

John W. Seals,
 Complainant
 No. 3864 Vs.
 Lands Described in the Bill, etc.
 Defendant

BALDWIN
 CIRCUIT COURT OF ~~MOBILE~~
 COUNTY, ALABAMA
 IN EQUITY

DEMAND FOR ORAL EXAMINATION

The State of Alabama }
~~Mobile~~ County }
 Baldwin

The Complainant requests the oral examination of the following named witnesses on his behalf, viz.: David Knott (Latham, Ala); John W. Seals (Latham); Vicie Seals Ankum (Latham); Percy Seals, Jr. (Prichard, Ala.); Lydia Nell Seals Gray (Latham).

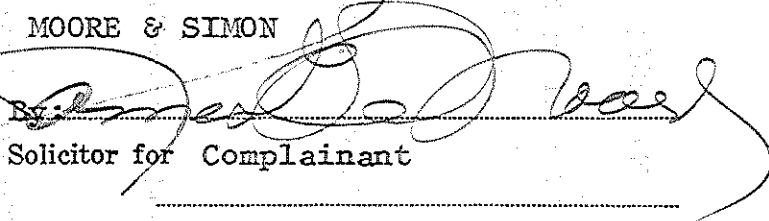
said witnesses reside in the County of Baldwin, State of Alabama

Eunice M. Gollotte, who reside at Mobile, Alabama

is suggested as a suitable person to be appointed Commissioner to take deposition of said witness on such oral examination.

Filed 10-20-57

~~WYKESWORTH XINXKXKTON~~, Register.
 ALICE J. DUCK,

MOORE & SIMON
 By: 
 Solicitor for Complainant

No. 3864

CIRCUIT COURT OF MOBILE COUNTY
Mobile, Alabama

John W. Seals

Vs.

Lands Described in Bill, etc.

DEMAND FOR ORAL EXAMINATION

JOHN W. SEALS,
Complainant

-VS-

LANDS DESCRIBED IN THE BILL,
ET AL,
Respondent

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA.
) IN EQUITY.
)
) NO. 3864
)
)

MOTION FOR REINSTATEMENT

Now comes the Complainant in the above styled cause, by his Attorney, and respectfully shows unto the Court as follows:

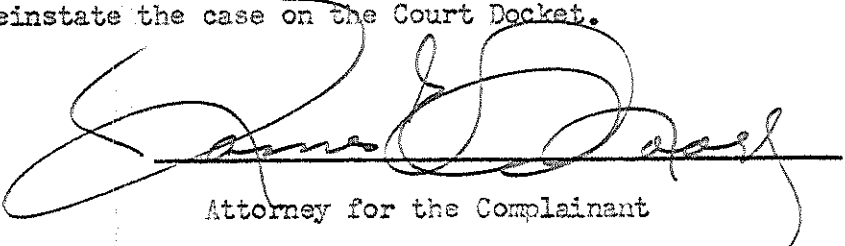
ONE

That the said cause was heretofore, on, to wit, June 17, 1958, dismissed by the Court of its own motion, without notice being previously given to Complainant or his attorney, and that Complainant was subsequently informed of this dismissal by the Clerk of the Court, by mail; whereupon your Complainant's Attorney promptly wrote the Court requesting the case be reinstated for that Complainant desires to prosecute the case through to a judgment.

TWO

That any delay in the prosecution of the case was occasioned by circumstances beyond Complainant's control, the same being occasioned by Complainant's attorney being located so distant from the Court, to wit, in Mobile, Alabama, and other conditions rendered it difficult for said Attorney to handle the matter sooner.

WHEREFORE, the premises considered, Complainant respectfully moves the Court to set aside its Order heretofore entered on June 17, 1958, dismissing this cause, and reinstate the case on the Court Docket.


Attorney for the Complainant

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3024

Sept.

TERM, 19 26

TO ANY SHERIFF OF THE STATE OF ALABAMA:

1. Della Knott Holmes, 2. David Knott, 3. Viola Scates
Anson, 4. Lydia Nell Scates Gray, 5. George James

You Are Hereby Commanded to Summon

6. George Bennetfield, 7. Lillie Mae Bennetfield, 8. Elmer Bennetfield,

9. Perry Scates, 10. H.L. Richardson

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in

the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against 1. Della Knott Holmes,
2. David Knott, 3. Viola Scates Anson, 4. Lydia Nell Scates Gray, 5. George James Scates,
6. George Bennetfield, 7. Lillie Mae Bennetfield 8. Elmer Bennetfield, 9. Perry Scates,
10. H. M. Richardson, Defendant

by

JOHN W. SCATES

Plaintiff

Witness my hand this

14th

day of

Sept.

19

Alice J. Deuker

Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

JOHN W. SEALES

Plaintiffs

vs.

DELIA KNOTT HONES, ET AL

Defendants

SUMMONS and COMPLAINT

Filed SEPT. 14th., 19 13

Alice J. Duck, Clerk

James E. Moore & Joseph H. Powers
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this, 19

by leaving a copy with

Sheriff

Deputy Sheriff

MOORE & POWERS

JOHN W. SEALES,	)	IN THE CIRCUIT COURT OF
Complainant)	
vs	)	BALDWIN COUNTY, ALABAMA
LANDS DESCRIBED IN THE BILL,)	
ET. AL,	)	IN EQUITY
Respondent	)	NO. _____

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

COMES JOHN WILLIAM SEALES, and brings this bill of complaint against the real property hereinafter described and against Delia Knott Holmes, Foley, Alabama; and David Knott, Latham, Alabama; heirs of Hector Knott, Deceased; and all other heirs of Hector Knott, if any there be, who are, to the Complainant, unknown, and their heirs and devisees if deceased; William Knott, heir of Ford Knott, Deceased, and his heirs and devisees if deceased, whose address is unknown to the complainant; and Vicie Seales Ankum, Latham, Alabama; Lydia Nell Seales Gray, Latham, Alabama; Perry Seales, Jr., Prichard, Alabama; Samuel Seales, Chicago, Illinois; George James Seales, a minor, Latham, Alabama, who constitute all of the heirs of Mary Knott Seales, Deceased, who was a daughter of the aforesaid Ford Knott, Deceased; and all and any other heirs of Wash Knott and Rachel Knott, both deceased, if any there be, who are, to the complainant, unknown; and against the heirs of Artie Kinnard, Deceased, if any there be and their heirs or devisees if deceased; and against George Bennefield, Sylacauga, Alabama; Lillie Mae Bennefield, Birmingham, Alabama, who is now married but whose married name is unknown to the complainant; and the heirs or devisees of Willie Bennefield, Deceased, if any there be and their heirs or devisees if deceased; and Elmer Bennefield, 257 North Washington Avenue, Mobile, Alabama, heir of Nettie Bassett,

Deceased, and any other heirs of Nettie Bassett, Deceased, if any there be, who are, to the Complainant, unknown, and their heirs or devisees if deceased; and against H. L. Richardson, 1932 Telegraph Road, Plateau, Alabama; and against all persons, firms or corporations claiming any right, title, interest, lien or encumbrance on said property or any part thereof, respectively shows unto the Court as follows:

1. That he is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama.

2. That he is the owner of and in the actual peaceful possession of said property, described as:

"All of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, Baldwin County, Alabama, containing 39 Acres and $93\frac{1}{100}$ of an acre, more or less."

