STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons EDWIN WARLEY, MRS. L. MAE STODDARD, A. N. HAYSELDEN, KATHERINE S. HAYSELDEN, AND HENRY LEVINS, the unknown heirs, devisees, grantees, personal representatives and assigns of Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden and Henry Levins, 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 EDGAR NIMS, as Complainant, against Edwin Warley, et al, as Respondents.

WITNESS my hand this the 5th day of March, 1955.

Register

EDGAR NIMS	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA,
VS	)	IN EQUITY
EDWIN WARLEY, ET AL,	)	
RESPONDENTS	)	

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

Your Complainant, Edgar Nims, presents this his Bill of Complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

> Lots 3 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale, according to the plat of Stoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86, in the office of the Probate Judge of Baldwin County, Alabama.,

and also against Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, Henry Levins, and against their heirs, and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns, and also against any other person, firm or corporation 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 over twenty-one years of age and a resident of Baldwin County, Alabama.

2.

That Mrs. L. Mae Stoddard is over the age of twenty-one years, and a non-resident of the State of Alabama, and whose address is believed to be

1961 Selby Street, West Los Angeles, California; that Edwin Warley, A. N. Hayselden, and Katherine S. Hayselden are over the age of twenty-one years and are non-residents of the State of Alabama, and whose address cannot be ascertained after a diligent search and inquiry; that Henry Levins is over twenty-one years of age and a resident of Baldwin County, Alabama.

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 as follows:

> Lots 3 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale, according to the plat ofStoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86, in the office of the Probate Judge of BaldwinCounty, Alabama.

4.

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

5.

That the Complainant acquired title to said property as follows: deed from the State Land Commissioner of Alabama dated November 1, 1944, and of record in Deed Book 91 NS, page 275, conveying Lots 4 to 11, inclusive, Block 8, Stoddard GroveAddition to Robertsdale; Cleone Carswell and V. C. Carswell, wife and husband, by a warranty deed dated September 4, 1943, and of record in Deed Book 81 NS, pages 247-8, conveying Lot 3, Block 8, Stoddard Grove Addition to Robertsdale.

6.

That the title to said lands claimed by your Complainant stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of Edgar Nims.

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 thereof other than your Complainant.

That the only persons known byjour Complainant to have any claim upon or against said land or any part thereof, other than the Complainant are Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden and Henry Levins.

9.

That Your Complainant has made and caused to be made a diligent search and inquiry, having the records searched at Bay Minette, Alabama, and also inquiring of various parties in and around Robertsdale, Alabama, where the land is located to ascertain the whereabouts of the Respondents if living or dead, their heirs, devisees, grantees, successors, personal representatives and assigns, but after such diligent search the information is unknown.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins, the unknown heirs, devisees, grantees, personal representatives and assigns of Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon the said lands in Baldwin County, Alabama, to-wit:

> Lots 3 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale, according tothe plat of Stoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86 in the office of the Probate Judge of Baldwin County, Alabama,

or any part thereof, parties respondents to the 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 prescrited by law and the practice of the 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, Edgar Nims, and that neither, Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, or Henry Levins, the unknown heirs,

devisees, personal representatives, successors, grantees, and assigns of Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, or Henry Levins, now 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 he may be in equity and good conscience entitled to receive.

Wilters & Brantley

BY: Harry J. Wilters, Jr.
Solicitors of the Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for the 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 for the Complainant in the above styled cause, is authorized to make this affidavit; that from all information obtainable the facts contained in the foregoing bill of complaint are true and correct.

Harry J. Wilters, Jr.

Sworn to and subscribed before me on this the 15th day of March, 1955.

Notary Public, Baldwin County, Alabama

EDGAR NIMS COMPLAINANT VS EDWIN WARLEY, ET AL, RESPONDENTS	)))))	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY NO. 3481

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decrees 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 land, and each and every part and parcel thereof; that service was perfected by Registered Mail upon L. Mae Stoddard; that service was perfected by personal service upon Henry Levins; that service was perfected upon all the Respondents herein by publication in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, for four consecutive weeks commencing on the 10th day of March, 1955; that service was perfected by publication in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, for four consecutive weeks beginning with its issue of March 10, 1955, against the unknown heirs, devisees, grantees, personal representatives and assigns of the respondents herein, and each of them, and 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 the 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 Wilson Hayes, 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, Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins, the unknown heirs, devisees, 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 or encumbrance upon the said land, 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:

Lots 3 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale, according tothe plat of Stoddard Grove Addition to Robertsdale, recorded in Map Bookl, page 86, in the office of the Probate Judge of BaldwinCounty, Alabama.

