs. ) IN EQUITY.  
THE LANDS AND PARTIES ) NO. 4205.  
HEREINAFTER DESCRIBED,  
Respondents,

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainant upon the original verified bill of complaint; order designating newspaper in which notice of pendency of bill of complaint shall be published; notice of pendency of bill of complaint; proof of publication of notice of pendency of bill of complaint; register's certificate as to service; motion for decree pro confesso; decree pro confesso; motion of complainant for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States; decree dated March 28, 1958, setting this cause for hearing on April 4, 1958, appointing Tolbert M. Brantley as guardian ad litem to represent any unknown minor or person of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the Testimony of the witnesses for the complainant be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended; notice of appointment of guardian ad litem and attorney to represent parties in the Military Service and acceptance of such appointment; answer of guardian ad litem and attorney for unknown parties interest in this proceeding who may be in the Military Service of the United States; and the testimony of Hannah Bess, Dr. Amos Garrett and Joshua Campbell, witnesses for the complainant, taken in open court on this date, all of which has been noted by the Register; upon consideration of all of which it appears to the court that all persons,

firms or corporations named in the Bill of Complaint filed in this cause have permitted a decree pro confesso to be taken against them; that the allegations of the said Bill of Complaint are true, and that the Complainant is entitled to a decree quieting title to the lands described in the said Bill of Complaint, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Complainant, Hannah Bess, is the lawful owner in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the said property.

That the absolute fee simple title to the said lands and each and every part thereof, and all interest therein, is in the Complainant, Hannah Bess, free and clear of and from the claim or claims of all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, or any interest therein; that the said Complainant has and is hereby given judgment against the said lands and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

2. The Complainant's title to said lands is hereby quieted against Alabama Sumatra and Havana Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess, Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Morey; Bell Hovey; H. O. Lingelson; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; and Edwin F. Winegar, Trustee, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the

said lands or any part thereof, and all such claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this Court shall, within thirty days from the rendition of this decree, file a certified copy hereof in the Office of the Judge of Probate of Baldwin County, Alabama, for record therein, and tax the cost of such recording as a part of the costs of this proceeding.

4. The Judge or Probate of Baldwin County, Alabama, shall record the said certified copy of this decree in the same book and manner in which deeds are recorded, and shall index the same in the direct indexes in the names of Alabama Sumatra and Havana Tobacco Company, a corporation, George Asmus; Irene Christine Asmus; Jane Bess; Roscoe Bess, Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. O. Lingelson; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation and Edwin F. Winegar, and shall index the same in the indirect or reverse index of said records in the name of Hannah Bess.

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

6. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 4th day of April, 1958.

Hubert M. Hall  
Judge.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and enrolled in my office.  
WITNESS MY HAND AND SEAL THIS THE 4 day of April, 1958

Alice J. Duck  
Register of Circuit Court, in Equity

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 4-9-58 11:30 AM  
Recorded 4-9-58 book 264 page 353-5

Judge of Probate

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July 6. Galtowne Little Cycles, Galt Harbour, Bell Island, Bell

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anværet til to skjæret ett av enkelt tilfelle, vedtakket, dannelseslignende  
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STATE OF ALABAMA, BIRMINGHAM COUNTY  
Case No. 82-2-4 Date 10/10/82

Recorded \_\_\_\_\_ book \_\_\_\_\_ page \_\_\_\_\_

sets to equal

steps to submit

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MINNESS M.Y. HANNAH 8217 1948 CHA 1125 1948  
WILSON, MARY 1125 1948 CHA 8217 MINNESS M.Y.