3. That the Great Grandfather of the complainant, Wash Knott, acquired the above described land by U. S. Patent from the United States of America, on January 19, 1905; that on January 5, 1914, Wash Knott conveyed the above described land to Artie Kinnard and Atlas Williams by Warranty Deed reserving unto himself a Vendors Lien to secure payment of the purchase price; that there is no record of this purchase price ever being paid but that there is an indication that the Grantor or his heirs went back into possession of the land. That the said Wash Knott died intestate, leaving surviving him his widow, Rachel Knott, who later executed a Warranty Deed to Nettie Bassett on September 1, 1932, purporting to convey the North 20 Acres of the above described land; that this North Half was seized for taxes by the Tax Collector for the State of Alabama, and was redeemed by one George Bonnefield on May 26, 1945; that this land was again conveyed by the Tax Collector to the State of Alabama, and was redeemed by one H. L. Richardson on January 12, 1953; that the North Half is presently assessed to H. L. Richardson; that the taxes on the South Half to the

East 15 acres of the South Half have been paid by John William Seales, and is presently assessed in his name.

4. Complainant shows unto this Court that his mother and father have lived on the North Half of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, and that he and his father farmed the whole 40 acres; that, since the death of his father, he has farmed the entire 40 acres himself. Complainant shows that he is in peaceful and open possession of this land and has been for more than 25 years next preceding the filing of this bill of complaint.

5. That, other than said parties, complainant shows that no other person is known to him to claim said property or any part thereof or any interest therein at this time.

6. That all the parties are each over twenty-one years except George James Seales, who is a minor; and that all parties are living, except as otherwise noted, and of sound mind; that complainant has used reasonable diligence to ascertain the residence or Post Office address of the respondents, William Kott, Samuel Seales and Lillie Mae Bennetfield, but their residences or Post Office addresses are unknown after diligent inquiries to obtain the same.

7. That there is no suit pending to test his title, interest or right to possession of said property nor to test the right, claim, title or interest claimed by said parties before mentioned.

8. Complainant now makes parties that are living and the heirs or devisees of those that are dead party respondents to this bill of complaint and calls upon them to set forth and specify the title, claim, interest or encumbrance which they may have in or to the above described real property and how and by what instrument such claim, interest or encumbrances were derived or created.

PRAYER FOR PROCESS

Complainant prays that this Court have its process issue against the real property described and against each of the said respondents by personal service and by publication, commanding them to plead, answer or demur to this bill of complaint within the time required by law or that same be taken as confessed.

That notice of this action be given in the lis pendens records in the office of the Judge of Probate Court of Baldwin County, Alabama, and all other notices required by law.

Complainant further prays that his Honorable Court will appoint a Guardian Ad Litem to represent any minors who are respondents to this suit and Attorney Ad Litem for any party who may be in the armed forces.

PRAYER FOR RELIEF

That on the final hearing of this case, this Honorable Court will establish the right or title to said real property in your complainant and will clear up all doubts or disputes concerning same and will decree that complainant is the owner of said lands in fee simple and that no other person has any estate or interest in or encumbrance on said property or on any part thereof.

And your complainant prays fur such other, further or different relief as he may be entitled.


COMPLAINANT

STATE OF ALABAMA)
M. L. L.
BALDWIN COUNTY)

I, , a Notary Public, in and

for said State and County, hereby certify that John William Seales, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the _____ day of June, 1956.

[Handwritten Signature]
Notary Public, Baldwin County, Alabama.
BY: R. V. D. [Signature]
Notary Public
Baldwin County, Alabama
My Comm. Expires [Date]

JAMES E. MOORE
and
JOSEPH M. POWERS
Solicitor for the Complainant

FILED
SEP 4 1956
NOTARY PUBLIC

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3864

Sept.

TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

1. Delia Knott Holmes, 2. David Knott, 3. Vicie Seales
Ankum, 4. Lydia Nell Seales Gray, 5. George James

You Are Hereby Comanded to Summon

~~x~~ Seales, 6. George Bennefield, 7. Lillie Mae Bennefield, 8. Elmer Bennefield,

9. Perry Seales, 10. H.L. Richardson

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in

the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against 1. Delia Knott Holmes,
2. David Knott, 3. Vicie Seales Ankum, 4. Lydia Nell Seales Gray, 5. George James Seales,
6. George Bennefield, 7. Lillie Mae Bennefield 8. Elmer Bennefield, 9. Perry Seales,
Defendant

10. H. M. L. Richardson

by

JOHN W. SEALES

Plaintiff

Witness my hand this 4th day of Sept. 19 56

Alice J. Bush

Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

JOHN W. SEALES

Plaintiffs

vs.

DELIA KNOTT HOMES, ET AL

Defendants

SUMMONS and COMPLAINT

Filed SEPT. 4th, 19 56

Alice J. Duck, Clerk

James E. Moore & Joseph M. Powers
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this, 19

by leaving a copy with

Sheriff

Deputy Sheriff

JOHN W. SEALES,	)	IN THE CIRCUIT COURT OF
Complainant)	
vs	)	BALDWIN COUNTY, ALABAMA
LANDS DESCRIBED IN THE BILL,)	
ET. AL,	)	IN EQUITY
Respondent	)	NO. _____

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

COMES JOHN WILLIAM SEALES, and brings this bill of complaint against the real property hereinafter described and against Delia Knott Holmes, Foley, Alabama; and David Knott, Latham, Alabama; heirs of Hector Knott, Deceased; and all other heirs of Hector Knott, if any there be, who are, to the Complainant, unknown, and their heirs and devisees if deceased; William Knott, heir of Ford Knott, Deceased, and his heirs and devisees if deceased, whose address is unknown to the complainant; and Vicie Seales Ankum, Latham, Alabama; Lydia Nell Seales Gray, Latham, Alabama; Perry Seales, Jr., Frichard, Alabama; Samuel Seales, Chicago, Illinois; George James Seales, a minor, Latham, Alabama, who constitute all of the heirs of Mary Knott Seales, Deceased, who was a daughter of the aforesaid Ford Knott, Deceased; and all and any other heirs of Wash Knott and Rachel Knott, both deceased, if any there be, who are, to the complainant, unknown; and against the heirs of Artie Kinnard, Deceased, if any there be and their heirs or devisees if deceased; and against George Bennefield, Sylacauga, Alabama; Lillie Mae Bennefield, Birmingham, Alabama, who is now married but whose married name is unknown to the complainant; and the heirs or devisees of Willie Bennefield, Deceased, if any there be and their heirs or devisees if deceased; and Elmer Bennefield, 257 North Washington Avenue, Mobile, Alabama, heir of Nettie Bassett,

Deceased, and any other heirs of Nettie Bassett, Deceased, if any there be, who are, to the Complainant, unknown, and their heirs or devisees if deceased; and against H. L. Richardson, 1932 Telegraph Road, Plateau, Alabama; and against all persons, firms or corporations claiming any right, title, interest, lien or encumbrance on said property or any part thereof, respectively shows unto the Court as follows:

1. That he is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama.

2. That he is the owner of and in the actual peaceful possession of said property, described as:

"All of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, Baldwin County, Alabama, containing 39 Acres and $93\frac{3}{100}$ of an acre, more or less."