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

Lots 3 to 11, inclusive, Block Stoddard Grove Addition to Robertsdale, according to the plat of Stoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86, in the office of the Probate Judge of Baldwin County, Alabama,

is vested absolutely in the Complainant, Edgar Nims.

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 Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden and Henry Levins, and in the indirect index in the name of Edgar Nims.

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 costs thereof be taxed in the costs of this cause.

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

Dated at Bay Minette, Baldwin County, Alabama, this the 10th day of April, 1956.

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 10 day of April 1956

Alice J. Duck
Register of Circuit Court, In Equity

STATE OF ALABAMA, BALDWIN COUNTY
Filed 8-17-56 2:40 P.M.
Recorded Decl book 242 page 371-3
M C Stuart
Judge of Probate

BOOK 242 PAGE 373

17 3481

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

242-371-3

FINAL DECREE

STATE OF ALABAMA BALDWIN COUNTY

I hereby certify this instrument was filed on the date and time stamped hereon and recorded in Book and page as shown hereon.

Judge of Probate

Dated at Bay Minette, Baldwin County, Alabama, this the 10th day of April, 1956.

Robert M. Hall

Judge

BOOK 343 PAGE 313

B-225 Mr. Duck

ORAL DEPOSITION Printed by the Baldwin Times, Bay Minette, Alabama.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Edgar Nims Complainant

VS.

Edwin Warley, et al, Respondent

I, Evelyn Watts

as ~~Register and~~ Commissioner

have called and caused to come before me Edgar Nims and Harry J. Wilters Jr.

witness es named in the Requirement for Oral Examination, on the 6 day of April 194 56, at the office of Wilters and Brantley in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Edgar Nims and Harry J. Wilters Jr. doth depose and say as follows:

My name is Edgar Nims. I am the complainant in this case and I am over twenty-one years of age and a resident of Baldwin County, Alabama. Mrs. Stoddard is over twenty-one years old and whose address is 1961 Selby Street West, Los Angeles California. EdwinWarley, A. N. Hayselden and Catherine S. Hayselden are all over twenty-one years old and non-residents of this state. These people addresses cannot be found and I have had a diligent search and inquiry made in and around Robertsdale to find them. Henry Leavins is over twenty-one years old and resides in Robertsdale. I am the owner in fee simple to the lands described in the bill of complaint and I am now in actual possession of all these lots. There is no suit in court to test my title, interest or rights of possession to this land. I obtained title to the described lots through the following deeds: Deed from State Land Commissioner dated November 1, 1944, recorded in Deed Book 91 NS, page 270 conveying Lots 4 to 11, and a deed from Cleone Carswell and V. C. Carswell husband and wife, by a warranty deed dated September 4, 1943, recorded in Deed Book 81 NS, page 247, conveying Lot 3, Block 8, Stoddard Addition to Robertsdale. The title to all these lots are in my name and are recorded in the office of the Judge of Probate of Baldwin County, Alabama. No one has paid taxes or had any possession of this land for ten years next preceding the filing of my complaint except me. The only people that I know to have any claim upon oragainst these lots are Edwin Warley, Mrs. L.Mae Stoddard, A. N. Hayselden, Catherine S. Hayselden, and Henry Leavins.

Edgar Nims

My name is Harry J. Wilters Jr. I have known Edgar Nims for more than ten years and I know that he has had possession to lots 3 to 11 inclusive, Block 8 Stoddard Grove Addition to Robertsdale. Mr. Nims has lived upon the property since 1944 and has had a garden on most of these lots. To my memory he has planted a garden covering at least 7 of these lots nearly every year since 1944. From 1944 to 1949 I resided within two blocks of these lots in question and since then have frequently visited that area.

Harry J Wilters Jr

ORAL EXAMINATION.

I, Edgar Nims, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 6 day of April, 1956.

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Edgar Nims

vs. Complainant

Edwin Warley, et al,

Respondent.

Oral Deposition

Filed FILED, 194

APR 9 1956, Register.

Recorded in ALICE J. DALE, Register Record

Vol. _____ Page _____

_____, Register.

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
EDWIN WARLEY, ET AL,	)	IN EQUITY
RESPONDENTS	)	NO. 3481

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. Decree pro confesso on registered mail.
6. Decree pro confesso on personal service.
7. Request for appointment of commission.
8. Commission to take deposition.
9. Notice of time of taking testimony.
10. Appointment of guardian ad litem and acceptance.
11. Oral depositions of Edgar Nims and Harry J. Wilters, Jr.

Dated this the 6 day of april, 1956.