HANNAH BESS, ) IN THE CIRCUIT COURT OF  
Complainant, ) BALDWIN COUNTY, ALABAMA  
vs. ) IN EQUITY.  
THE LANDS AND PARTIES ) NO. 4205.  
HEREINAFTER DESCRIBED, )  
Respondents, )

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on behalf of the Complainant upon the original verified bill of complaint; order designating newspaper in which notice of pendency of bill of complaint shall be published; notice of pendency of bill of complaint; proof of publication of notice of pendency of bill of complaint; register's certificate as to service; motion for decree pro confesso; decree pro confesso; motion of complainant for an order or decree setting cause for hearing, appointing a guardian ad litem to represent unknown minors and persons of unsound mind interested in this proceeding and an attorney to represent any unknown parties interested in this proceeding who may be in the Military Service of the United States; decree dated March 28, 1958, setting this cause for hearing on April 4, 1958, appointing Tolbert M. Brantley as guardian ad litem to represent any unknown minor or person of unsound mind interested in this proceeding, and as attorney to represent any person interested in this proceeding who may be in the Military Service of the United States, and ordering that the Testimony of the witnesses for the complainant be taken in open court and transcribed in the manner provided by Equity Rule #56 as amended; notice of appointment of guardian ad litem and attorney to represent parties in the Military Service and acceptance of such appointment; answer of guardian ad litem and attorney for unknown parties interest in this proceeding who may be in the Military Service of the United States; and the testimony of Hannah Bess, Dr. Amos Garrett and Joshua Campbell, witnesses for the complainant, taken in open court on this date, all of which has been noted by the Register; upon consideration of all of which it appears to the court that all persons,

firms or corporations named in the Bill of Complaint filed in this cause have permitted a decree pro confesso to be taken against them; that the allegations of the said Bill of Complaint are true, and that the Complainant is entitled to a decree quieting title to the lands described in the said Bill of Complaint, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Complainant, Hannah Bess, is the lawful owner in fee simple of the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the said property.

That the absolute fee simple title to the said lands and each and every part thereof, and all interest therein, is in the Complainant, Hannah Bess, free and clear of and from the claim or claims of all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, or any interest therein; that the said Complainant has and is hereby given judgment against the said lands and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

2. The Complainant's title to said lands is hereby quieted against Alabama Sumatra and Havana Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess, Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. O. Lingelson; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; and Edwin F. Winegar, Trustee, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the

said lands or any part thereof, and all such claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this Court shall, within thirty days from the rendition of this decree, file a certified copy hereof in the Office of the Judge of Probate of Baldwin County, Alabama, for record therein, and tax the cost of such recording as a part of the costs of this proceeding.

4. The Judge or Probate of Baldwin County, Alabama, shall record the said certified copy of this decree in the same book and manner in which deeds are recorded, and shall index the same in the direct indexes in the names of Alabama Sumatra and Havana Tobacco Company, a corporation, George Asmus; Irene Christine Asmus; Jane Bess; Roscoe Bess, Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. O. Lingelson; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation and Edwin F. Winegar, and shall index the same in the indirect or reverse index of said records in the name of Hannah Bess.

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

6. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 4th day of April, 1958.

Robert M. Hale  
Judge.

HANNAH BESS, )  
Complainant, )  
vs. )  
THE LANDS AND PARTIES )  
HEREINAFTER DESCRIBED, )  
Respondents. )  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
NO. 4205.

CERTIFICATE:

I, Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify as follows:

1. The Notice of Pendency of Bill of Complaint in this cause was filed for record in the Office of the Judge of Probate of Baldwin County, Alabama, on January 20, 1958.
2. Notice of Pendency of Bill of Complaint in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, which said notice appeared in the issues of said paper published on January 23rd, January 30th, February 6th and February 13th, 1958.
3. A copy of the Notice of Pendency of Bill of Complaint in this cause was posed at the front door of the Courthouse in Baldwin County, Alabama on January 20, 1958.

DATED this 24 day of March, 1958.

Alice J. Duck  
Register.

CERTIFICATE

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 4205.

FILED  
MAR 28 1958  
ALICE J. DICK, Register

HANNAH BESS, )  
Complainant, )  
vs. )  
THE LANDS AND PARTIES )  
HEREINAFTER DESCRIBED, )  
Respondents. )  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
NO. 4205.

