

4237

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
A Corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 4237

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainant is the owner in fee simple of, is now and was at the time of the filing of the Bill of Complaint in this cause, in the actual and peaceable possession of the said lands, and each and every part and parcel thereof; that service was perfected upon W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, Respondents herein by publication in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, for four consecutive weeks commencing on the 13th day of March, 1958, and against the unknown heirs, devisees, grantees, personal representatives and assigns of the Respondents herein, and each of them, any any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land or any part or parcel thereof; that notice of the pendency of said suit was given by filing of a Lis Pendens Notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them, having failed to appear and plead, answer or demur to the Bill of Complaint, as required by law, a decree pro confesso was entered against them and each of them; that J. Connor Owens, a practicing attorney at law, in Bay Minette, Baldwin County, Alabama, was appointed guardian ad litem to represent the Respondents whose names were unknown, and duly filed his appearance agreeing to act as guardian

ad litem, and filed answer denying all the material allegations of the Complaint; and appeared and cross examined the witnesses for the Complainant; that the title of the Complainant has been duly and legally established by legal and competent evidence, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondents, W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, the unknown heirs, devisees, grantees, personal representatives and assigns of them and each of them, and also any and all persons, firms or corporations claiming any right, title to, interest in, lien and encumbrances upon the said lands, or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in Miscellaneous Book 1, page 56,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in Miscellaneous Book 1, page 56,

is vested absolutely in the Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, and in the indirect index in the name of Robertsdale Camp No. 462, Woodmen of the World, A Fraternal Benefit Society, a corporation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Register 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, and that the cost thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the cost of this cause for which execution may issue.

Dated at Bay Minette, Baldwin County, Alabama, this the 5<sup>th</sup> day of June, 1958.

Herbert M. Steu  
CIRCUIT JUDGE

12  
ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

FINAL DECREE

FILED

JUN 6 1958

ALICE J. DUCK, *Regatta*



STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons W. A. DALBY, SUMMERDALE INVESTMENT COMPANY, a corporation, ROBERTSDALE STATE BANK, a corporation, CONSOLIDATED STATE BANK, a corporation, RECONSTRUCTION FINANCE CORPORATION, a corporation, and their heirs or devisees, if deceased, the unknown heirs, devisees, grantees, personal representatives and assigns of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by ROBERTSDALE CAMP NO. 462, WOODMEN OF THE WORLD, a Fraternal Benefit Society, a corporation, as Complainant.

WITNESS my hand this the \_\_\_\_\_ day of March, 1958.

Register

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

VS

W. A. DALBY, ET AL,

RESPONDENTS

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

Your Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation, presents this its Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in Miscellaneous Book 1, page 56.

and also against W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, their heirs or devisees, if deceased, and also against any other person, firms or corporations claiming any right, title to, interest in, or encumbrance against said land or any part thereof, and respectfully represents and shows unto Your Honor as follows:

1.

That your Complainant is a corporation which was formed and organized in Baldwin County, Alabama, and has its principle office in the said county.

2.

That W. A. Dalby is over twenty-one years of age and if living a non-resident of the State of Alabama; and if dead his heirs, assigns, devisees, grantees and personal representatives are non-residents of the State of Alabama, and over twenty-one years of age; that a diligent search and inquiry has been made and caused to be made to ascertain the present addresses of the Respondents and whether or not either of them is dead and if so the names, ages and residences of their heirs and next of kin, and from all information obtainable the said parties are all non-residents of the State of Alabama, over twenty-one years of age and that their post office addresses cannot be ascertained; that from all information obtainable the Robertsdale State Bank, Consolidated State Bank, Summerdale Investment Company, and Reconstruction Finance Corporation are corporations which are now defunct and they have no one resident in Baldwin County, Alabama, upon whom service can be perfected; that an examination has been made of the land and tax records of Bay Minette, Alabama, the county seat of Baldwin County, Alabama, inquiries have been made of persons in and around Robertsdale, Alabama, the vicinity in which the lands are located and no information can be obtained as to the addresses of the individual respondent.

3.

That your Complainant is the owner in fee simple and in the actual possession of the lands herein described in Baldwin County, Alabama, and being described as follows:

Lot 7, Block 23, Town of Robertsdale as recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, page 56.

4.

That no suit is pending to test the Complainant's title to, interest in, or rights of possession; that the Complainant therefore calls upon the Respondents and each of them separately and severally to set forth and specify what right, title, interest, in, lien or encumbrance the said Respondents and each of them have in and to said lands and by what instrument the same is derived and/or created.

5.

That the Complainant acquired title to the lands above described by being in the actual, peaceable and exclusive possession of the said lands, claiming ownership thereof for a period of twenty consecutive years, next preceding the filing of its Bill of Complaint; It also having annually listed and assessed the lands herein described for taxation for a period of twenty consecutive years in Baldwin County, Alabama, the county wherein the lands lies; no other person, firms or corporations having listed, assessed or paid taxes thereon during any part of the said period.

6.

That the title to said lands stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of your Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation.

7.

That no one has at any time within ten years next preceding the filing of this Bill of Complaint paid any taxes upon said lands, or had any possession other than your Complainant, Robertsdale Camp No. 462, Woodmen of the World.

