

JOHN D. CLARKE

COMPLAINANT

VS

CLAUDE PETREY

RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 3937

This cause coming on to be heard is submitted for final decree upon the pleading, proof and testimony taken ore tenus; and upon consideration thereof the Court is of the opinion that the Complainant is entitled to the relief prayed for in his Bill of Complaint. It is, therefore, ordered, adjudged and decreed by the court;

1. That the Complainant, John D. Clarke, is the owner of the real estate described in the original bill in this cause and which real estate is situated in the County of Baldwin, State of Alabama; and more particularly described as follows:

West half of Northeast quarter of Section 27, Township 8 South, Range 4 East.

2. That the Respondent in this cause has no right, title or interest in or encumbrance upon such lands above described, or any part thereof.

3. That the Register, within thirty days from this date, file a certified copy of this decree for record in the Probate Court of Baldwin County, Alabama, the county in which said land lies; and that the Probate Judge record and index said decree as required by Code of 1940, Title 7, Section 1113.

4. That the Complainant pay the costs of this suit to be taxed by the Register, for which let execution issue.

Done this 14<sup>th</sup> day of May, 1957.

*J. Hubert McFall*  
Circuit Judge

FILED

MAY 14 1957

CLERK OF COURT

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CLAUDE PETEET 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, Alabama, at Bay Minette, against Claude Peteet, Respondent and JOHN D. CLARKE as Complainant.

Witness my hand this 10<sup>th</sup> day of December, 1956.

Alice J. Duck  
Register

JOHN D. CLARKE	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA,
VS.	)	IN EQUITY
CLAUDE PETEET	)	
RESPONDENT	)	

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

Comes John D. Clarke, and humbly complaining against Claude Peteet, respectfully show unto Your Honor as follows:

1.

That your Complainant is over the age of twenty-one years and he is a resident of the State of Georgia; that the Respondent is over the age of twenty-one years and his residence is Baldwin County, Alabama.

2.

That your Complainant is the owner of and is in the peaceable possession of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

The West half of Northeast quarter of Section 27, Township 6 South, Range 4 East.

3.

That the said Claude Peteet claims or is reputed to claim some right, title, claim or interest in, lien or encumbrance upon the above described lands, or some part or parcel thereof, and the complainant calls upon him to set forth and specify his right, title, claim or interest in, lien or encumbrance upon the said lands or any part of parcel thereof, and to show how and by what instrument or instruments the same is derived or created.

4.

That there is no suit pending to enforce or test the validity of the Complainant's title to the said lands, or to enforce or test the validity of the Respondent's right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof.

WHEREFORE, your Complainant prays that this Honorable Court take jurisdiction of the cause made by this Bill of Complaint and make the said Claude Peteet party Respondent hereto, and by appropriate process require him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause this Honorable Court will make and enter an order and decree adjudging and decreeing that the said Respondent, Claude Peteet, has no right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof, and that the title to the said lands be quieted and established in this Complainant as against the said respondent; and that the said respondent be forever enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title, claim or interest in, lien or encumbrance upon the said lands or any part or parcel thereof.

Walters &amp; Brantley

BY: Harry J. Walters, Jr.  
Solicitors for the Complainant

Received 10 day of Dec. 1956  
and on 11 day of Dec 1956  
I served a copy of the within B+C.  
on Claude Petret

By service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By [Signature] D.  
[Signature]

Sheriff claims 72 miles at  
Ten Cents per mile Total \$ 7.20  
TAYLOR WILKINS, Sheriff  
BY [Signature]  
DEPUTY SHERIFF

3937

JOHN D. CLARKE  
COMPLAINANT  
VS  
CLAUDE PETRETT  
RESPONDENT

BILL OF COMPLAINT

FILED  
DEC 10 1956  
ALICE J. DUCK, Register

JOHN D. CLARKE		IN THE CIRCUIT COURT OF
COMPLAINANT		
VS		BALDWIN COUNTY, ALABAMA,
CLAUDE PETEET		
DEFENDANT		IN EQUITY

Comes the defendant in the above styled cause and answering complainant's bill of complaint says:

1. That he admits the allegation in the said bill of complaint as to the names, ages and places of residence of the parties thereto.

2. He admits that there is no suit pending other than this to try or test the title to the property described in the bill of complaint.

3. He denies that the complainant owns the lands described in the bill of complaint and that he is in possession of the same or any part thereof and says that he is the owner of the said lands and is in possession of the same holding title thereby by conveyance from Phillip Holm and Olive Holm, his wife, dated October 27, 1956, and recorded in the office of the Judge of Probate of Baldwin County in Deed Book 244 at page 455-6; that he and those through whom he claims have been in the continuous possession of said lands for more than twenty years next preceeding the filing of this bill of complaint; that the said Phillip Holm held title to the said property by mesne conveyances from the United States Government.