Wilters & Brantley

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

Register

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

NOTE OF TESTIMONY

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
EDWIN WARLEY, ET AL,	)	IN EQUITY
RESPONDENTS	)	NO. 3481

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:

Edgar Nims,	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 5 day of april, 1956.

Wilters & Brantley

BY: Harry J. Wilters Jr.

Solicitors for the Complainant

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

REQUEST FOR APPOINTMENT
OF COMMISSIONER

Filed April 5, 1956
Alice J. Nauck
Register

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
EDWIN WARLEY, ET AL,	)	IN EQUITY
RESPONDENTS	)	NO. 3481

APPOINTMENT OF GUARDIAN AD LITEM AND ACCEPTANCE

It appearing to the court that some of the Respondents in the above styled cause are unknown, and that their names and addresses cannot be ascertained after a diligent search and inquiry.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that Wilson Hayes, a practicing attorney at Bay Minette, Baldwin County, Alabama, be and he is hereby appointed guardian ad litem to represent and protect the interest of the respondents in the above styled cause, whose names and addresses are unknown, and cannot be ascertained after a diligent search and inquiry.

IT IS FURTHER ORDERED that the said Wilson Hayes, be notified of his appointment, and of the time fixed to take testimony in the cause.

Dated this the 5 day of Apr, 1956.

Denis J. Verch

I hereby consent to act as guardian ad litem in the above styled cause for all parties whose names and addresses are unknown and cannot be ascertained after a diligent search and inquiry. I, as guardian ad litem for the unknown respondents, deny all the material allegations contained in the bill of complaint and demands strict proof of the same.

Dated this the 5th day of April, 1956.

Wilson Hayes
Guardian ad Litem

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

APPOINTMENT OF GUARDIAN AD LITEM

AND ACCEPTANCE

Filed april 5, 1956
Aris J. Deuck
Register

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA,
VS	)	
	)	IN EQUITY
EDWIN WARLEY, ET AL,	)	
RESPONDENTS	)	

LIS PENDENS NOTICE

It having been made to appear in the above styled cause by proper affidaivt that Mrs. L. Mae Stoddard is over the age of twenty-one years, and a non-resident of the State of Alabama, and whose address is believed to be 1961 Selby Street, West Los Angeles, California; that Edwin Warley, A. N. Hayselden, Katherine S. Hayselden are over the age of twenty-one years and are non-residents of the State of Alabama and whose address cannot be ascertained after a diligent search and inquiry; that Henry Levins is over twenty-one years of age and a resident of Baldwin County, Alabama; that Edgar Nims is over twenty-one years of age, and a resident of Baldwin County, Alabama, and is the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

> Lots 3 to 11, inclusive, Block 8, StoddardGrove Addition to Robertsdale, according to the plat ofStoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86, in the office of the Probate Judge of Baldwin County, Alabama.

That the Complainant acquired title to the said lands by a deed from the State Land Commissioner of Alabama dated November 1, 1944, and of record in Deed Book 91 NS, page 275, conveying Lots 4 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale; Cleone Carswell and V. C. Carswell, wife and husband, by a warranty deed dated September 4, 1943, and of record in Deed Book 81 NS, pages 247-8, conveying Lot 3, Block 8, Stoddard Grove Addition to Robertsdale; 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 possessionthere of other than the Complainant.

It is therefore ordered and notice is hereby given that the said Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins, the unknown heirs, devisees, personal representatives, grantees, successors and assigns of Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden,

Katherine S. Hayselden, and Henry Levins, and any other person, firms or corporation 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 5th day of April, 1955, 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, 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 5th day of March, 1955.

Alice J. Duck
Register

Wilters & Brantley
Solicitors for the Complainant

3481

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENT

LIS PENDENS NOTICE

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
EDWIN WARLEY, ET AL,	)	IN EQUITY
RESPONDENTS	)	NO. 3481

NOTICE OF TIME OF TAKING TESTIMONY

To: Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins:

Notice is hereby given that the Complainant willon the 6 day of april, 1956, before Evelyn Watts, as special commissioner take the testimony of the following witnesses:

Edgar Nims	Robertsdale, Alabama
Harry J. Wilters Jr.	Bay Minette, Alabama.

Dated this the 5 day of april, 1956.