8.

That the only persons shown by the records of Baldwin County, Alabama, to have any claim against said land or any part thereof are W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, and Reconstruction Finance Corporation, a corporation.

WHEREFORE, the premises considered, your complainant prays that Your Honor will by proper process make the said W. A. Dalby, his heirs or devisees, if dead, the unknown heirs, devisees, grantees, personal representatives successors and assigns of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation and Reconstruction Finance Corporation, a corporation, and any other person, firms or corporations claiming any right, title to, interest in or encumbrance upon the said lands in Baldwin County, Alabama, to-wit:



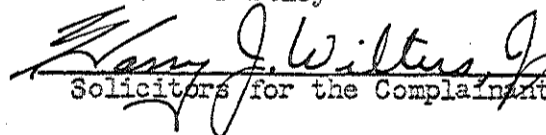
Lot 7, Block 23, Town of Robertsdale as recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, page 56.

or any part thereof, parties respondent to this Bill of Complaint, and require them, and each of them to appear and answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing hereof Your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances, to the lands herein described and to each and every part and parcel thereof, is vested in your Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation, and that neither W. A. Dalby, and his heirs or devisees, if dead; Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, nor any other person, firm or corporation, has any right, title to, interest in, or encumbrance upon the lands or any part or parcel thereof, and that any and all doubts and disputes concerning the land be cleared up.

Your Complainant prays for such other, further, different or general relief as it may be in equity and good conscience be entitled to receive.

Wilters & Brantley

  
Solicitors for the Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned authority, in and for said County, in said State personally appeared Harry J. Wilters Jr., who is known to me, and who having been by me first duly sworn, deposes and says: that he is solicitor of record for the Complainant in the within cause; that he is authorized to make this affidavit; that from all information obtainable after a diligent search and inquiry the facts contained in the foregoing bill of complaint are true and correct.



Sworn to and subscribed before me on this the 17 day of March, 1958.

  
Notary Public, Baldwin County, Alabama

Robert Lippitt, Secretary, Robertsdale Camp No. 1462, Woodmen of the World, A Fraternal Benefit Society, a Corporation, vs. W. A. Dalby, et al., Respondents

*[Signature]*  
W. A. Dalby, et al.

Shown to and inspected before me on this 12th day of March, 1928.

of complaint are true and correct, diligent search and inquiry the facts contained in the foregoing bill to make this affidavit; that from all information obtainable after a of record for the Complainant in the within named; that he is authorized having been by me this day sworn, deposed and sworn that he is sufficient State personally subpoenaed Harry J. Wilkins Jr., who is known to me, and who before me the undersigned authority, in and for said County, in said

BALTIMORE COUNTY

STATE OF MARYLAND

*[Signature]*  
Notary Public for the Complainant  
W. A. Dalby, et al.

relief as it may be in equity and good conscience be entitled to receive. Your Complainant prays for such other, further, different or several things be ordered by.

ROBERTSDALE CAMP NO. 1462, WOODMEN OF THE WORLD, A Fraternal Benefit Society, a Corporation,

COMPLAINANT  
vs.  
W. A. DALBY, ET AL.  
RESPONDENTS

Bill of Complaint  
Complainant further prays that upon a final hearing hereof Your Honor of this Complainant Complainant within the time and under the penalties prescribed by law and the practice relative thereto and each of them to answer and answer or demur to the same or any part thereof, besides responding to this Bill of Complaint, and return Book 1, Page 20, of the index of Robertsdale County, Maryland, in Miscellaneous Book 1, Block 53, Town of Robertsdale as recorded in the office

FILED  
MAR 18 1928  
BALTIMORE, MD.  
Notary Public

within the time and under the penalties prescribed by law and the practice relative thereto and each of them to answer and answer or demur to the same or any part thereof, besides responding to this Bill of Complaint, and return Book 1, Page 20, of the index of Robertsdale County, Maryland, in Miscellaneous Book 1, Block 53, Town of Robertsdale as recorded in the office

# THE BALDWIN TIMES

## BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER  
AND  
BILL STEWART  
PUBLISHERS

E. R. MORRISSETTE, JR.  
EDITOR-MANAGER

### Legal Notice

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, a  
Fraternal Benefit Society,  
a corporation,

Complainant

vs.

W. A. DALBY, ET AL,

Respondents

In The Circuit Court of Baldwin  
County, Alabama, In Equity,  
No. 4234

#### LIS PENDENS NOTICE

It having been made to appear,  
in the above styled cause by proper  
affidavit that W. A. Dalby is  
over twenty-one years of age and  
if living a non-resident of the  
State of Alabama; and if dead his  
heirs, assigns, devisees, grantees  
and personal representatives are  
non-residents of this State and  
over twenty-one years of age, and  
whose address cannot be ascer-  
tained after a diligent search and  
inquiry; that Summerdale Invest-  
ment Company, a corporation;  
Robertsdale State Bank, a cor-  
poration; Consolidated State  
Bank, a corporation, Recon-  
struction Finance Corporation,  
a corporation, were corporations,  
which are now defunct, and they  
have no one resident in Baldwin  
County, Alabama, upon whom  
service can be perfected; that  
Robertsdale Camp No. 462, Wood-  
men of the World, a fraternal  
Benefit Society, is an Alabama  
Corporation with its principle of-  
fice in Baldwin County, Alabama,  
and the owner in fee simple of

and in the actual, peaceable pos-  
session of the following described  
lands situated in Baldwin County,  
Alabama, to-wit:

Lot 7, Block 23, Town of Rob-  
ertsdale as recorded in the of-  
fice of the Judge of Probate of  
Baldwin County, Alabama, in  
Miscellaneous Book 1, page 56.