ANSWER OF GUARDIAN AD LITEM FOR UNKNOWN MINORS AND  
INSANE PERSONS AND AS ATTORNEY FOR ANY UNKNOWN PER-  
SON INTERESTED IN THIS PROCEEDING WHO MAY BE IN THE  
MILITARY SERVICE OF THE UNITED STATES:

I, Robert M Brantley, having been heretofore  
appointed as guardian ad litem to represent any unknown minors or  
insane persons interested in this proceeding, and as Attorney to  
represent any unknown parties interested in this proceeding who  
may be in the Military Service of the United State, for answer to  
the Bill of Complaint filed in this cause, hereby deny each and  
all of the allegations thereof and demand strict proof of same.

DATED this 28<sup>th</sup> day of March, 1958.

FILED

MR 28 1958

JUDGE J. D. JACK, REGISTER

Robert M Brantley  
As guardian ad litem as aforesaid, and  
as Attorney to represent persons in  
Military Service as aforesaid.

027

ANSWER OF GUARDIAN AD LITEM  
FOR UNKNOWN MINOR AND INSANE  
PERSONS AND AS ATTORNEY FOR ANY  
UNKNOWN PERSON IN MILITARY  
SERVICE.

HANNAH BESS,

Complainant

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 4205.

FILED  
MAR 28 1958  
ALICE L. BUCK, Registrar

HANNAH BESS, )  
Complainant, )  
vs. )  
THE LANDS AND PARTIES )  
HEREINAFTER DESCRIBED, )  
Respondents. )  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
NO. 4205.

NOTICE OF APPOINTMENT OF GUARDIAN AD LITEM AND  
ATTORNEY TO REPRESENT PARTIES IN MILITARY SERVICE:

TO: Tobert M. Bradley

You are hereby notified that by a decree of this Court  
heretofore rendered in this cause you have been appointed as  
guardian ad litem to represent any unknown minors or insane  
persons interested in this proceeding and as Attorney to represent  
any unknown parties interested in this proceeding who may be in  
the Military Service of the United States.

DATED this 28 day of March, 1958.

Alice J. Duck  
Register of the Circuit Court of  
Baldwin County, Alabama, in Equity.

STATE OF ALABAMA

BALDWIN COUNTY

I, the undersigned, do hereby accept appointment as  
guardian ad litem and as attorney to represent unknown parties  
interested in this proceeding who may be in the Military Service  
of the United States.

DATED this 28 day of March, 1958.

FILED

MAR 28, 1958

Alice J. DUCK, CLERK  
REGISTER

Tobert M. Bradley  
As guardian ad litem and as attorney  
representing parties in Military Service  
of the United States.

026

NOTICE OF APPOINTMENT OF  
GUARDIAN AD LITEM AND  
ATTORNEY TO REPRESENT  
PARTIES IN MILITARY SERVICE

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4205.

FILED  
MAR 28 1958

ALICE J. DUCK, Register

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4205.

MOTION:

Now comes the Complainant, by her Solicitor, and shows unto the Court that all of the Respondents named in the Bill of Complaint filed in this cause have suffered a decree pro confesso to be taken against them.

WHEREFORE, Complainant prays that the Court will make and enter a proper order or decree setting this cause for hearing, appointing a guardian ad litem to represent any unknown minor or persons of unsound mind interested in this proceeding and an Attorney to represent any party interested in this proceeding who may be in the Military Service, and prescribing the method of taking the testimony in this cause.

FILED

MAR 28 1968

ALICE J. DICK, CLERK  
REGISTER

J. T. Blackburn  
Solicitor for Complainant.

025

MOTION

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4205.

FILED  
JULY 28, 1958  
CLERK, BUREAU, ALABAMA

HANNAH BESS,  
Complainant,  
vs.  
THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
NO. 4205.