3. That the Great Grandfather of the complainant, Wash Knott, acquired the above described land by U. S. Patent from the United States of America, on January 19, 1905; that on January 5, 1914, Wash Knott conveyed the above described land to Artie Kinnard and Atlas Williams by Warranty Deed reserving unto himself a Vendors Lien to secure payment of the purchase price; that there is no record of this purchase price ever being paid but that there is an indication that the Grantor or his heirs went back into possession of the land. That the said Wash Knott died intestate, leaving surviving him his widow, Rachel Knott, who later executed a Warranty Deed to Nettie Bassett on September 1, 1932, purporting to convey the North 20 Acres of the above described land; that this North Half was seized for taxes by the Tax Collector for the State of Alabama, and was redeemed by one George Bennetfield on May 26, 1945; that this land was again conveyed by the Tax Collector to the State of Alabama, and was redeemed by one H. L. Richardson on January 12, 1953; that the North Half is presently assessed to H. L. Richardson; that the taxes on the South Half to the

East 15 acres of the South Half have been paid by John William Seales, and is presently assessed in his name.

4. Complainant shows unto this Court that his mother and father have lived on the North Half of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, and that he and his father farmed the whole 40 acres; that, since the death of his father, he has farmed the entire 40 acres himself. Complainant shows that he is in peaceful and open possession of this land and has been for more than 25 years next preceding the filing of this bill of complaint.

5. That, other than said parties, complainant shows that no other person is known to him to claim said property or any part thereof or any interest therein at this time.

6. That all the parties are each over twenty-one years except George James Seales, who is a minor; and that all parties are living, except as otherwise noted, and of sound mind; that complainant has used reasonable diligence to ascertain the residence or Post Office address of the respondents, William Kott, Samuel Seales and Lillie Mae Bennofield, but their residences or Post Office addresses are unknown after diligent inquiries to obtain the same.

7. That there is no suit pending to test his title, interest or right to possession of said property nor to test the right, claim, title or interest claimed by said parties before mentioned.

8. Complainant now makes parties that are living and the heirs or devisees of those that are dead party respondents to this bill of complaint and calls upon them to set forth and specify the title, claim, interest or encumbrance which they may have in or to the above described real property and how and by what instrument such claim, interest or encumbrances were derived or created.

PRAYER FOR PROCESS

Complainant prays that this Court have its process issue against the real property described and against each of the said respondents by personal service and by publication, commanding them to plead, answer or demur to this bill of complaint within the time required by law or that same be taken as confessed.

That notice of this action be given in the lis pendens records in the office of the Judge of Probate Court of Baldwin County, Alabama, and all other notices required by law.

Complainant further prays that his Honorable Court will appoint a Guardian Ad Litem to represent any minors who are respondents to this suit and Attorney Ad Litem for any party who may be in the armed forces.

PRAYER FOR RELIEF

That on the final hearing of this case, this Honorable Court will establish the right or title to said real property in your complainant and will clear up all doubts or disputes concerning same and will decree that complainant is the owner of said lands in fee simple and that no other person has any estate or interest in or encumbrance on said property or on any part thereof.

And your complainant prays for such other, further or different relief as he may be entitled.

John W. DeLoach
COMPLAINANT

STATE OF ALABAMA)
DeLoach
BALDWIN COUNTY)

I, W. E. [Signature], a Notary Public, in and

for said State and County, hereby certify that John William Seales, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the _____

5) day of June, 1956.

RETURNED

Not found in Baldwin County after 60 days

BY A. J. ...

...

[Signature]
Notary Public, Baldwin County, Alabama.

JAMES E. MOORE
and
JOSEPH M. POWERS
Solicitor for the Complainant

FILED
JUN 4 1956

for said State and County, hereby certify that John William
Gardner, whose name is signed in the foregoing instrument, and
who is known to me, acknowledged before me on this day that
he is the author of the contents of the instrument, he executed
the same voluntarily and in full knowledge of the contents thereof.

*Puppy fealed for
Richard*
595

*Con
112
Antennum in
this area*
1956

RETURNED 9-18-56
Not found in my County after dili-
gent search and inquiry.
RAY D. BRIDGES, Sheriff
By *H. C. Sanders* D. S.

[Signature]
Notary Public, Virginia

REGISTER FOR THE COMMISSIONERS
JAMES M. JONES
1956

FILED
SEP 4 1956
ALICE J. DECK, Register

JOHN W. SEALES,
Complainant,

"vs."

LANDS DESCRIBED IN THE WILL,
ET AL.

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

CASE NO. 3864

TO THE HONORABLE TRUSTEE MASTER IN CHARGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes now JOHN W. SEALES, Complainant, in the above styled cause acting by and through his attorney of record, JAMES E. MOORE and amends his Petition by showing unto this Honorable Court as follows:

1. That H. L. Richardson, one of the Respondents in this cause died on to-wit the 27th day of July 1960 and at the time of the death of the said H. L. Richardson, he was a resident of Mobile County, Alabama.

2. Your Petitioner is informed and believes, and on such information and belief avers that at the time of the death of the said H. L. Richardson, he left surviving him a widow, Mary V. Richardson who has been appointed administratrix of his estate, in to-wit the month of September 1960 by the Probate Court of Mobile County, Alabama, she, the said Mary V. Richardson, being a resident of Mobile County, Alabama, presently residing at 1932 Telegraph Road in the City of Mobile, and

3. That the said H. L. Richardson also left surviving him the following children all over the age of twenty-one (21) years and of sound mind, whose residences are as hereafter stated:

1. John J. Richardson, 1932 Telegraph Road, Mobile, Alabama
2. Dempsey Richardson, 1932 Telegraph Road, Mobile, Alabama.
3. Lowell Richardson, 408 Willjohn Street, Prichard, Alabama.
4. Fannie L. Payne, 407 Elm Street, Prichard, Alabama.
5. Clara Bialowski, Telegraph Road, Prichard, Alabama.

4. Petitioner is informed and believes and on such information and belief avers that the above named are all of the heirs at law and next of kin surviving the said H. L. Richardson.

5. Wherefore your Petitioner prays that the said next of kin and heirs at law whose names and addresses are contained herein above, and any other heirs and next of kin who may not be known to your Petitioner, should be made parties Respondent in this cause in accord with Title 7 Section 151 of the 1940 Code of the State of Alabama Recompiled 1958 and for that reason, your Petitioner prays that this Honorable Court will cause the said Respondents named herein to be served with a copy of this, his petition and that they will henceforth be named as parties Respondent in this cause.

By: James E. Moore
Attorney for John W. Seales

John J. Richardson,
Respondent, may be served at 1932 Telegraph Rd. Mobile, Ala.

FILED

FEB 24 1965

WELLS, CLERY
& ASSOCIATES

John W. Seales
Complainant,
Vs. Hands Described in the Bill
et. al Respondent.

In the Circuit Court.
In Equity No. 3864.

DECREE PRO CONFESSO ON PERSONAL SERVICE

In this cause, it appears to the Register, that service was had on the Respondents John Richardson, Dempsey Richardson, Lowell Richardson, Fannie L. Payne, and Clara Bielarski
5, 4, 1, 19, + 4, Respectively
by the Sheriff of Mobile County, on the 11 day of March
1965.

And it futher appears to the Register, that the said John Richardson, Dempsey Richardson, Lowell Richardson, Fannie L. Payne, + Clara Bielarski

_____ the Respondent s, 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 James F. Moore 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 John Richardson,

Dempsey Richardson, Lowell Richardson, Fannie L. Payne, + Clara Bielarski

This 27th day of April, 19 65.

Wm. J. ...
Register.

No. _____

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

Complainant,

Vs.

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued this _____ day of _____

19_____.

Register.

John W. Seales,
Complainant

Vs

Hands Described in the
Bill, et al.