That the Complainant acquired  
title to the lands above described  
by being in the actual, peaceable  
and exclusive possession of the  
said lands, claiming ownership  
thereof for a period of twenty  
consecutive years, next preceding  
the filing of this Bill of Complaint;  
it also has annually listed and as-  
sessed the land herein described  
for taxation for a period of twen-  
ty consecutive years in Baldwin  
County, Alabama, the county  
wherein the land lies; no other  
persons, firms or corporation hav-  
ing listed, assessed or paid taxes  
thereon during any part of the  
said period.

**IT IS THEREFORE ORDERED**  
and notice is hereby given that  
W. A. Dalby, Summerdale In-  
vestment Company, a corporation,  
Robertsdale State Bank, a cor-  
poration, Consolidated State Bank,  
Reconstruction Finance Corpora-  
tion, a corporation, the unknown  
heirs, devisees, personal represent-  
ative, grantees, successors and as-  
signs of W. A. Dalby, Summerdale  
Investment Company, a corpora-  
tion, Robertsdale State Bank, a  
corporation, Consolidated State  
Bank, a corporation, Reconstruc-  
tion Finance Corporation, a cor-  
poration, and any other persons,  
firms or corporations claiming any

title to, interest in, lien or en-  
cumbrance up on said lands, or  
any part thereof to appear in the  
Circuit Court of Baldwin County,  
Alabama, in Equity, and plead,  
answer or demur to the Bill of  
Complaint on or before the 14th  
day of April, 1958, or upon their  
having failed to do so, upon the  
expiration of thirty days from said  
date, a decree pro confesso shall  
be taken against them, and that  
this cause shall be at issue.

**IT IS FURTHER ORDERED** that  
this order and notice be published  
in The Baldwin Times, Bay Min-  
ette, Baldwin County, Alabama,  
once a week for four consecutive

### 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

Robertsdale Camp No. 462, Woodmen of the  
World, a corporation, vs. W. A. Dalby

#### COST STATEMENT

546 WORDS @ 6 1/2 cents ..... \$ 37.25

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 March 13, 1958 Vol. 70 No. 9

Date of 2nd publication March 20, 1958 Vol. 70 No. 10

Date of 3rd publication March 27, 1958 Vol. 70 No. 11

Date of 4th publication April 3, 1958 Vol. 70 No. 12

Subscribed and sworn before the undersigned this 3 day of April, 1958.

Dorothy Martin  
Notary Public, Baldwin County.

E. R. Morrisette Jr.  
Editor.

# Legal Notice

ROBERTSDALE CAMP NO. 462, WOODMEN OF THE WORLD, a Fraternal Benefit Society, a corporation,

Complainant

vs.

W. A. DALBY, ET AL,

Respondents

In The Circuit Court of Baldwin County, Alabama, In Equity, No. 4234

## LIS PENDENS NOTICE

It having been made to appear, in the above styled cause by proper affidavit that W. A. Dalby is over twenty-one years of age and if living a non-resident of the State of Alabama; and if dead his heirs, assigns, devisees, grantees and personal representatives are non-residents of this State and over twenty-one years of age, and whose address cannot be ascertained after a diligent search and inquiry; that Summerdale Investment Company, a corporation; Robertsdale State Bank, a corporation; Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, were corporations, which are now defunct, and they have no one resident in Baldwin County, Alabama, upon whom service can be perfected; that Robertsdale Camp No. 462, Woodmen of the World, a fraternal benefit society, is an Alabama Corporation with its principle office in Baldwin County, Alabama, and the owner in fee simple of

and in the actual, peaceable possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in the office of the Judge of Probate in Baldwin County, Alabama, in Miscellaneous Book 1, page 56.

That the Complainant acquired title to the lands above described by being in the actual, peaceable and exclusive possession of the said lands, claiming ownership thereof for a period of twenty consecutive years, next preceding the filing of this Bill of Complaint; it also has annually listed and assessed the land herein described for taxation for a period of twenty consecutive years in Baldwin County, Alabama, the county wherein the land lies; no other persons, firms or corporation having listed, assessed or paid taxes thereon during any part of the said period.

**IT IS THEREFORE ORDERED** and notice is hereby given that W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, Reconstruction Finance Corporation, a corporation, the unknown heirs, devisees, personal representative, grantees, successors and assigns of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, and any other persons, firms or corporations claiming any

title to, interest in, lien or encumbrance upon said lands, or any part thereof to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the Bill of Complaint on or before the 14th day of April, 1958, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

**IT IS FURTHER ORDERED** that this order and notice be published in The Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four consecutive

weeks.  
**IN WITNESS WHEREOF**, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 8 day of March, 1958.