Wilters & Brantley

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

Evelyn Watts
Special Commissioner

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

NOTICE OF TIME OF TAKING TESTIMONY

FILED
APR. 5 1956
ALICE L. DUCK, Register

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
EDWIN WARLEY, ET AL,	)	IN EQUITY
RESPONDENTS	)	NO. 3481

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decrees 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 land, and each and every part and parcel thereof; that service was perfected by Registered Mail upon L. Mae Stoddard; that service was perfected by personal service upon Henry Levins; that service was perfected upon all the Respondents herein by publication in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, for four consecutive weeks commencing on the 10th day of March, 1955; that service was perfected by publication in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, for four consecutive weeks beginning with its issue of March 10, 1955, against the unknown heirs, devisees, grantees, personal representatives and assigns of the respondents herein, and each of them, and 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 the 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 Wilson Hayes, 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, Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins, the unknown heirs, devisees, 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 or encumbrance upon the said land, 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:

Lots 3 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale, according tothe plat of Stoddard Grove Addition to Robertsdale, recorded in Map Bookl, page 86, in the office of the Probate Judge of BaldwinCounty, Alabama.

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

Lots 3 to 11, inclusive, Block Stoddard Grove Addition to Robertsdale, according to the plat of Stoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86, in the office of the Probate Judge of Baldwin County, Alabama,

is vested absolutely in the Complainant, Edgar Nims.

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 Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden and Henry Levins, and in the indirect index in the name of Edgar Nims.

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 costs thereof be taxed in the costs of this cause.

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

Dated at Bay Minette, Baldwin County, Alabama, this the 10 day of April, 1956.

Hubert M Hall
JUDGE

RECORDED

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

FINAL DECREE

FILED
APR 10 1956
MABEL L. DEBO, Registrar

JIMMY FAULKNER
PUBLISHER

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

LEGAL NOTICE

LIS PENDENS NOTICE
In The Circuit Court Of
Baldwin County, Alabama,
In Equity

EDGAR NIMS
Complainant
VS.
EDWIN WARLEY, ET AL,
Respondents

It having been made to appear in the above styled cause by proper affidavit that Mrs. L. Mae Stoddard is over the age of twenty-one years, and a non-resident of the State of Alabama, and whose address is believed to be 1961 Selby Street, West Los Angeles, California; that Edwin Warley, A. N. Hayselden, Katherine S. Hayselden are over the age of twenty-one years and are non-residents of the State of Alabama and whose address cannot be ascertained after a diligent search and inquiry; that Henry Levins is over twenty-one years of age and a resident of Baldwin County, Alabama; that Edgar Nims is over twenty-one years of age, and a resident of Baldwin County, Alabama, and is the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-witt:

Lots 3 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale, according to the plat of Stoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86, in the office of the Probate Judge of Baldwin County, Alabama.

That the Complainant acquired title to the said lands by a deed from the State Land Commissioner of Alabama dated November 1, 1944, and of record in Deed Book 91 NS, page 275, conveying Lots 4 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale; Cleone Carswell and V. C. Carswell, wife and husband, by a warranty deed dated September 4, 1943, and of record in Deed Book 81 NS, pages 247-8, conveying Lot 3, Block 8, Stoddard Grove Addition to Robertsdale; 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 there of other than the Complainant.

It is therefore ordered and notice is hereby given that the said Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins, the unknown heirs, devisees, personal representatives, grantees, successors and assigns of Edwin Warley, Mrs. L. Mae Stoddard, A. N. Hayselden, Katherine S. Hayselden, and Henry Levins, and any other person, firms or corporation 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 5th day of April, 1955, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confess o 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, 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 5th day of March, 1955.

ALICE J. DUCK,
Register

Wilters & Brantley
Solicitors for the Complainant
8-4tc

LABAMA

IDAVIT OF PUBLICATION

Nissette, Jr. being duly sworn, deposes and says
ER of THE BALDWIN TIMES, a Weekly Newspaper pub-
Baldwin County, Alabama; that the notice hereto attached of

r Nims vs.
in Warley

COST STATEMENT

DS @ 6½ cents — — — $ 35.49
s it correct, due and unpaid (paid).

E. R. Monnette Jr.
Editor ~~Publisher.~~

ewspaper for 4 consecutive weeks in the following issues:

n Mar. 10, 195 Vol. 66 No. 8
n Mar. 17, 195 Vol. 66 No. 9
on Mar. 24, 195 Vol. 66 No. 10
on Mar. 31, 195 Vol. 66 No. 11

n before the undersigned this 1 day of Apr., 195

Dorothy Minter
Notary Public, Baldwin County.

E. R. Monnette Jr.
Editor ~~Publisher.~~

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

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 Edgar Nims and Harry J. Wilters Jr.

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Edgar Nims is

, Complainant

and Edwin Warley, et al, are

Respondent

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

Witness 5 day of april, 195 6

Register.

Commissioner's Fee, $

Witness' Fees, $

No._____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Edgar Nims

Complainant

VS.

Edwin Warley, et al

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Edgar Nims

Harry J. Wilters Jr.