In The Circuit
Court of Baldwin
County, Alabama
In Equity
No. 3864

Non-Military Affidavit

Comes now, James E. Moore, Attorney
for the Complainant, and says that from
his own personal knowledge, he knows
that the Respondents, John Richardson,
Lowell Richardson, Fannie L. Payne, &
Clara Bielarski, are not now, nor were
they at the time of the filing of the Bill
of Complaint in this cause, members of the
Armed services of the U.S.A.

All of these respondents presently reside
in Milledge County, Alabama, and they
have resided in said County for the
past ten years or more.

James E. Moore

Subscribed and sworn
to before me, this 27th
day of April, 1965

Gene C. Hillard
Notary Public, Ala. State at Large

FILED
Apr 27 1965
ALICE L. DICKSON
CLERK
REGISTRAR

STATE OF ALABAMA
Baldwin County

} No. 3864 Circuit Court, In Equity.

John W. Seales Complainant...

Vs.

Hands Described in the Bill, et al Defendant...

Motion is hereby made for a Decree Pro Confesso against John T. Richardson, Dempsey
Richardson, Inwell Richardson, Fannie L. Payne, & Clara Bielarski 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... ha failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 27th day of April 19 65

FILED

James E. Moore Solicitor.

APR 27

ALICE L. DUCK, CLERK REGISTER

No..... Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Motion for Decree Pro Confesso on
Personal Service

Filed 19

Register.

Recorded in.....Record

Vol.Page

Register.

JOHN W. SEALES,

§

IN THE CIRCUIT COURT OF

Complainant,

§

BALDWIN COUNTY, ALABAMA

-vs-

LANDS DESCRIBED IN THE BILL,
ET AL,

§

IN EQUITY.

Respondent.

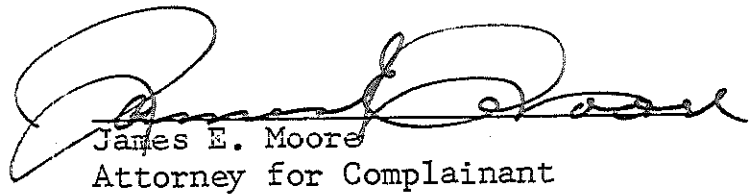
§

CASE NO. 3864

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, SITTING IN EQUITY:

Comes now James E. Moore, Attorney of Record for the Complainant and prays the Court to reinstate this cause, assuring the Court that he will personally attend to the case and see that it is brought to a conclusion without further delay.

Respectfully submitted,


James E. Moore
Attorney for Complainant

FILED
JUN 26 1984
ALICE L. BIRK, CLERK
REGISTER

Joseph M. Powers

Attorney At Law

809 ~~823~~ FIRST NATIONAL BANK BUILDING Annex

MOBILE, ALABAMA

HEMLOCK, ~~8-6539~~ 8-5849

June 15, 1961

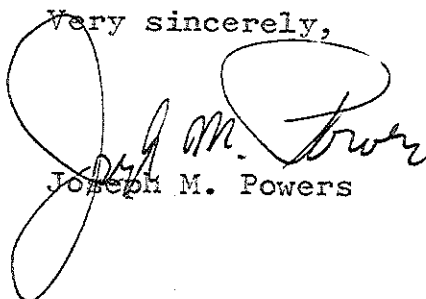
Miss Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Miss Duck:

I am enclosing herewith two Motions in the case of Seales VS Lands Described, Et Al, Equity No. 3864.

I would appreciate your advising us several weeks in advance when this case is to be heard so that we may get our witnesses together and be ready to dispose of this matter.

Very sincerely,



Joseph M. Powers

JMP/to

Encs.

The State of Alabama,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. 3864 Term, 19

JOHN W. SEALES Complainant

LANDS DESCRIBED IN THE BILL, ET AL Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 6th day of Sept., 1957, in the THE BALDWIN TIMES a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the day of 19, and

And it now further appearing to the Register Alice J. Duck, that the said Samuel Seales and Elmer Benefield

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Samuel Seales and Elmer Benefield

This 16 day of June 19 61

Alice J. Duck Register.

No. _____

Page _____

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Decree Pro Confesso of Publication

Issued _____ 19 _____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

JOHN W. SEALES,

Complainant

vs

LANDS DESCRIBED IN THE BILL,

ET AL,

Respondent

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) IN EQUITY NO. 3864

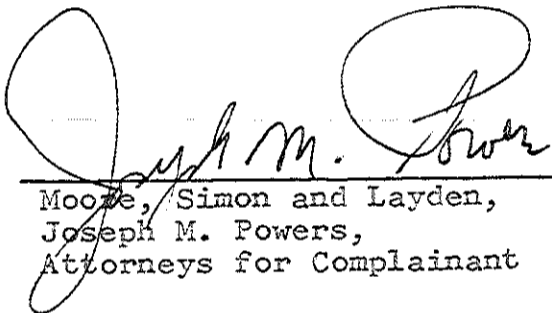
A MOTION FOR DECREE PRO CONFESSO

Comes now the Complainant and moves this Honorable Court to grant a Decree Pro Confesso by publication against SAMUEL SEALES and ELMER BENEFIELD. Said notice having been published in The Baldwin Times commencing September 6, 1957 and running for four (4) consecutive weeks.

FILED

JUN 18 1961

ALICE J. DUCK, CLERK
REGISTER


Mooze, Simon and Layden,
Joseph M. Powers,
Attorneys for Complainant

JOHN W. SEALES,
Complainant,

IN THE CIRCUIT COURT OF

VS

BALDWIN COUNTY, ALABAMA

LANDS DESCRIBED IN THE BILL,
ET ALS.

IN EQUITY NO. 3864

Respondent

APPOINTMENT OF GUARDIAN AD LITEM

In this cause it is made to appear to the Register by the Complainant, John W. Seales, that one of the Defendants, George James Seales, is a minor; and it further appearing that WILSON HAYES, an Attorney at Law, is in all respects a suitable person to act as Guardian Ad Litem for said minor; and the said WILSON HAYES, having filed his consent in writing to act as such;

It is therefore ordered by the Register of said Court that the said WILSON HAYES, be and the same hereby is appointed Guardian Ad Litem in this cause for the said minor.

Witness my hand this 21 day of Oct, 1958.

Deane L. Smith
REGISTER

CONSENT TO ACT

I, Wilson Hayes, hereby accept the above appointment as Guardian Ad Litem and consent to act as such, in the above cause.

Witness my hand this the 21st day of October, 1958.

W. L. Hayes

JOHN W. SEALS,

Complainant

-VS-

LANDS DESCRIBED IN THE BILL,
ET AL,

Respondent

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA.
) IN EQUITY.
)
) NO. 3864
)
)

MOTION FOR REINSTATEMENT

Now comes the Complainant in the above styled cause, by his Attorney, and respectfully shows unto the Court as follows:

ONE

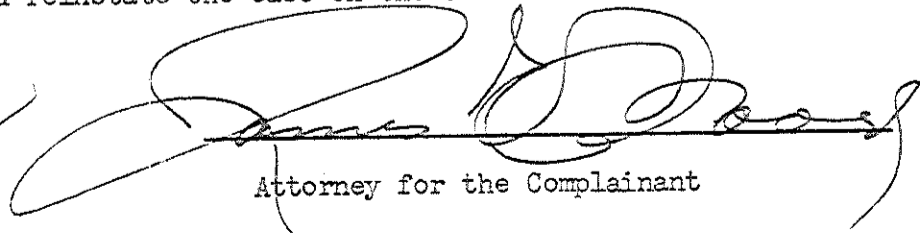
That the said cause was heretofore, on, to wit, June 17, 1958, dismissed by the Court of its own motion, without notice being previously given to Complainant or his attorney, and that Complainant was subsequently informed of this dismissal by the Clerk of the Court, by mail; whereupon your Complainant's Attorney promptly wrote the Court requesting the case be reinstated for that Complainant desires to prosecute the case through to a judgment.