ALICE J. DUCK,  
Register

Wilters & Brantley,  
Solicitors for the Complainant.  
Wilters & Brantley,

# 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

Robertsdale Camp No. 462, Woodmen of the World, a corporation, vs. W. A. Dalby

## COST STATEMENT

546 WORDS @ 6 1/2 cents ..... \$ 37.25

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

E. R. Morrisette Jr  
Editor.

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Date of 2nd publication March 20, 1958 Vol. 70 No. 10.

Date of 3rd publication March 27, 1958 Vol. 70 No. 11.

Date of 4th publication April 3, 1958 Vol. 70 No. 12.

Subscribed and sworn before the undersigned this 3 day of April, 1958.

Dorothy Martin  
Notary Public, Baldwin County.

E. R. Morrisette Jr  
Editor.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Evelyn Watts

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Ben Kucera and Harry J. Wilters Jr.

a witness in behalf of Complainant in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein Robertsdale Camp No. 162, Woodmen  
of the World, a Fraternal Benefit Society, a corporation, is

, Complainant

and W. A. Dalby, et al, are

Respondent

on oath, to be by you administered, upon Ben Kucera and Harry J. Wilters Jr.,  
to take and certify the deposition of the witness and return the same to our Court, with all con-  
venient speed, under your hand.

Witness 2 day of

June

, 1958

David J. Duck  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Robertsdale Camp No. 462,  
Woodmen of the World, A  
Fraternal Benefit Society,  
a corporation,

Complainant

VS.

W. A. Dalby, et al,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Ben Kucera  
Harry J. Wilters Jr.

*Filed: June 2, 1958*  
*W. A. Dalby*  
*Reporter*

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 4237

REQUEST FOR APPOINTMENT OF COMMISSIONER

TO: Mrs. Alice J. Duck, Register of the Circuit Court of Baldwin County,  
Alabama:

The Complainant wishes to take orally, on behalf of the Complainant,  
the testimony of the following witnesses:

Ben Kucera, Robertsdale, Alabama.

Harry J. Wilters Jr., Bay Minette, Alabama.

It is hereby requested that they be given proper and legal notice  
and that Evelyn Watts be appointed as Special Commissioner, to take  
testimony of said witnesses, and that due and legal notice be given as  
required by law.

Dated this the 2 day of June, 1958.

Wilters & Brantley

BY: Harry J. Wilters Jr.  
Solicitors for the Complainant

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a Corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

REQUEST FOR APPOINTMENT  
OF COMMISSIONER

*Filed: June 2, 1958*

*W. J. Duck*  
*Register*



ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 4237

NOTICE OF TIME OF TAKING TESTIMONY

TO: W. A. Dalby, Summerdale Investment Company, a corporation, Roberts-  
dale State Bank, a corporation, Consolidated State Bank, a corporation,  
Reconstruction Finance Corporation, a corporation.

Notice is hereby given that the Complainant will on the 5<sup>th</sup> day of  
June, before Evelyn Watts, as special commissioner take the testimony of  
the following witnesses:

Ben Kucera, Robertsdale, Alabama

Harry J. Wilters Jr., Bay Minette, Alabama

Dated this the 2 day of June ~~May~~, 1958.

Wilters & Brantley

BY: Harry J. Wilters Jr.  
Solicitors for the Complainant

Evelyn Watts  
Special Commissioner.

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a Corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

NOTICE OF TIME OF TAKING TESTIMONY

*Filed: June 2, 1958*  
*W. A. Dalby*  
*Register*

Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, and Reconstruction Finance Corporation. The Woodmen of the World's possession of this land consists of keeping the lots cleaned and cut for more than twenty years and this has been done a number of times each year. We planted trees on this property and also shrubbery and this has been done for more than twenty years and also throughout these past twenty years. This land is generally recognized in the community as belonging to the Complainant. I personally know that no one except the Complainant has exercised possession of these lots during the time the Woodmen of the World claimed ownership.

Ben Herrera

My name is Harry J. Wilters Jr., and I am an attorney at law in Bay Minette, Alabama. I have examined the records of Baldwin County, Alabama, concerning the lands involved in this action and I have made a diligent search and inquiry into the records of Baldwin County, Alabama, as to the respondents set out in this bill of complaint and I have been unable to locate any of them or their whereabouts and the allegations in paragraph two of the complaint are true and correct to the best of my knowledge. From 1932 to 1951, I lived within a short distance of this land and I know that it was recognized by the people in the community during this time as belonging to the Woodman of the World. I know that they kept this lot cleaned and planted trees on it and did other acts of ownership and that they have held themselves out to the world as owning this land and their possession has been open, notorious, adverse, peaceable and absolute. I am still familiar with this lot and I know that no other person, firm or corporation are claiming the ownership of it.

Harry J. Wilters Jr.