DECREE PRO CONFESSO

In this cause it appears to the Register that the notice of pendency of Bill of Complaint heretofore made in this cause was published for four consecutive weeks commencing on the 23rd day of January, 1958, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of the said notice was posted at the front door of the Courthouse in Baldwin County, Alabama, on the 20th day of January, 1958; that a copy of the Bill of Complaint in this cause, together with a summons was forwarded by registered mail on the 21st day of January, 1958, to the Respondents, Minnie Samson, Ida Fry, Lilly Graham, Roscoe Bess, Mary Bess and Jane Bess, directed to the said Respondents at their places of residence as shown by the Bill of Complaint; the postage on said letters was prepaid and the same marked "for delivery only to the person to whom addressed", and return receipt demanded; one of the said demanded return receipts bearing the signature of Mrs. Lilly Graham was duly received and filed for record in this cause on the 27th day of January, 1958; all of the other said letters were returned to the Register of this Court marked "unknown"; and it further appearing to the Register that the said Respondents hereinafter named, have to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause;

It is, therefore, on motion of the Complainant ORDERED AND DECREED by the Register that the said Bill of Complaint be and it hereby is, in all things, taken as confessed against the said Alabama Sumatra and Havana Tobacco Company, a corporation; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lilly

Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. O. Lengelson; W. C. Nicholson; Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation and Edwin F. Winegar, Trustee, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.

ORDERED AND DECREED on this the 28 day of March, 1958.

Alcey J. Wrenk

Register.

DECREE PRO CONFESSO

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4205.

FILED  
MAR 26 1958  
Alice L. Beck, Register

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 4205.

MOTION FOR DECREE PRO CONFESSO:

Motion is hereby made for a decree pro confesso against Alabama Sumatra and Havana Tobacco Company, a corporation; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lilly Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. O. Lengelson; W. C. Nicholson; Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, and Edwin F. Winegar, Trustee, and against the heirs or devisees of any of the said parties who may be deceased, and against any and all persons, firms or corporations, claiming any title to, interest in, lien or encumbrance on the lands described in the Bill of Complaint that has been filed in this proceeding, or any part thereof, on the ground that the notice of pendency of Bill of Complaint in this cause was published once a week for four successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, which notice appeared in the issues of said paper which was published on January 23rd, January 30th, February 6th and February 13th, 1958, which notice contained a provision requiring all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in the said notice, or any part thereof, which are the lands described in the Bill of Complaint that was filed in this cause, must appear in this Court and plead, answer or demur to the Bill of Complaint before the 25th day of February, 1958, or at the expiration of thirty days from the said date a decree pro confesso would be taken against them; Complainant further shows unto the Register that a copy of the notice of pendency of Bill of Complaint in this cause was posted at the front door of the Courthouse of

Baldwin County, Alabama, on the 20th day of January, 1958; that a summons directed to the Respondents, Minnie Samson, Ida Fry, Lilly Graham, Roscoe Bess, Mary Bess and Jane Bess, together with a copy of the Bill of Complaint in this cause, was issued and forwarded by registered mail on the 21st day of January, 1958, directed to the said Respondents at their last known residence as shown by the Bill of Complaint; the postage on said letters was prepaid and the same marked "for delivery only to the person to whom addressed", and return receipt demanded; one of the said demanded return receipts bearing the signature Mrs. Lilly Graham was duly received and filed for record in this cause on the 27th day of January, 1958; all of the other said letters were returned to the register of this court marked "unknown"; and thirty days having expired since February 25, 1958, and no person, firm or corporation named above has appeared in this cause, the Complainant is entitled to a decree pro confesso against all of the persons, firms and corporations named above.

WHEREFORE, Complainant moves the Register to make and enter a decree pro confesso against all of the above named Respondents and each of them.

DATED this 28<sup>th</sup> day of March, 1958.

**FILED**

MAP 28/1958

ALICE J. DUCK, CLERK, REGISTER

*J. B. Blackburn*  
Solicitor for Complainant.

MOTION FOR DECREE PRO CONFESSO

HANNAH BESS,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 4205.