TWO

That any delay in the prosecution of the case was occasioned by circumstances beyond Complainant's control, the same being occasioned by Complainant's attorney being located so distant from the Court, to wit, in Mobile, Alabama, and other conditions rendered it difficult for said Attorney to handle the matter sooner.

WHEREFORE, the premises considered, Complainant respectfully moves the Court to set aside its Order heretofore entered on June 17, 1958, dismissing this cause, and reinstate the case on the Court Docket.

Filed - 7-17-58


Attorney for the Complainant

MOORE & SIMON
ATTORNEYS AT LAW
1011-13 VAN ANTWERP BUILDING
MOBILE 12, ALABAMA
HEMLOCK 3-9526

JAMES E. MOORE
OTTO E. SIMON
LIONEL L. LAYDEN

July 17, 1958

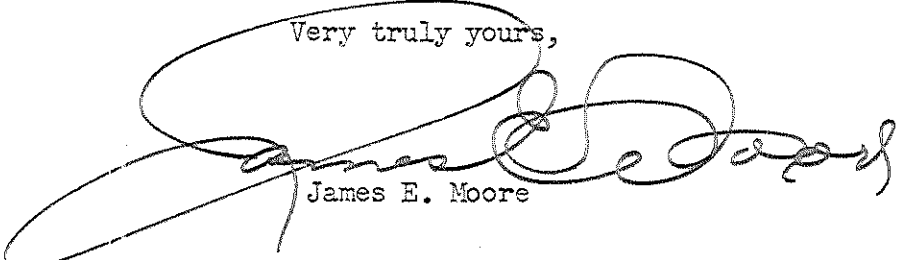
Mrs. Alice Duck
Clerk, Circuit Court of Baldwin County
Court House
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed please find the Motion which I told you earlier today that I would mail in this afternoon.

I would appreciate your attaching this Motion to the docket sheet and presenting it to the Judge Monday morning for his approval and order reinstating the case. Thanking you, I am

Very truly yours,


James E. Moore

JEM:lc

Encl.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Eunice M. Gillotte,
Mobile, Alabama

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

- David Knott, Latham, Alabama
- John W. Seals, " "
- Vicie Seals Ankum " "
- Percy Seals, Jr., Prichard, Ala
- Lydia Nell Seals Gray, Latham, Ala

a witness in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

JOHN W. SEALS

, Complainant

and Lands Described in Bill Of Complaint

Respondent

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

Witness 20th day of October

, 1957

Alvin J. Drake
Register.

Commissioner's Fee, \$

Witness' Fees, \$

ALICE J. DUCK

Register And Clerk Of The
Circuit Court



BAY MINETTE, ALA.

September 26, 1957

Moore & Simon, Attorneys
Van Antwerp Bldg.
Mobile, Alabama

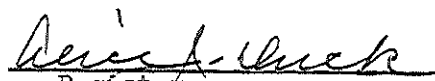
Gentlemen:

Re: John W. Seals
vs
Certain Lands
Case No. 3864

Your motion for decree Proconfesso has been filed and
Decree Proconfesso will be taken.

It will not be necessary for you to be present for the
hearing of this motion.

Very truly yours


Register

AJD/eb

The State of Alabama,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. 3864

Term, 19...

John W. Seales

Complainant

Certain Lands

Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 6th day of Sept., 1957, in the THE BALDWIN TIMES a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in _____ County, on the _____ day of _____ 19____, and

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

Delia Knott Holmes, David Knott, Hector Knott, William Knott, Vicie Seales Ankum, Lydia Nell Seales Gray, Perry Seales, Jr. et al all unknown heirs of Certain Lands

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register Alice J. Duck

that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Heirs of Certains Lands, Delia Knott Holmes, David Knott

Hector Knott, William Knott, Vicie Seales Ankum, Lydia Nell Seales Gray, Perry Seales, Jr. et al.

This 27th day of Sept. 1957

Alice J. Duck Register.

No. -----

Page -----

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Decree Pro Confesso of Publication

Issued ----- 19

Register.

Recorded in ----- Record

Vol. ----- Page -----

Register.

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

JOHN W. SEALES
Complainant,
Vs.
CERTAIN LANDS
Respondent.

In the Circuit Court.
In Equity No. 3864.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

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

9/24th
George Benefield, Lydia Nell Seales Gray, David Knott, Vicie Seales Ankum,

9/5/57
Geo James Seales, Delia Knott Holmes, 9/7/57

by the Sheriff of Baldwin & County, on the 24.5 day of September,
194 57

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

George Benefield, Lydia Nell Seales Gray, David Knott, Vicie Seales Ankum,

Geo James Seales, Delia Knott Holmes

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 Attorneys for Plaintiff 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 Heirs of Certain Lands

This 27th day of Sept., 194 57

[Signature]
Register.

No. _____

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

Complainant,

Vs.

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this _____ day of _____
194_____.

Register.

LINDBERGH, MURPHY & ANSLEY

ATTORNEYS AT LAW
THIRD FLOOR, SUITE 331 TO 337
FRANK NELSON BUILDING
BIRMINGHAM 3, ALABAMA

MATT H. MURPHY, SR.
COUNSEL

A. F. LINDBERGH
MATT H. MURPHY
FLOYD C. ANSLEY
BERT LINDBERGH

October 27, 1956

TELEPHONES
54-5631
54-5632
54-5633

Hon. Alice J. Duck
Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama

Dear Miss Duck:

We wish to file the enclosed pleadings
in your Court.

Please note that said pleadings are not
numbered. The copy of the Bill of Complaint
furnished to this office does not have a number
printed upon it.

Please consult your index and see that
said pleadings are properly filed.

With kindest regards, we remain

Yours very truly,

LINDBERGH, MURPHY & ANSLEY

By: 

FCA:ec
Enc. 1

JOHN W. SEALES,	)	IN THE CIRCUIT COURT OF
Complainant,)	
VS	)	BALDWIN COUNTY, ALABAMA
LANDS DESCRIBED IN THE BILL,)	
ET.AL,	)	IN EQUITY
Respondent.	)	NO. _____

DE M U R R E R

Now come the Respondents, George Bennefield and Lillie Mae Bennefield, in the above styled cause and demur to the Bill of Complaint heretofore filed herein and to each and every aspect thereof, separately and severally, and as grounds for demurrer assigns the following separately and severally, viz:

1. For that there is no equity in the Bill.
2. For aught that appears, complainant and respondents are joint tenants in common.
3. For aught that appears complainant has no claim of title by adverse possession.
4. For aught that appears complainant has not purchased an abstract of title to said property, nor does he allege any allegation that an examination of title has been made prior to the filing of his Bill.
5. For aught that appears no lis pendens notice has been filed with the Probate Judge prior to the institution of this action.
6. For that the Bill of Complaint is vague and indefinite and fails to state a cause of action.