Cross examination by Mr. J. Connor Owen, Guardian Ad Litem:

I made inquiries and found that the Robertsdale State Bank was reputed to have executed a deed to the Complainant on August 16, 1928, but this deed was not recorded and has been lost. The Complainant began to assess this property in 1929 and has paid taxes on the same to date. For a period of 29 years the Complainant has been in the actual possession of the land.

Harry J. Wilters Jr.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, A corp.,  
COMPLAINANT

vs.

W. A. Dalby, et al  
RESPONDENT

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Ben Kucera and Harry J. Wilters Jr.

witnesses named in the requirement for Oral Examination, on the 2 day of June  
19 58, at the office of Wilters & Brantley

in Bay Minette, Alabama, and having first sworn said witness to speak the  
truth, the whole truth, and nothing but the truth, the said Ben Kucera and Harry J. Wilters

doth depose and say as follows:

My name is Ben Kucera and I am a member of the Woodmen of the World, and have been for 24 years. The Robertsdale Camp No. 462, Woodmen of the World a fraternal benefit Society, is a corporation organized in the State of Alabama and it has its principal office in Robertsdale. That W. A. Dalby is over twenty-one years of age and is a non resident of the state of Alabama and if dead his heirs, assigns, devisees, grantees and personal representatives are non-residents of the State and over the age of 21 years. We have cause a diligent search to be made as to the whereabouts of any of these people and we have been unable to find any information leading to their whereabouts and we cannot find their post office address. The Robertsdale Bank, Consolidated State Bank, Summerdale Investment Company and the Reconstruction Finance Corporation are corporations which are now defunct and to the best of my knowledge and information they have no one resident in this county upon whom service can be perfected. We have had our attorney to make an examination of the lands and tax records of Baldwin County and we have made inquiries of persons in and around Robertsdale, the vicinity in which the land is located and no information can be obtained as to the addresses of any of the Respondents.

The Woodmen of the World are the owners in fee simple and in actual possession of the lands described in the bill of complaint. There is no suit pending to test the title, interest, or rights of possession of the Woodmen of the World.

The Woodmen of the World acquired title to the lands described in the Complaint from the Robertsdale Bank during the year 1928 and they have been in actual, peaceable and exclusive possession of the said lands, claiming ownership thereof for a period of more than twenty years. We have annually listed and assessed the lands described in the complaint for taxes in Baldwin County and no other person firm, or corporation has listed or assessed or paid taxes during the said period.

The title of this land as it stands on the records of the probate court of Baldwin County, Alabama, is in the name of the Robertsdale Camp No. 462, Woodmen of the World, a fraternal Benefit Society, a corporation. The only persons shown of record in Baldwin County, Alabama to have any claim against the said land or any part thereof are W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation,

I, Evelyn Watts as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and \_\_\_\_\_ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

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

Given under my hand and seal, this 5 day of June, 1958.

Evelyn Watts (L. S.)

No. _____	Page _____
<b>THE STATE OF ALABAMA,</b> BALDWIN COUNTY	
<b>IN CIRCUIT COURT, IN EQUITY</b>	
Robertsdale Camp No. 462, Woodmen of the World,	
COMPLAINANT	
vs. W. A. Dalby, et al	
RESPONDENT	
<b>ORAL DEPOSITION</b>	
Filed <u>June 5</u> , 19 <u>58</u>	Register.
RECORDED IN	
Record _____	Register _____
Vol. _____	Page _____

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 4237

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the following:

1. Original summons and complaint.
2. Lis Pendens filed for record in the Probate Office.
3. Proof of publication of notice in the Baldwin Times.
4. Decree pro confesso on publication.
5. Request for appointment of commissioner.
6. Commission to take deposition.
7. Notice of time of taking of testimony.
8. Appointment of guardian ad litem and acceptance.
9. Oral depositions of Ben Kucera and Harry J. Wilters Jr.

Dated this the 5 day of June, 1958.

Wilters & Brantley

BY: *Harry J. Wilters Jr.*  
Solicitors for the Complainant

*Dwight J. Brantley*  
Register

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a Corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

NOTE OF TESTIMONY

*Filed: June 5, 1938*  
*Deirdre W. W. W.*  
*Register*

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
A Corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 4237

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainant is the owner in fee simple of, is now and was at the time of the filing of the Bill of Complaint in this cause, in the actual and peaceable possession of the said lands, and each and every part and parcel thereof; that service was perfected upon W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, Respondents herein by publication in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, for four consecutive weeks commencing on the 13th day of March, 1958, and against the unknown heirs, devisees, grantees, personal representatives and assigns of the Respondents herein, and each of them, any any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land or any part or parcel thereof; that notice of the pendency of said suit was given by filing of a Lis Pendens Notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them, having failed to appear and plead, answer or demur to the Bill of Complaint, as required by law, a decree pro confesso was entered against them and each of them; that J. Connor Owens, a practicing attorney at law, in Bay Minette, Baldwin County, Alabama, was appointed guardian ad litem to represent the Respondents whose names were unknown, and duly filed his appearance agreeing to act as guardian

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 6-7-58 11 A.M.  
Recorded Reed book 266 page 61-3  
J.R. Stuart  
Judge of Probate



ad litem, and filed answer denying all the material allegations of the Complaint; and appeared and cross examined the witnesses for the Complainant; that the title of the Complainant has been duly and legally established by legal and competent evidence, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondents, W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, the unknown heirs, devisees, grantees, personal representatives and assigns of them and each of them, and also any and all persons, firms or corporations claiming any right, title to, interest in, lien and encumbrances upon the said lands, or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in Miscellaneous Book 1, page 56,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the full fee simple title to the said land in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in Miscellaneous Book 1, page 56,

is vested absolutely in the Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, and in the indirect index in the name of Robertsdale Camp No. 462, Woodmen of the World, A Fraternal Benefit Society, a corporation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Register 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, and that the cost thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainant pay the cost of this cause for which execution may issue.

