

# THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE  
ADVERTISING RATES GIVEN ON APPLICATION

### NOTICE

In the Circuit Court of Baldwin County, Alabama. In Equity. No. 196.

WILLIAM A. YEEND, Com-plainant, vs. CERTAIN LANDS, HEIRS OF WILLIAM A. SMITH and HEIRS OF JOSEPH SMITH, Respondents.

Notice is hereby given that William A. Yeend, on the 4th day of March, 1937, filed an Amended Bill of Complaint in the Circuit Court of Baldwin County, Alabama, Equity side, claiming to be in actual, peaceable possession, owning and claiming to own that certain parcel or lot of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

That lot of land being a portion of the W. E. Kennedy Tract on Bon Secour River commencing at the Northeast corner of Section thirty-four (34), William E. Kennedy Grant, in Township eight (8) South Range three (3) East, thence running south twenty-five degrees east on the east line of the William E. Kennedy Grant, Sixteen hundred and twenty-three (1623) feet, thence south twenty-four (24) degrees and fourteen (14) minutes clearing up an

dispute concerning same. Witness my hand this 5th day of March, 1937.

ROBERT S. DUCK, Register in Chancery, Baldwin County, Alabama.

WILLIAM H. COWAN, Solicitor for Complainant. 6-4

BAY MINETTE, ALA.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

*James H. Faulkner*, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

*William A. Yeend, complainant, vs certain lands*

Was published in said Newspaper for 4 consecutive weeks in the following issues:

<i>March 11, 1937</i>	Vol. <u>48</u> No. <u>6</u>
<i>" 18, 1937</i>	Vol. <u>48</u> No. <u>7</u>
<i>" 25, 1937</i>	Vol. <u>48</u> No. <u>8</u>
<i>April 1, 1937</i>	Vol. <u>48</u> No. <u>9</u>

Date of fourth publication

Subscribed and sworn before the undersigned this 2<sup>nd</sup> day of

*April*, 1937  
*Mary Lou Fortenberry,*  
*Notary Public,*  
*Baldwin County, Alabama.*

*James H. Faulkner*  
Publisher

Printed and published by the Baldwin Times, Baldwin County, Alabama. Entered as second class matter, March 11, 1937, under Post Office No. 196, at Baldwin, Alabama. Postmaster: J. H. Faulkner. Acceptance for mailing at special rate of postage provided for in Act of October 3, 1917, authorized on July 1, 1937. Paid in Advance for postage and printing for 1937, \$2.00. Total paid in Advance for postage and printing for 1937, \$2.00. Total paid in Advance for postage and printing for 1937, \$2.00.

196

NOTICE.

WILLIAM A. YEEND,

COMPLAINANT

V.

THE LANDS HEREIN DESCRIBED;  
Robert J. Yeend, Charles C.  
Hand, William A. Smith and  
Joseph Smith,

RESPONDENTS.

1  
1  
1 CIRCUIT COURT  
1 OF  
1 BALDWIN COUNTY,  
1 ALABAMA.  
1  
1 EQUITY SIDE.

Notice is hereby given that William A. Yeend on the 22<sup>nd</sup> day of February, 1936, filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, Equity Side, claiming to be in actual, peaceable possession, owning and claiming to own that certain parcel or lot of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

1st Parcel

The west half of the southeast quarter of Section twenty-six in Township eight South, Range Three East, containing eighty (80) acres, more or less. Being the same property conveyed to the Grantor by deed from George H. Hoyle and Evie D. Hoyle, his wife, dated the 29th day of March, 1919; and recorded the 16th day of December, 1919, in Deed Book No. 29, N. S., page 99, Probate Records of Baldwin County, Alabama. ALSO:

2nd Parcel

East half of the southwest quarter of section twenty-six (26), Township eight (8) South, Range Three (3) East, containing Eighty (80) acres, more or less. Being the same property conveyed to the grantor by deed from John B. Foley and Anna E. Foley, his wife, dated the 1st day of April, 1919, and recorded on the 16th day of December 1919, in Deed Book No. 29, N. S. page 99, Probate Records of Baldwin County, Ala.