Filed
10-29-56


 Lindbergh, Murphy & Ansley
 Solicitors for Respondents

NO. 3864

CIRCUIT COURT, BALDWIN COUNTY

IN EQUITY

JOHN W. SEALES,

Complainant,

VS

LANDS DESCRIBED IN THE BILL,

ET. AL,

Respondents.

D E M U R R E R

LINDBERGH, MURPHY & ANSLEY
SOLICITORS FOR RESP.
331 FRANK NELSON BLDG.
BIRMINGHAM, ALABAMA

FILED

OCT 29 1956

ALICE L. DUCK, Register

Legal Notice

John W. Seales, Complainant, vs. Lands Described In The Bill, et al, Respondent, In The Circuit Court of Baldwin County, Alabama in Equly. No. 3864.

LIS PENDENS

Notice is hereby given by the undersigned, Register of the Circuit Court of Baldwin County, Alabama, to:

Delia Knott Holmes, Foley, Alabama; and David Knott, Latham, Alabama; heirs of Hector Knott, Deceased; William Knott, whose address is unknown; Vicie Seales Ankum, Latham, Alabama; Lydia Nell Seales Gray, Latham, Alabama; Perry Seales, Jr., Prichard, Alabama; Samuel Seales, Chicago, Ill.; George James Seales, a minor, Latham, Alabama; and all and other heirs of Wash Knott and Rachael Knott, both Deceased; and against the heirs of Artie Kinnard, Deceased; and to George Benefield, Sylacauga, Alabama; Lillie Mae Benefield, Birmingham, Alabama, who is now married but whose married name is unknown to the Complainant; and to the heirs or devisees of Willie Benefield, Deceased; and Elmer Benefield, Mobile, Alabama; and H. L. Richardson, Plateau, Alabama; if they be living and to the heirs, devisees and next of kin of any of said persons who may be dead and to any and all persons claiming any title to, interest in, lien or encumbrance upon the property hereinafter described, that JOHN W. SEALES has filed a bill of complaint under the provisions of Article 2, Chapter 32, Title 7, Code of Alabama 1940, against the following described real property situated in the County of Baldwin, Alabama:

All of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, Baldwin County, Alabama, containing 39 acres and 93 1/100 of an acre more or less.

Complainant claims title of said land through his great grand-

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

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

John W. Seales vs. Cec. Randa

COST STATEMENT

478 WORDS @ 6 1/2 cents \$ 31 07
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	<u>Sept. 6</u>	195 <u>6</u>	Vol. <u>67</u>	No. <u>34</u>
Date of 2nd publication	<u>Sept 13</u>	195 <u>6</u>	Vol. <u>67</u>	No. <u>35</u>
Date of 3rd publication	<u>Sept 20</u>	195 <u>6</u>	Vol. <u>67</u>	No. <u>36</u>
Date of 4th publication	<u>Sept 27</u>	195 <u>6</u>	Vol. <u>67</u>	No. <u>37</u>

Subscribed and sworn before the undersigned this 27 day of Sept, 1956.

Deaeter Murtin
Notary Public, Baldwin County.

E. R. Morrisette Jr.
Editor.

MOORE & SIMON
ATTORNEYS AT LAW
1011-13 VAN ANTWERP BUILDING
MOBILE 12, ALABAMA
HEMLOCK 3-9526

JAMES E. MOORE
OTTO E. SIMON

August 30, 1956

Mrs. Alice Duck
Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill to quiet title and a Lis Pendens Notice for publication. There are sufficient copies of the Bill to serve one on every Respondent and we would appreciate your having a copy served on every Defendant whose address is given. There is also an extra copy for the Guardian Ad Litem.

We will appreciate your filing the Bill and publishing the Lis Pendens as procedure requires.

Sincerely,

MOORE & SIMON, ATTORNEYS

By- 

JEM/bt
encls.

JOHN W. SEALES,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA.
vs.		
LANDS DESCRIBED IN THE BILL, ET AL.	)	IN EQUITY.
Respondent	)	NO. <u>3864</u>

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, SITTING IN EQUITY:

Comes John William Seales, and brings this bill of complaint against the real property hereinafter described and against Delia Knott Holmes, Foley, Alabama; and David Knott, Latham, Alabama; heirs of Hector Knott, Deceased; and all other heirs of Hector Knott, if any there be, who are, to the Complainant unknown and their heirs and devisees if deceased; William Knott, heir of Ford Knott, Deceased, and his heirs and devisees if deceased, whose address is unknown to the Complainant; and Vicie Seales Ankum, Latham, Alabama; Lydia Nell Seales Gray, Latham, Alabama; Perry Seales, Jr., Prichard, Alabama; Samuel Seales, Chicago, Illinois; George James Seales, a minor, Latham, Alabama, who constitute all of the heirs of Mary Knott Seales, Deceased, who was a daughter of the aforesaid Ford Knott, Deceased; and all and any other heirs of Wash Knott and Rachel Knott, both deceased, if any there be, who are, to the Complainant unknown; and against the heirs of Artie Kinnard, Deceased, if any there be and their heirs or devisees if deceased; and against George Bennefield, Sylacauga, Alabama; Lillie Mae Bennefield, Birmingham, Alabama, who is now married but whose married name is unknown to the Complainant; and the heirs or devisees of Willie Bennefield, Deceased, if any there be and their heirs or devisees if deceased; and Elmer Bennefield, 257 North Washington Avenue, Mobile, Alabama, heir of Nettie Bassett,

Deceased, and any other heirs of Nettie Bassett, Deceased, if any there be, who are, to the Complainant unknown, and their heirs or devisees if deceased; and against H.L. Richardson, 1932 Telegraph Road, Plateau, Alabama; and against all persons, firms or corporations claiming any right, title, interest, lien or encumbrance on said property or any part thereof, respectively shows unto the Court as follows:

1. That he is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama.

2. That he is the owner of an in the actual peaceful possession of said property, described as:

"All of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, Baldwin County, Alabama, containing 39 acres and $93\frac{1}{2}/100$ of an acre, more or less."

3. That the Great Grandfather of the Complainant, Wash Knott, acquired the above described land by U.S. Patent from the United States of America, on January 19, 1905; that on January 5, 1914, Wash Knott conveyed the above described land to Artie Kinnard and Atlas Williams by Warranty Deed reserving unto himself a Vendor's Lien to secure payment of the purchase price; that there is no record of this purchase price ever being paid but that there is an indication that the Grantor or his heirs went back into possession of the land. That the said Wash Knott died intestate, leaving surviving him his widow, Rachel Knott, who later executed a Warranty Deed to Nettie Bassett on September 1, 1932, purporting to convey the North 20 acres of the above described land; that this North Half was siezed for taxes by the Tax Collector for the State of Alabama, and was redeemed by one George Bennefield on May 26, 1945; that this land was again conveyed by the Tax Collector to the State of Alabama, and was redeemed by one H.L. Richardson on January 12, 1953; that the North Half is presently assessed to H.L. Richardson; that the taxes on the South Half to the

East 15 acres of the South Half have been paid by John William Seales, and is presently assessed in his name.

4. Complainant shows unto this Court that his mother and father have lived on the North Half of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, and that he and his father farmed the whole 40 acres; that since the death of his father, he has farmed the entire 40 acres himself. Complainant shows that he is in peaceful and open possession of this land and has been for more than 25 years next preceding the filing of this bill of complaint.

5. That, other than said parties, Complainant shows that no other person is known to him to claim said property or any part thereof or any interest therein at this time.