4. Further answering the said bill of complaint the defendant denies all allegations therein made and not herein specifically admitted.

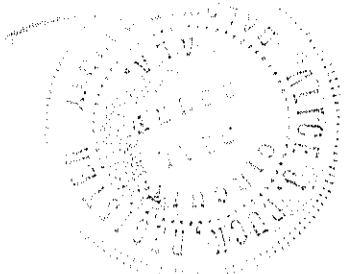
5. Further answering the said bill of complaint the defendant says that he is informed and believes and upon such information and belief alleges that the complainant is attempting to claim the said lands under a sale of the same for taxes and that at the time of the sale of the said lands for taxes this defendant's predecessor in title, namely: Phillip Holm, was the owner of the

said land, and under the laws of the State of Alabama he is entitled to redeem therefrom and he moves that this Honorable Court ascertain the taxes owing on the said lands, if any, and that he be permitted to redeem the said lands from taxes.

And now having fully answered the defendant prays that he may go hence with his reasonable cost in this behalf expended.

BEEBE & SWEARINGEN

BY W. C. Beebe  
Solicitor for defendant



Register of Circuit Court, in Equity

*James S. ...*

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 17 day of May, 1957.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 6-15-57  
Recorded *dead*  
Book 253 page 83  
Judge of Probate  
*109.M*

Robert M. Hall  
Circuit Judge

Done this ~~17th~~ day of May, 1957.  
Register, for which let execution issue.

4. That the Complainant pay the costs of this suit to be taxed by the Section 1113.

Judge record and index said decree as required by Code of 1940, Title 7, County, Alabama, the county in which said land lies; and that the Probate certified copy of this decree for record in the Probate Court of Baldwin

3. That the Register, within thirty days from this date, file a

in or encumbrance upon such lands above described, or any part thereof.

2. That the Respondent in this cause has no right, title or interest

West half of Northeast quarter of Section 27, Township 8 South, Range 4 East.

described as follows:

is situated in the County of Baldwin, State of Alabama; and more particularly

estate described in the original bill in this cause and which real estate

1. That the Complainant, John D. Clarke, is the owner of the real

adjudged and decreed by the court:

relief prayed for in his Bill of Complaint. It is, therefore, ordered,

thereof the Court is of the opinion that the Complainant is entitled to the

the pleading, proof and testimony taken on terms; and upon consideration

This cause coming on to be heard is submitted for final decree upon

JOHN D. CLARKE  
COMPLAINANT  
VS  
CLAUDE FLETCHER  
RESPONDENT  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
IN EQUITY  
NO. 3937

*John D. Clarke*  
*12*

BOOK 253 PAGE 83  
*10/15/57*



WITNESS MY HAND AND SEAL THIS 17th day of March 1921 at cause which said decree is on file and entered in my office. Original decree rendered by the Judge of the Circuit Court in Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the same as the same is on file in my office.

Register of Circuit Court in Baldwin County, Alabama  
Name of Plaintiff  
Name of Defendant  
Recorded 9-22-21  
Filed 9-22-21  
STATE OF ALABAMA, BALDWIN COUNTY  
Book 22 Page 102

Original Judge  
H. H. Hall

Done this 17th day of March 1921.

Register, for which the execution follows.

1. That the Complaint was the cause of this suit to be entered by the Register.

2. That the record and index said decree as required by Code of 1907, Title 1, Section 1173, the county in which said land lies; and that the proper certified copy of this decree for record in the Probate Court of Baldwin County.

3. That the Register, within thirty days from this date, file a copy of the same upon such judge as he described, or any part thereof.

4. That the Respondent in this cause has no right, title or interest in the land described in Section 11, Township 2 South, Range 1 West.

3937

John D. Clarke #1

described as follows:

In situated in the County of Baldwin State of Alabama; and more particularly estate described in the original bill in this cause and which now estate

is owned by the Complainant, John D. Clarke, is the owner of the real estate described and decreed by the court.

5. That the Complainant, John D. Clarke, is the owner of the real estate described and decreed by the court; and he, therefore, ordered, referred to the Court in his Bill of Complaint. It is, therefore, ordered, that the Court is of the opinion that the Complaint is entitled to the relief prayed for in his Bill of Complaint; and upon consideration the plaintiff's proof and testimony taken are found; and upon consideration the same coming on to be heard is admitted for final decree upon

RECORDING

NO. 3937

IN COUNTY

COMPLAINANT

BALDWIN COUNTY, ALABAMA,  
IN THE CIRCUIT COURT OF

JOHN D. CLARKE

BOOK 22 PAGE 102

R 100  
Alice Duck