3rd Parcel

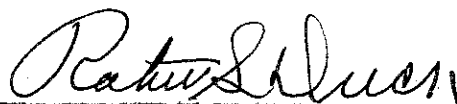
That lot of land being a portion of the W. E. Kennedy Tract on Bon Secour River commencing at the Northeast corner of Section thirty-four (34), William E. Kennedy Grant, in Township eight (8) South Range three (3) East; thence running south twenty-five degrees east on the east line of the William E. Kennedy Grant, Sixteen hundred and twenty-three (1623) feet; thence south twenty-four (24) degrees and fourteen (14) minutes west, one thousand and twenty feet; thence south three degrees east five hundred feet, more or less to the north margin of Bon Secour River; thence south seventy-four (74) degrees and forty-one (41) minutes west, three hundred and thirty-three (333) feet along the north margin of Bon Secour River; thence north sixteen degrees west, two hundred and eighty-one and one-half feet; thence north one degree and forty minutes west two thousand seven

hundred and twenty feet; to north line of section thirty-four, William E. Kennedy Grant; thence East one hundred and seventy-eight and three quarters feet to the point of beginning.

Complainant alleges in his bill of complaint that the title to said lands stands on the records of the Probate Court of Baldwin County, Alabama in the name of Robert J. Yeend; that complainant claims title to said land by deed from Robert J. Yeend to complainant dated December 16, 1919 which deed has not been recorded.

Complainant further alleges that he and those under whom he claims title have paid taxes on said property for more than ten years prior to the filing of this bill of complaint and that complainant and those under whom he claims title have been in actual possession of said lands and claiming to own the same for more than ten years, next, preceding the filing of this bill of complaint; and that to complainant's knowledge, no one else has paid any taxes thereon or been in possession thereof and that his bill of complaint is filed for the purpose of establishing his title to and interest in said lands and clearing up all doubts and disputes concerning same.

Witness my hand this 22 day of February, 1936.



Register Circuit Court, Baldwin  
County, Alabama.

William H. Cowan,  
Solicitor for Complaint.

NOTICE.

WILLIAM A. YEEND,

Complainant,

VS.

CERTAIN LANDS, HEIRS OF  
WILLIAM A. SMITH and HEIRS  
OF JOSEPH SMITH,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 196.

Notice is hereby given that William A. Yeend, on the 4th day of March, 1937, filed an Amended Bill of Complaint in the Circuit Court of Baldwin County, Alabama, Equity side, claiming to be in actual, peaseable possession, owning and claiming to own that certain parcel or lot of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

That lot of land being a portion of the W. E. Kennedy Tract on Bon Secour River commencing at the Northeast corner of Section thirty-four (34), William E. Kennedy Grant, in Township eight (8) South Range three (3) East; thence running south twenty-five degrees east on the east line of the William E. Kennedy Grant, Sixteen hundred and twenty-three (1623) feet; thence south twenty-four (24) degrees and fourteen (14) minutes west, one thousand and twenty-feet; thence south three degrees east five hundred feet, more or less to the north margin of Bon Secour River; thence south seventy-four (74) degrees and forty-one (41) minutes west, three hundred and thirty-three (333) feet along the north margin of Bon Secour River; thence north sixteen degrees west, two hundred and eighty-one and one-half feet; thence north one degree and forty minutes west two thousand seven hundred and twenty feet; to north line of section thirty-four, William E. Kennedy Grant; thence East one hundred and seventy-eight and three quarters feet to the point of beginning.

Complainant alleges in his bill of complaint that title to said lands stands on the records of the Probate Court of Baldwin County, Alabama in the name of Robert J. Yeend; that Warrantly deed from Joseph Smith, unmarried, to Complainant claims title to said land by ~~xxxxxxx~~ Robert J. Yeend dated March 14, 1919 and recorded ~~xxxxxxx~~ to Complainant ~~xxxxx~~ December 16, 1919, ~~xxxxxxxxxxxxxx~~ ~~xxxxxxxxxxxxxx~~ ~~xxxxxx~~ D. B. 29 N. S. P. 99.

Complainant further alleges that he and those under whom he claims title have paid taxes on said property for more than ten years prior to the filing of this bill of complaint and that Complainant and those under whom he claims title have been in actual possession of said lands and claiming to own the same for more than ten years, next, preceding the filing of this bill of complaint and that to Complainant's knowledge, no one else has paid any taxes thereon or been in possession thereof and that his bill of complaint is filed for the purpose of establishing his title to and interest in said lands and clearing up all doubts and disputes concerning same.