6. That all the parties are each over twenty-one years except George James Seales, who is a minor; and that all parties are living, except as otherwise noted, and of sound minds; that Complainant has used reasonable diligence to ascertain the residence or Post Office address of the Respondents, William Knott, Samuel Seales and Lillie Mae Bennefield, but their residences or Post Office addresses are unknown after diligent inquiries to obtain the same.

7. That there is no suit pending to test his title, interest or right to possession of said property nor to test the right, claim, title or interest claimed by said parties before mentioned.

8. Complainant now makes parties that are living and the heirs or devisees of those that are dead party respondents to this Bill of Complainat and calls upon them to set forth and specify the title, claim, interest or encumbrance which they may have in or to the above described real property and how and by what instrument such claim, interest or encumbrances were derived or created.

PRAYER FOR PROCESS

Complainant prays that this Court have its process issue against the real property described and against each of the said respondents by personal service and by publication, commanding them to plead, answer or demur to this Bill of Complaint within the time required by law or that same be taken as confessed.

That notice of this action be given in the lis pendens records in the office of the Judge of Probate Court of Baldwin County, Alabama, and all other notices required by law.

Complainant further prays that this Honorable Court will appoint a Guardian ad Litem to represent any minors who are respondents to this suit and Attorney ad Litem for any party who may be in the armed forces.

PRAYER FOR RELIEF

That on the final hearing of this case, this Honorable Court will establish the right or title to said real property in your Complainant and will clear up all doubts or disputes concerning same and will decree that Complainant is the owner of said lands in fee simple and that no other person has any estate or interest in or encumbrance on said property or on any part thereof.

And your Complainant prays for such other, further or different relief as he may be entitled.


John W. S. Sells
Complainant

STATE OF ALABAMA)
Mohr
BALDWIN COUNTY)

I [Signature], a Notary Public, in and

for said State and County, hereby certify that John William Seales, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the _____ day of June, 1956.



Notary Public, Baldwin County, Alabama.

JAMES E. MOORE
and
JOSEPH M. POWERS
Solicitor for the Complainant

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 38614

Sept. TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon 1. Delia Knott Holmes; 2. David Knott; 3. Vicie Seales
Ankum; 4. Lydia Nell Seales Gray; 5. Perry Seales, Jr. 6. George James Seales; 7. George Bennefield;
8. Lillie Mae Bennefield, 9. Elmer Bennefield, 10. H. L. Richardson

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in

the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against 1. Delia Knott Holmes;
2. David Knott; 3. Vicie Seales Ankum; 4. Lydia Nell Seales Gray, 5. Perry Seales, Jr.
6. George James Seales, 7. George Bennefield, 8. Lillie Mae Bennefield, 9. Elmer Bennefield,
10. H. L. Richardson, Defendant

by

JOHN W. SEALES

Plaintiff

Witness my hand this

4th.

day of

Sept.

19

56

Alice J. Duck

Clerk

CO
112

295

No. 3864 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

JOHN W. SEALES

Plaintiffs

vs.

LANDS DESCRIBED IN THE BILL, ET AL

Defendants

SUMMONS and COMPLAINT

Filed SEPT. 4th 19 56

Alice J. Duck Clerk

Executed this 24 day of Sept 19 56 by Serving a Copy of the Within Writ

George Benefield

John W. Robinson Sheriff

By J. E. Morra & J. M. Powers D. S. Plaintiff's Attorney

James E. Morra & Joseph M. Powers Plaintiff's Attorney

Defendant's Attorney

Sheriff claims 2 1/4 miles at

Ten Cents per mile Total \$ 24 40

TAYLOR WILKINS, Sheriff

BY Taylor Wilkins DEPUTY SHERIFF

EXECUTED

This 14th day of Sept 19 56

by serving a copy of the within on

H. S. Recharbon

RAY D. BRIDGES, Sheriff

By H. S. Recharbon D. S.

Sept 4, 19 56

Taylor Wilkins, Sheriff

I have executed this summons

this 9-5, 19 56

by leaving a copy with

Ludie McLeary Gray

David Knott

James S. Robinson

George Benefield

Received 4 day of Sept 19 56

and on 7 day of Sept 19 56

I served a copy of the within

on Delia Knott Adams

By service on

TAYLOR WILKINS, Sheriff

By Taylor Wilkins D. S.

James S. Robinson Deputy Sheriff

Taylor Wilkins Sheriff

W. A. Tolbert Deputy Sheriff

Satham

JOHN W. SEALES, () IN THE CIRCUIT COURT OF
 Complainant ()
 vs () BALDWIN COUNTY, ALABAMA
 LANDS DESCRIBED IN THE BILL, ()
 et al, () IN EQUITY
 Respondent () NO. _____

L I S P E N D E N S

Notice is hereby given by the undersigned, Register of the Circuit Court of Baldwin County, Alabama, to:

Delia Knott Holmes, Foley, Alabama; and David Knott, Latham, Alabama; heirs of Hector Knott, Deceased; William Knott, whose address is unknown; Vicie Seales Ankum, Latham, Alabama; Lydia Nell Seales Gray, Latham, Alabama; Percy Seales, Jr., ^{CRISTVIEW} ~~Richard~~, _{FLORIDA} Alabama; Samuel Seales, Chicago, Illinois; George James Seales, a minor, Latham, Alabama; and all and other heirs of Wash Knott and Rachael Knott, both Deceased; and ~~the~~ the heirs of Artie Kinnard, Deceased; and to George Benefield, Sylacauga, Alabama; Lillie Mae Benefield, Birmingham, Alabama, who is now married, but whose married name is unknown to the Complainant; and to the heirs or devisees of Willie Benefield, Deceased; and Elmer Benefield, Mobile, Alabama; and H. L. Richardson, Plateau, Alabama; if they be living and to the heirs, devisees and next of kin of any of said persons who may be dead and to any and all persons claiming any title to, interest in, lien or encumbrance upon the property hereinafter described, that JOHN W. SEALES has filed a bill of complaint under the provisions of Article 2, Chapter 32, Title 7, Code of Alabama 1940, against the following described real property, situated in the County of Baldwin, Alabama:

All of the Northwest Quarter of the Northwest Quarter of Section 25, Township 2 North, Range 2 East, Baldwin County, Alabama, containing 39 acres

STATE OF ALABAMA, BALDWIN COUNTY
 Filed 9-7-56 10:AM
 Recorded Lis. Plnd book 4 page 287-8
W. R. Sturt
 Judge of Probate HD

and 93 1/2 / 100 of an acre more or less.

Complainant claims title of said land through his great grandfather, Wash Knott, and inheritance and possession subsequent thereto as alleged in the bill of complaint and shown of record in the Probate Court of Baldwin County, Alabama.

Complainant claims in said bill of complaint that he is in peaceful possession of said land and has been in possession for more than twenty-five (25) years next preceding the filing of the bill of complaint and that no other person is known to him to have any claim or interest in this land.

This notice is given to any and all persons claiming any title to, interest in, or lien or encumbrance upon said lands that they must be and appear in the Circuit Court of Baldwin County, Alabama, within sixty (60) days from the date of the first publication of this notice or that the allegation shall stand as confessed against them.

IN WITNESS WHEREOF, I, the undersigned, Register of the Circuit Court of Baldwin County, Alabama, in Equity, have hereunto set my hand on this the 4 day of Sept, 1956.

Reice J. Wink
REGISTER OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY.