FILED  
MAR 28 1958

ALICE J. BUCK, Register

HANNAH BESS,  
Complainant,  
vs.  
THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY.  
No. 4205

NOTICE OF PENDENCY OF BILL OF COMPLAINT

Notice is hereby given to each and all of the Respondents named below and to all persons, firms or corporations claiming any right, title or interest in, lien or encumbrance on the lands hereinafter described, or any part thereof, that Hannah Bess, did, on the 20<sup>th</sup> day of January, 1958, file in the Circuit Court of Baldwin County, Alabama, in Equity, a verified Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said property.

and against Alabama Sumatra and Havana Tobacco Company, a corporation; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. O. Lengelson; W. C. Nicholson; Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, and Edwin F. Winegar, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof. The addresses of the respondents named above are unknown and cannot be ascertain after reasonable efforts and the making of diligent inquiry to ascertain the same, except that the last known address of Jane Bess, Mary Bess, Roscoe Bess; Ida Fry, Lillie Graham and Minnie Samson was Clinton, North Carolina.

The said Bill of Complaint has been filed for the purpose of establishing the title of the said Complainant to all of the said lands, for the purpose of quieting title thereto, and to clear up all doubts and disputes concerning the title to the said property.

Complainant claims the absolute fee simple title to all of the said lands under, from, by and through the following conveyances and instruments in writing which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama:

1. Deed from Marion Ard and Eliza Ard, his wife to Dan Bess and Hannah Bess, dated October 15, 1923, and recorded in Deed Book 34 at page 78, Baldwin County, Alabama Records;
2. Deed from State of Alabama, by Henry S. Long, State Land Commissioner, to Dan Bess, dated February 26, 1936, and recorded in Deed Book 60 at pages 143-4, Baldwin County, Alabama Records;
3. Deed from State of Alabama, by W. B. Allgood, as Auditor, to Hannah Bess, dated March 30, 1926, and recorded in Deed Book 39 at page 598, Baldwin County, Alabama Records;
4. Deed from State of Alabama, by Henry S. Long, President of the State Tax Commission, to Dan Bess, dated April 18, 1935, and recorded in Deed Book 57 at page 559, Baldwin County, Alabama Records;
5. Deed from Walter R. Dobson and Euvada Dobson, husband and wife, to Hannah Bess, dated August 30, 1947, and recorded in Deed Book 123 at pages 75-6, Baldwin County, Alabama Records;
6. Proceedings to set aside homestead in the matter of the Estate of Daneil Bess, which are recorded in Record Book N at page 219, Minute Book M at page 193, Record Book N at page 220 and Minute Book M at page 214, Baldwin County, Alabama Records;

The Complainant, in and by her said Bill of Complaint alleges and avers that she owns the said lands in her own right, absolutely and in fee simple; that she is in the actual, peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of the Complainant; that no suit is pending to test Complainant's title to, interest in, or

right to the possession of the said lands, or any part thereof; that Complainant and those through whom she claims title have held color of title to and have regularly assessed and paid taxes on the said lands, and each and every part thereof for ten or more consecutive years next prior to the filing of the said Bill of Complaint; and that no persons, firms or corporations, other than the Complainant and those through whom she claims title to the said lands, have paid any taxes on the said lands, or any part thereof, or any interest therein, and no persons, firms or corporations, other than the Complainant and those through whom she claims title, have had possession of the lands, or any part thereof, within ten years next prior to the filing of the said Bill of Complaint.

The Respondents named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer or demur to the said Bill of Complaint before the 25<sup>th</sup> day of February, 1958, or at the expiration of thirty days from the said date decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting Complainant's title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand as Register of this Court and affixed the seal of the said Court on this the 20<sup>th</sup> day of January, 1958.

*Alice J. Duck*  
ALICE J. DUCK,

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

J. B. BLACKBURN,  
Solicitor for Complainant.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 1-20-58 11 A.M.

Recorded Lia. Prob. book 4 page 403-5

*W. D. Street*  
Judge of Probate

2

FILED

JAN 20 1958

ALICE J. DUCK, Clerk

021

BOOK 1004 PAGE 405



STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JANE BESS, MARY BESS, ROSCOE BESS, IDA FRY, LILLIE GRAHAM and MINNIE SAMSON, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding the same, then and there to answer the Bill of Complaint of HANNAH BESS.