Witness my hand this 5th day of March, 1937.

ROBERT S. DUCK,  
Register in Chancery,  
Baldwin County, Alabama.

WILLIAM H. COWAN,  
Solicitor for Complainant.

STATE OF ALABAMA )  
COUNTY OF BALDWIN )

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

TO THE HONORABLE JUDGE OF SAID COURT:

Comes William A. Yeend and amends his original bill of complaint to read ~~XXXXXXSHOWS UNLAWFUL CLAIMS XXXXXX~~ as follows: That he is over the age of twenty-one years and is a resident citizen of Mobile County, Alabama and brings this bill of complaint pursuant to the provisions of Article 2 of Chapter 336 of the Code of Alabama 1923 against the certain tracts or parcels of land situated in the County of Baldwin, State of Alabama, and more particularly described as follows:

That lot of land being a portion of the W. E. Kennedy Tract on Bon Secour River commencing at the Northeast corner of Section thirty-four (34), William E. Kennedy Grant, in Township eight (8) South Range three (3) East; thence running south twenty-five degrees east on the east line of the William E. Kennedy Grant, Sixteen hundred and twenty-three (1623) feet; thence south twenty-four (24) degrees and fourteen (14) minutes west, one thousand and twenty-feet; thence south three degrees east five hundred feet, more or less to the north margin of Bon Secour River; thence south seventy-four (74) degrees and forty-one (41) minutes west, three hundred and thirty-three (333) feet along the north margin of Bon Secour River; thence north sixteen degrees west, two hundred and eighty-one and one-half feet; thence north one degree and forty minutes west two thousand seven hundred and twenty feet; to north line of section thirty-four, William E. Kennedy Grant; thence East one hundred and seventy-eight and three quarters feet to the point of beginning.

And also against all persons claiming any title to, interest in, lien or incumbrance thereon, for the purpose of establishing his title to and interest in said land and for the further purpose of clearing up all doubts and disputes concerning the same, and shows unto your Honor:

FIRST: That complainant is the sole owner and in actual, peaceable possession of the above described parcels or tracts of land, and that he claims to own the same in fee simple; that your complainant holds the legal title and is in possession of said lands by virtue of numerous deeds in which his predecessor in title, and from whom he is grantee, was in actual, peaceable, open, notorious, exclusive, continuous and adverse possession of said lands, claiming to own the same; that complainant's predecessors in title claimed openly, notoriously, peaceably, exclusively, continuously and adversely up to the time that complainant purchased said lands and went unto possession of same as hereinafter stated and that your complainant's

claim of ownership and possession has always been open, notorious, exclusive, continuous and adverse to all of the world from the date complainant purchased and went into possession of said lands unto this date and your complainant's title and possession with that of the grantors from whom your complainant acquired title and possession has been for more than 20 years next preceding the filing of this bill of complaint always open, notorious, exclusive, continuous and adverse to all the world.

SECOND: That your complainant acquired title to all of the land described in his bill of complaint by virtue of a warranty deed from one, Robert J. Yeend, which deed is dated December 16, 1919 and conveys to your complainant all of the land hereinbefore described in this bill of complaint. That Robert J. Yeend acquired his title in and to the lands by virtue of the following conveyances:

Warranty Deed from Joseph Smith, unmarried, to Robert J. Yeend, dated March 14, 1919 recorded December 16, 1919 D. B. 29 N. S. P. 99 conveys land as described in petitioner's amended bill of complaint.

THIRD: Complainant further shows unto your Honors that one, William Smith, claimed an undivided half interest in and to the land described in his bill of complaint and that said William Smith's present address is unknown to your complainant and complainant is informed and believes and on such information and belief charges the fact to be that William Smith died on March 12, 1934 in the City of Dearborn, State of Michigan.

That the only heirs and next of kin of said William Smith are Joseph Smith, a nephew of William Smith; that complainant does not know the present whereabouts or address of said Joseph Smith and alleges that his address is unknown and cannot be ascertained after diligent search and inquiry.

That neither William Smith nor Joseph Smith have been in actual or constructive possession of any of the land described in this bill of complaint within twenty years next preceding the filing hereof.