JAMES E. MOORE
and
JOSEPH M. POWERS,
Solicitor for the Complainant

JOHN W. SEALES,	)	IN THE CIRCUIT COURT OF
)	
Complainant,	)	BALDWIN COUNTY, ALABAMA
)	
=-vs-=-	)	IN EQUITY
)	
LANDS DESCRIBED IN THE BILL,	)	CASE NO. <u>3864</u>
ET AL.)	
)	
Respondent.)	
)	

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

Comes now JOHN W. SEALES, Complainant, in the above styled cause acting by and through his attorney of record, JAMES E. MOORE and amends his Petition by showing unto this Honorable Court as follows:

1. That H. L. Richardson, one of the Respondents in this cause died on to-wit the 27th day of July 1960 and at the time of the death of the said H. L. Richardson, he was a resident of Mobile County, Alabama.

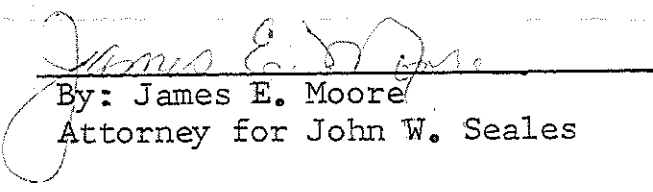
2. Your Petitioner is informed and believes, and on such information and belief avers that at the time of the death of the said H. L. Richardson, he left surviving him a widow, Mary V. Richardson who has been appointed administratrix of his estate, in to-wit the month of September 1960 by the Probate Court of Mobile County, Alabama, she, the said Mary V. Richardson, being a resident of Mobile County, Alabama, presently residing at 1932 Telegraph Road in the City of Mobile, and

3. That the said H. L. Richardson also left surviving him the following children all over the age of twenty-one (21) years and of sound mind, whose residences are as hereafter stated:

1. John J. Richardson, 1932 Telegraph Road, Mobile, Alabama *106 Prichard Drive Chuckawaw*
2. Dempsey Richardson, 1932 Telegraph Road, Mobile, Alabama.
3. Lowell Richardson, 408 Willjohn Street, Prichard, Alabama.
4. Fannie L. Payne, 407 Elm Street, Prichard, Alabama.
5. Clara Bielarski, ⁶⁵¹⁰ Telegraph Road, Prichard, Alabama.

4. Petitioner is informed and believes and on such information and belief avers that the above named are all of the heirs at law and next of kin surviving the said H. L. Richardson.

5. Wherefore your Petitioner prays that the said next of kin and heirs at law whose names and addresses are contained herein above, and any other heirs and next of kin who may not be known to your Petitioner, should be made parties Respondent in this cause in accord with Title 7 Section 151 of the 1940 Code of the State of Alabama Recompiled 1958 and for that reason, your Petitioner prays that this Honorable Court will cause the said Respondents named herein to be served with a copy of this, his petition and that they will henceforth be named as parties Respondent in this cause.


By: James E. Moore
Attorney for John W. Seales

Respondent may be served at _____.

FILED
FEB 22 1965
NEW ORLEANS

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

Circuit Court, Baldwin County

STATE OF ALABAMA
BALDWIN COUNTY

No. 3864

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon John J. Richardson, Dempsey Richardson, Lowell Richardson, Fannie L. Payne and Clara Bielarski

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Certain Lands Described in the Bill, et al, Defendant.....

by John W. Seales Plaintiff.....

Witness my hand this 25th day of February 1965

Alice J. Pinal, Clerk

2673 376
77

No. 3864

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

JOHN W. SEALES

Plaintiffs

vs.

CERTAIN LANDS DESCRIBED IN THE

BILL, ET AL

Defendants

SUMMONS AND COMPLAINT

Filed February 25, 1965.....

Alice J. Duck

Clerk

RECEIVED

FEB 26 1965

CLERK'S OFFICE

James E. Moore

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

Feb. 25 1965

....., Sheriff

I have executed this summons

this 19.....

by leaving a copy with

John G. Richardson 3-5-65
O Dempsey Richardson 3-4-65
Loyell Richardson 3-1-65
Clara Belajiski 3-4-65
Fannie L. Payne 3-19-65

..... Sheriff

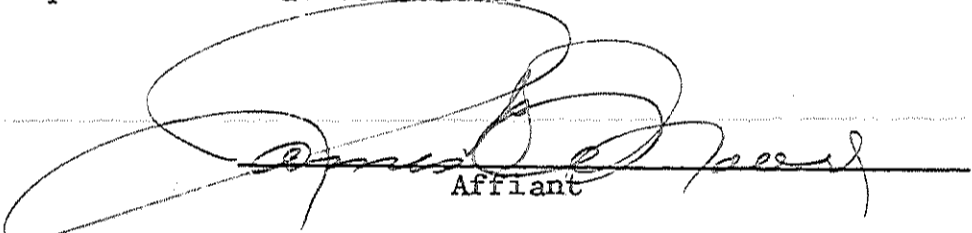
..... Deputy Sheriff

All the heirs or devisees of Willie Benefield, deceased, if any there be, and their heirs or devisees, if deceased, addresses unknown.

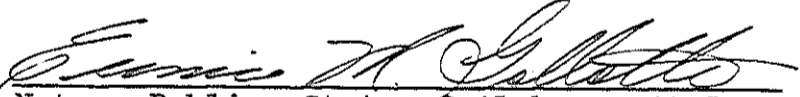
All heirs of Nettie Bassett, deceased, if any there be, with the exception of Elmer Benefield, and their heirs and devisees, if deceased, addresses unknown.

nor their heirs, if they be deceased, nor whether they or any of their heirs, if they be deceased, are in the military service.

That he has made extensive efforts with the assistance of the Complainant, by inquiring of other members of the family of the above named Respondents, to find their whereabouts, and by inquiry in the neighborhood of the subject property where the Respondents formerly lived, and that all of these efforts have failed to disclose the whereabouts or addresses of the said Respondents except as hereinabove stated.


Affiant

IN WITNESS WHEREOF, I have hereunto set my hand and seal
this 19th day of October, 1957.


Notary Public, State of Alabama, At Large.

Filed
10-21-57

JOHN W. SEALS,

Complainant,

-VS-

LANDS DESCRIBED IN THE BILL,
et al,

Respondents.

§

§

§

§

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

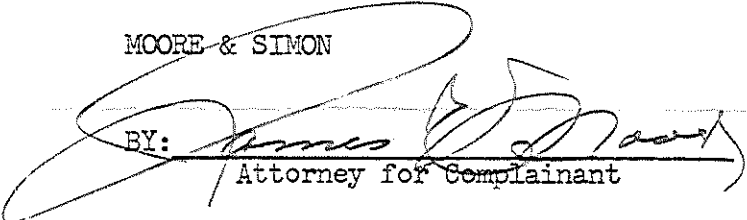
NO. 3864

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes the Complainant in the above styled cause and shows unto the Court that this cause was filed on August 30, 1956, and that service was had on all Respondents either by personal service or by publication, as required by law, and that the time in which any parties respondent, or other parties interested in the lands which are the subject of this cause, should file their claim, or objection to the claim of the Complainant in said lands, has expired, and none of said Respondents or other parties interested in said lands have come forward or signed any Plea, Demurrer or Appearance in this cause,

WHEREFORE, THE PREMISES CONSIDERED, your Complainant prays that the Court will enter a Decree Pro Confesso against all said Respondents to the parties having or claiming any interest in said lands, and designating your Complainants to be the sole owners of said lands in fee simple.

MOORE & SIMON

BY: 
Attorney for Complainant