Dated at Bay Minette, Baldwin County, Alabama, this the 5th day of June, 1958.

Hubert M. Hall  
CIRCUIT JUDGE

I, Alice J. Duch, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true copy of the original decree rendered by the Judge of the Circuit Court in the stated cause, which said decree is on file and enrolled in my office.

WITNESS MY HAND AND SEAL THIS THE 5th day of June, 1958

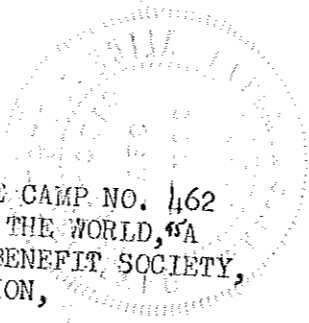
Alice J. Duch  
Register of Circuit Court, in Equity



RECORDED  
INDEXED  
SERIALIZED  
JUN 10 1958  
BALDWIN COUNTY, ALA.  
CLERK OF CIRCUIT COURT

BOOK 266  
PAGE 63

*Handwritten notes:*  
1958-6-5  
460



ROBERTSDALE CAMP NO. 462  
WOODMEN OF THE WORLD, "A"  
FRATERNAL BENEFIT SOCIETY,  
A CORPORATION,

COMPLAINANT

VS

Consolidated State Bank  
W. A. DALBY, ET AL,  
Redemption Firm, Corp. a)  
State Bank  
State Trust Co. as  
RESPONDENTS

FINAL DECREE

Register of Circuit Court in Entry

*[Faint, mostly illegible text, possibly a docket or case history, including names like 'W. A. Dalby' and 'Consolidated State Bank']*

200-613

Rec- 200  
Mrs. Duch

June, 1929.

Filed in the Circuit Court of the City and County of St. Louis, Missouri, for the purpose of recording the same.

IT IS HEREBY ORDERED that the said instrument be and it is so ordered.

Circuit Court  
Joseph M. Hill

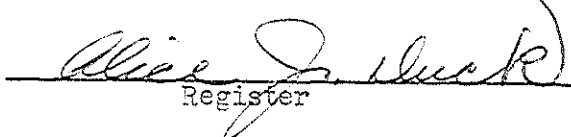
BOOK 588 PAGE 83

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons W. A. DALBY, SUMMERDALE INVESTMENT COMPANY, a corporation, ROBERTSDALE STATE BANK, a corporation, CONSOLIDATED STATE BANK, a corporation, RECONSTRUCTION FINANCE CORPORATION, a corporation, and their heirs or devisees, if deceased, the unknown heirs, devisees, grantees, personal representatives and assigns of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by ROBERTSDALE CAMP NO. 462, WOODMEN OF THE WORLD, a Fraternal Benefit Society, a corporation, as Complainant.

WITNESS my hand this the 8 day of March, 1958.

  
Register

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

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

Your Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation, presents this its Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in Miscellaneous Book 1, page 56.

and also against W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, their heirs or devisees, if deceased, and also against any other person, firms or corporations claiming any right, title to, interest in, or encumbrance against said land or any part thereof, and respectfully represents and shows unto Your Honor as follows:

1.

That your Complainant is a corporation which was formed and organized in Baldwin County, Alabama, and has its principle office in the said county.

2.

That W. A. Dalby is over twenty-one years of age and if living a non-resident of the State of Alabama; and if dead his heirs, assigns, devisees, grantees and personal representatives are non-residents of the State of Alabama, and over twenty-one years of age; that a diligent search and inquiry has been made and caused to be made to ascertain the present addresses of the Respondents and whether or not either of them is dead and if so the names, ages and residences of their heirs and next of kin, and from all information obtainable the said parties are all non-residents of the State of Alabama, over twenty-one years of age and that their post office addresses cannot be ascertained; that from all information obtainable the Robertsdale State Bank, Consolidated State Bank, Summerdale Investment Company, and Reconstruction Finance Corporation are corporations which are now defunct and they have no one resident in Baldwin County, Alabama, upon whom service can be perfected; that an examination has been made of the land and tax records of Bay Minette, Alabama, the county seat of Baldwin County, Alabama, inquiries have been made of persons in and around Robertsdale, Alabama, the vicinity in which the lands are located and no information can be obtained as to the addresses of the individual respondent.

3.

That your Complainant is the owner in fee simple and in the actual possession of the lands herein described in Baldwin County, Alabama, and being described as follows:

Lot 7, Block 23, Town of Robertsdale as recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, page 56.