Filed April 5, 1956

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
EDWIN WARLEY, ET AL,	)	IN EQUITY
RESPONDENTS	)	NO. 3481

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 5th day of March, 1955, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, in its issues of March 10, March 17, March 24 and March 31, 1955, and was directed to Mrs. L. Mae Stoddard, Edwin Warley, A. N. Hayselden, Katherine S. Hayselden, Henry Levins, the unknown heirs, devisees, personal representatives and assigns 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:

> Lots 3 to 11, inclusive, Block 8, Stoddard Grove Addition to Robertsdale, according to plat of Stoddard Grove Addition to Robertsdale, recorded in Map Book 1, page 86, in the office of the Probate Judge of Baldwin County, Alabama,

as Respondents, which required the said respondents to answer or demur to the bill of complaint within thirty days after the 5th day of April, 1955, 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 4 day of April, 1956.

Wilters & Brantley

BY: Gary J. Wilters

Solicitors for the Complainant

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

MOTION FOR DECREE PRO CONFESSO
ON PUBLICATION

Filed April 4, 1856
Alice A. Neuck
Register

EDGAR NIMS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
EDWIN WARLEY, ET AL,	)	IN EQUITY
RESPONDENTS	)	NO. 3481

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing tothe court that the order of publication heretofore made in this cause was published four consecutive weeks commencing on the 10th day of March, 1955, 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 10th day of March, 1955, and it now furtherappearing to the court that the said Mrs. L. Mae Stoddard, Edwin Warley, A. N. Hayselden, Katherin S. Hayselden, Henry Levins, 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 5 day of April, 1956.

Register

EDGAR NIMS

COMPLAINANT

VS

EDWIN WARLEY, ET AL,

RESPONDENTS

DECREE PRO CONFESSO ON PUBLICATION

Filed April 5, 1956
Alice J. Merck
Registrar

8600 - Motion for Decree Pro Confesso After Service by Registered Mail. B.T. 1-47-200

The State of Alabama,
Baldwin County.

No. 3481 CIRCUIT COURT, IN EQUITY.

Edgar Nims Complainant

Vs.

Edwin Warley, et al, Defendant

Motion is hereby made for a Decree Pro Confesso against L. Mae Stoddard

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant..... has.... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 4 day of April, 1956.

Thos J Walters Jr, Solicitor.

No. ..... Page .....

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

Edgar Hims

Vs.

Edwin Warley, et al.

MOTION FOR DECREE PRO CONFESSO AFTER NOTICE BY REGISTERED MAIL

Filed April 4, 1956

Alice Jones
Register.

Recorded in ..... Record,

Vol. ..... Page .....

Register.

The Baldwin Times, Bay Minette, Ala.

8602 DECREE PRO CONFESSO AFTER NOTICE BY REGISTERED MAIL BT-7-49-200

Edgar Nims

Vs.

Edwin Warley, et al,

CIRCUIT COURT OF
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 5 day of March, 1955, a copy of the Bill of Complaint filed in this cause was sent to L. Mae Stoddard

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 14 day of March, 19 55, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged 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 L. Mae Stoddard Defendant.

This the 5 day of April, 19 56

Register.

No. 3481

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

Edgar Nims

Vs.

Edwin Warley, et al,

DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL

Filed in office this 5 day of
April, 1956
Alice J. Henock, Register

Entered in O. B. _____ Page _____

The Baldwin Times, Bay Minette, Alabama

8600 Motion for Decree Pro Confesso on Personal Service. 3107 Code MPCO.

THE STATE OF ALABAMA,
Baldwin County } No. 3481 Circuit Court, In Equity.

Edgar Nims Complainant

Vs.

Edwin Warley, et al, Defendant

Motion is hereby made for a Decree Pro Confesso against Henry Levins

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 4 day of April 19 56

Harry J Walters Jr
Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

Edgar Nims

Vs.

Edwin Warley, etal,

Motion for Decree Pro Confesso on Personal Service

Filed April 4 1956

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

Edgar Nims, Complainant,
Vs.
Edwin Warley, et al, Respondent.

In the Circuit Court.
In Equity No. 3481.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent Henry Levins

by the Sheriff of Baldwin County, on the 9th day of March, 1955.

And it further appears to the Register, that that the said Henry Levins

the Respondent, having to the date hereof, failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore, on motion of Wilters & Brantley Solicitors for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be, and it hereby is, in all things taken as confessed against the said Henry Levins

This 5 day of April, 1956.

Alice L. Merrick
Register.

No. _____

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

Edgar Nims

Complainant,

Vs.

Edwin Warley, et al,

Respondent.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

Issued this 5 day of April 1956.

Register.

THE BALDWIN TIMES

1863