WITNESS my hand and seal on this the 20 day of January, 1958.

018

Alice L. Neely  
Register.

*Hannah Bess  
is  
the lands & parties hereinafter described*

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oratrix, Hannah Bess, presents this Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

The Northeast Quarter of the Southwest Quarter of Section 22, Township 6 South, Range 4 East, EXCEPTING THEREFROM, all oil, gas and other minerals on, in or under the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said property,

and against Alabama Sumatra and Havana Tobacco Company, a corporation, its unknown officers, directors and stockholders; George Asmus; Irene Christine Asmus; Jane Bess; Mary Bess; Roscoe Bess; Walter Bess; Ida Fry; Allan G. Gilmour; Lilly G. Gilmour; Lillie Graham; Bell Haarey; Bell Haary; Bell Horey; Bell Hovey; H. O. Lengelson; W. C. Nicholson, Floyd R. Perkins, Trustee; Minnie Samson; Southern Plantation Development Company, a corporation, its unknown officers, directors and stockholders; and Edwin F. Winegar, Trustee, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and, thereupon, your Oratrix complains and shows unto the Court and your Honor as follows:

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

2. Alabama Sumatra and Havana Tobacco Company, was a corporation, which formerly did business in Baldwin County, Alabama, but the place where the said corporation was incorporated, the present place of business and Post Office Address of said corporation, the names and addresses of its officers, directors and stockholders, are unknown and it has no known agent in the State of Alabama.

Southern Plantation Development Company is a corporation that was organized under the laws of Alabama and formerly did business in Baldwin County, Alabama, but Complainant alleges on information and belief that the said corporation is not now in

business. If in business, its place of business and post office address is unknown, the names of its officers, directors and stockholders are unknown and it has no known agent in the State of Alabama.

The Respondent, Walter Bess, is deceased, but his heirs and devisees are unknown to your Oratrix and the ages and places of address of his heirs and devisees are unknown to your Oratrix and cannot be ascertained after reasonable efforts and the making of diligent inquiries to ascertain the same.

Each of the other individual respondents specifically named herein and those which are sued in their capacity as trustee, are, if living, over twenty-one years of age, but their respective places of residence and post office addresses are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the facts with regard thereto, except that the last known address of the respondents, Minnie Samson, Ida Fry, Lillie Graham, Roscoe Bess, Mary Bess and Jane Bess was Clinton, North Carolina. The Respondents, Mary Bess and Jane Bess, are now married, but their married names are unknown to your Oratrix and cannot be ascertain after reasonable efforts and the making of diligent inquiry to ascertain the same.

3. Your Oratrix is in the actual, peaceable possession of all of the above described lands situated in Baldwin County, Alabama, and claims to own the said lands in her own right, absolutely and in fee simple.

4. Your Oratrix holds color of title to and she and those through whom she claims title, have paid taxes on the said lands for a period of ten or more consecutive years next preceding the filing of this Bill of Complaint, and no other persons, firms or corporations, other than your Oratrix and those through whom she claims title, have paid taxes on, or have been in possession of the above described lands or any part thereof, for a period of ten or more consecutive years prior to the filing of this Bill of Complaint.