4.

That no suit is pending to test the Complainant's title to, interest in, or rights of possession; that the Complainant therefore calls upon the Respondents and each of them separately and severally to set forth and specify what right, title, interest, in, lien or encumbrance the said Respondents and each of them have in and to said lands and by what instrument the same is derived and/or created.

5.

That the Complainant acquired title to the lands above described by being in the actual, peaceable and exclusive possession of the said lands, claiming ownership thereof for a period of twenty consecutive years, next preceding the filing of its Bill of Complaint; It also having annually listed and assessed the lands herein described for taxation for a period of twenty consecutive years in Baldwin County, Alabama, the county wherein the lands lies; no other person, firms or corporations having listed, assessed or paid taxes thereon during any part of the said period.

6.

That the title to said lands stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of your Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation.

7.

That no one has at any time within ten years next preceding the filing of this Bill of Complaint paid any taxes upon said lands, or had any possession other than your Complainant, Robertsdale Camp No. 462, Woodmen of the World.

8.

That the only persons shown by the records of Baldwin County, Alabama, to have any claim against said land or any part thereof are W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, and Reconstruction Finance Corporation, a corporation.

WHEREFORE, the premises considered, your complainant prays that Your Honor will by proper process make the said W. A. Dalby, his heirs or devisees, if dead, the unknown heirs, devisees, grantees, personal representatives successors and assigns of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation and Reconstruction Finance Corporation, a corporation, and any other person, firms or corporations claiming any right, title to, interest in or encumbrance upon the said lands in Baldwin County, Alabama, to-wit:

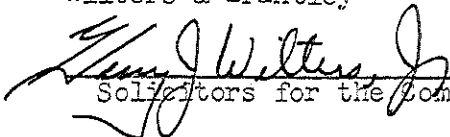
Lot 7, Block 23, Town of Robertsdale as recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, page 56.

or any part thereof, parties respondent to this Bill of Complaint, and require them, and each of them to appear and answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing hereof Your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances, to the lands herein described and to each and every part and parcel thereof, is vested in your Complainant, Robertsdale Camp No. 462, Woodmen of the World, a Fraternal Benefit Society, a corporation, and that neither W. A. Dalby, and his heirs or devisees, if dead; Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, nor any other person, firm or corporation, has any right, title to, interest in, or encumbrance upon the lands or any part or parcel thereof, and that any and all doubts and disputes concerning the land be cleared up.

Your Complainant prays for such other, further, different or general relief as it may be in equity and good conscience be entitled to receive.

Wilters & Brantley

  
Solicitors for the Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned authority, in and for said County, in said State personally appeared Harry J. Wilters Jr., who is known to me, and who having been by me first duly sworn, deposes and says: that he is solicitor of record for the Complainant in the within cause; that he is authorized to make this affidavit; that from all information obtainable after a diligent search and inquiry the facts contained in the foregoing bill of complaint are true and correct.

Sworn to and subscribed before me on this the 7 day of March, 1958.

**FILED**

MAR 8, 1958

ALICE J. DUCK, CLERK  
REGISTER

073

  
Notary Public, Baldwin County, Alabama

42307

ROBERTSDALE CAMP NO. 462  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

BILL OF COMPLAINT

FILED  
MAR 8 1958

ALICE L. BUCK, Register



ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, a  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

4239

BOOK 004 PAGE 413

LIS PENDENS NOTICE

It having been made to appear, in the above styled cause by proper affidavit that W. A. Dalby is over twenty-one years of age and if living a non-resident of the State of Alabama; and if dead his heirs, assigns, devisees, grantees and personal representatives are non-residents of this State and over twenty-one years of age, and whose address cannot be ascertained after a diligent search and inquiry; that Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, were corporations, which are now defunct, and they have no one resident in Baldwin County, Alabama, upon whom service can be perfected; that Robertsdale Camp No. 462, Woodmen of the World, a fraternal Benefit Society, is an Alabama Corporation with its principle office in Baldwin County, Alabama, and the owner in fee simple of and in the actual, peaceable possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, page 56.

That the Complainant acquired title to the lands above described by being in the actual, peaceable and exclusive possession of the said lands, claiming ownership thereof for a period of twenty consecutive years, next preceding the filing of this Bill of Complaint; it also has annually listed and assessed the land herein described for taxation for a period of twenty consecutive years in Baldwin County, Alabama, the county wherein the land lies; no other persons, firms or corporation having listed, assessed or paid taxes thereon during any part of the said period.

074

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 3-8-58 10 A.M.  
Recorded *L. S. Pond* book 4 page 413-14  
*M. R. Stewart*  
Judge of Probate 4

IT IS THEREFORE ORDERED and notice is hereby given that W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, the unknown heirs, devisees, personal representatives, grantees, successors and assigns of W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, and any other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the Bill of Complaint on or before the 11th day of April, 1958, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 8 day of March, 1958.

*Alice J. Duck*  
 \_\_\_\_\_  
 Register

Wilters & Brantley  
 Solicitors for the Complainant.

7-8-58

8

4237

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,  
*State Investment Co.*  
*Rhode State Bank*  
*Consolidated State Bk.* COMPLAINANT  
*Reconstruction Finance Corp.*

VS

W. A. DALBY, ET AL,  
RESPONDENTS

LIS PENDENS NOTICE

4-4-58-14

FILED  
MAR 8 1958  
ALICE L. BACK, Register

R 1-50

~~Harry Stubbins~~  
Alice Duck  
BM

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

Ø  
Ø IN THE CIRCUIT COURT OF  
Ø BALDWIN COUNTY, ALABAMA,  
Ø  
Ø IN EQUITY  
Ø NO. 4237

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

Now comes the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 8th day of March, 1958, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, in its issues of March 13th, March 20th, March 27th and April 3, 1958, and was directed to W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, the unknown heirs, devisees, personal representatives, and grantees, of them and each of them, and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrances upon the following described land situated in Baldwin County, Alabama, to-wit:

Lot 7, Block 23, Town of Robertsdale as recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Miscellaneous Book 1, page 56.

as Respondents, which required the said Respondents to answer or demur to the Bill of Complaint within thirty days after the 14th day of April, 1958, which said respondents have to this day failed to do.

WHEREFORE, the Complainant moves the court to grant a decree pro confesso against the said Respondents.

Dated this the 31 day of May, 1958.

**FILED**

MAY 31 1958

ALICE J. DUCK, CLERK  
REGISTER

Wilters & Brantley

BY: *Harry J. Wilters*  
Solicitors for the Complainant

*Wilters  
Branley  
Branley*

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
FRATERNAL BENEFIT SOCIETY,  
A CORPORATION,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

MOTION FOR DECREE PRO CONFESSO  
BY PUBLICATION

*Filed May 31, 1958*

*Alvin J. [unclear]  
Register*

ROBERTSDALE CAMP NO. 462,  
WOODMEN OF THE WORLD, A  
Fraternal Benefit Society,  
a corporation,

COMPLAINANT

VS

W. A. DALEY, ET AL,

RESPONDENTS

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 4237

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the court that the order of publication heretofore made in this cause was published four consecutive weeks commencing on the 13th day of March, 1958, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in Baldwin County, Alabama, on the 13th day of March, 1958, and it now further appearing to the court that the said W. A. Dalby, Summerdale Investment Company, a corporation, Robertsdale State Bank, a corporation, Consolidated State Bank, a corporation, Reconstruction Finance Corporation, a corporation, the unknown heirs, devisees, grantees, personal representatives and assigns of them and each of them, Respondents, have to date hereof failed to plead, answer or demur to this Bill of Complaint.

It is therefore on motion of the Complainant, ordered, and decreed, by the court, that the said Bill of Complaint be and it is hereby, in all things, taken as confessed against the Respondents named in this cause.

Witness my hand this the 2 day of ~~May~~<sup>June</sup>, 1958.

Alfred. Smith  
Register

ROBERTSDALE CAMP NO. 1462,  
WOODMEN OF THE WORLD, A  
FRATERNAL BENEFIT SOCIETY,  
A CORPORATION,

COMPLAINANT

VS

W. A. DAIBY, ET AL,

RESPONDENT

DECREE PRO CONFESSO BY PUBLICATION

*Filed: June 2, 1958*

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*Register*

ROBERTSDALE CAMP NO. 1462,  
WOODMEN OF THE WORLD, a  
Fraternal Benefit Society,  
a Corporation,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

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

APPOINTMENT AND ACCEPTANCE OF GUARDIAN AD LITEM

It appearing to the Court from the allegations of the Bill of Complaint filed in the above entitled cause and from the averments of the Affidavit filed in support of such Bill of Complaint that some of the Respondents are non-residents of the State of Alabama and are unknown parties, it is therefore, by the court, Ordered, Adjudged and Decreed:

That *J. J. Owens, Jr.* ~~*Wilson Hayes*~~ be and he is hereby appointed as guardian ad litem for all the unknown parties, Respondents, in this cause, and that he be forthwith notified by the Register of such appointment, and upon his acceptance of this notice, that service be had in this cause by serving a copy of the original Bill of Complaint in this cause on him as guardian ad litem for all unknown parties Respondents.

*Alice J. Duck*  
Register

Comes now *J. J. Owens, Jr.* and accepts the appointment of guardian ad litem for the unknown heirs in the above styled cause.

*J. J. Owens, Jr.*  
Guardian ad Litem

And for answer to this Bill of Complaint says: that he denies each and every allegation contained therein and demands strict proof thereof.

*J. J. Owens, Jr.*  
Guardian ad Litem.

**FILED**  
JUN 2 1958  
ALICE J. DUCK, CLERK  
REGISTER



1135

ROBERTSDALE CAMP NO. 1462,  
WOODMEN OF THE WORLD, A  
FRATERNAL BENEFIT SOCIETY,  
A CORPORATION,

COMPLAINANT

VS

W. A. DALBY, ET AL,

RESPONDENTS

APPOINTMENT OF GUARDIAN  
AD LITEM, AND ACCEPTANCE

*filed 6-2-58  
Alice J. Duck,  
Register*