5. Title to all of the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, in the name of your Oratrix.

6. No suit is pending to test your Oratrix's title to, right to possession of the said lands, or any part thereof.

7. Your Oratrix has, and claims to have, the absolute unencumbered fee simple title to all of the real property herein described, by and through the following instruments of writing, and proceedings which are recorded in the Office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

1. Deed from Marion Ard and Eliza Ard, his wife to Dan Bess and Hannah Bess, dated October 15, 1923, and recorded in Deed Book 34 at page 78, Baldwin County, Alabama Records.
2. Deed from State of Alabama, by Henry S. Long, State Land Commissioner, to Dan Bess, dated February 26, 1936, and recorded in Deed Book 60 at pages 143-4, Baldwin County, Alabama Records.
3. Deed from State of Alabama, by W. B. Allgood, as Auditor, to Hannah Bess, Dated March 30, 1926, and recorded in Deed Book 39 at page 598, Baldwin County, Alabama Records.
4. Deed from State of Alabama, by Henry S. Long, President of the State Tax Commission, to Dan Bess, dated April 18, 1935, and recorded in Deed Book 57 at page 559, Baldwin County, Alabama Records.
5. Deed from Walter R. Dobson and Euvada Dobson, husband and wife, to Hannah Bess, dated August 30, 1947, and recorded in Deed Book 123 at pages 75-6, Baldwin County, Alabama Records.
6. Proceedings to set aside homestead in the matter of the Estate of Daniel Bess, which are recorded in Record Book N at page 219, Minute Book M at page 193, Record Book N at page 220 and Minute Book M at page 214, Baldwin County, Alabama Records.

8. Your Oratrix has made a diligent search and caused a diligent search to be made to ascertain the names, ages and addresses of all persons, firms or corporations who might make, or

who are making any claim to the said lands, or any part thereof, or any interest therein, or any encumbrance thereon. Your Oratrix further avers that these inquiries have continued faithfully and diligently over the past year; that within the past year she has employed an Abstract Company to make an examination of the records of Baldwin County, Alabama, and prepare an Abstract of Title to all of the above described property; she has employed an Attorney to examine the said Abstract and the records in the Courthouse in Bay Minette, Alabama; that she has made and caused her said attorney to make inquiry about the ages, addresses and heirs of any persons interested or who may be interested in the said property; that your Oratrix has made and caused a thorough inquiry to be made in the community where the said property is situated for the purpose of ascertaining any claimants to it and for any other information having any bearing on the title to the said property; that your Oratrix has caused the records in the Probate Office of Baldwin County, Alabama, to be examined to determine if the companies or firms who are named as respondents herein were incorporated in Baldwin County, Alabama, and that these efforts by your Oratrix, her agents, servants and employees have continued faithfully and diligently for a long period of time, and that all of the information so secured as to prior ownership and possession of the said property, the ages and places of residence of the individual respondents named herein and the status of all of the said firms or companies is as hereinabove set out.

PRAYER FOR PROCESS

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

PRAYER FOR RELIEF

Your Oratrix prays that each and all of the respondents named herein, their heirs and devisees, the unknown heirs, devisees, legal representatives and next of kin of such of the respondents named herein who are dead, and any and all persons, firms and corporations who claim to own the said lands, or any part thereof, or any interest therein, or any lien or encumbrance thereon, be required to set forth and specify such claim, right, title, interest, lien or encumbrance and how and by what instrument the same is derived and created; that a guardian ad litem be appointed to represent any of the unknown parties named in this proceeding who may be minors and insane persons; that an attorney be appointed to represent any of the parties named in this proceeding, known or unknown, who may be in the Military Service; that upon a final hearing of this cause it be ordered, adjudged and decree that your Oratrix, at the time of the filing of this Bill of Complaint had the fee simple title to all of the above described lands and that none of the respondents herein specifically named, their heirs, or devisees, or any other person, firm or corporation has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon, and that all doubts and disputes concerning the said property be cleared up, and that your Oratrix's title to the said lands be fully and completely quieted. Your Oratrix prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

J. T. S. Blashkum  
Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Hannah Bess, who, after being by me first duly and legally sworn, deposes and says:

That she is the Complainant in the above styled cause; that she has read over the foregoing Bill of Complaint and that the

facts stated therein are true.

Hannah Bess

Sworn to and subscribed before  
me on this the 17<sup>th</sup> day of  
January, 1958.

FILED

JAN 20 1958

ALICE J. DUCK, CLERK  
REGISTER

~~Don R. O.~~  
Notary Public, Baldwin County, Alabama.