That said William Smith and Joseph Smith have not paid any taxes upon said lands for more than ten years next preceding the filing of this bill of complaint nor have they or either of them disputed complainant's claim of title or possession into said land. That your complainant's claim of title or possession into said land has been

open, notorious, continuous, peaceable, exclusive and adverse for more than ten years by virtue of the various transfers in the manner as hereinbefore stated.

FOURTH: Complainant avers that to his knowledge no one other than himself or those under whom he claims title, have at any time within ten years next preceding the filing of this bill of complaint, paid any taxes on any of the said land described in this bill of complaint, or any interest therein, or had, during said time, any possession of any part thereof and no one is known to complainant to claim said lands or any part thereof or any interest therein or to have any lien or incumbrances thereon.

PRAYER FOR PROCESS

WHEREFORE, premises considered complainant prays that the land hereinbefore described, the unknown heirs of William H. Smith and Joseph Smith be made parties defendants to this bill of complaint and that the usual process of this Court issue to the defendants and the non-resident defendants be brought into court by publication or other usual and proper process of this Honorable Court; that they and each of them be required to demur to or answer this bill of complaint within the time prescribed by law and according to the rules of this Honorable Court and that notice of the amended bill of complaint be published and a certified copy thereof filed in the Lis Pendens Docket of the Probate Court of Baldwin County, Alabama, and such other notice of the pendency of this bill of complaint as amended be given as may be required by the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that if any one of the defendants hereinbefore named, or any other person, firm or corporation claims said land or any part thereof, or any interest therein, or lien or incumbrance thereon, they be required to appear and set forth and specify such claim, title, interest or lien or incumbrance, and further set forth how and by what instrument the same was derived or created.

Complainant further prays that upon the final hearing of this cause, your Honor will order, adjudge and decree that the complainant at the time of filing this bill of complaint in this cause had and continues to have the legal title to the land described in this bill of complaint; that none of the defendants nor any



other person firm or corporation own the same or any part thereof, or now have any right, title or interest, or interest therein or thereto, or any lien or incumbrance thereon and complainant prays for such other, further and different and general relief as in equity and good conscience he may be entitled to receive in the premises.

COMPLAINANT

*W. H. Cowan*

SOLICITOR FOR COMPLAINANT

STATE OF ALABAMA ↓

COUNTY OF MOBILE ↓

Personally appeared before me, the undersigned Notary Public in and for said State and County, William H. Cowan, solicitor for complainant in the above entitled cause, who is known to me and who being by me first duly sworn, deposes and says that the foregoing bill of complaint was stated upon his personal knowledge and that the facts stated therein are true according to his personal knowledge and that he has been informed as to said facts stated therein and upon such information and belief charges the same to be true.

Given under my hand this 3<sup>rd</sup> day of March, 1937.

*William H. Cowan*  
AFFIANT

Subscribed and sworn to before me this 3<sup>rd</sup> day of March, 1937.

*Marcell M. Cowan*  
Notary Public, Mobile County, Ala.

WILLIAM A. YEEND,

Complainant,

VS.

CERTAIN LANDS and  
CHARLES C. HAND, et al,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 196.

ANSWER AND CROSS BILL.

Now comes Charles C. Hand, one of the Respondents in the above entitled cause and for answer to the Bill of Complaint in this cause, and to each and every count thereof separately and severally and for this his Cross Bill says:

1. This Respondent denies the allegations of paragraph numbered "First" of the Bill of Complaint.

2. This Respondent denies the allegations contained in paragraph numbered "Second" of the Bill of Complaint.

3. This Respondent is not informed as to and therefore denies the allegations contained in paragraph numbered "Third" of the Bill of Complaint.

4. This Respondent denies the allegations contained in paragraph numbered "Fourth" of the Bill of Complaint.

5. This Respondent claims to own a part of the said lands, namely, the West Half of the Southeast Quarter of Section 26, Township 8 South Range 3 East, in Baldwin County, Alabama, under a tax title arising out of a tax sale held on May 31, 1919, wherein the said lands were sold to C. C. Hand, who is the same person as this Respondent, Charles C. Hand. This Respondent further alleges that he has been in the possession of the said property since on to-wit, May 31, 1921, and that the Complainant, William A. Yeend claims or is reputed to claim some right, title or interest in or encumbrance upon the said lands and he hereby calls upon the said William A. Yeend to set forth and specify his respective title, claim or interest in or encumbrance upon the said lands and how and by what instrument the same is derived and

created.

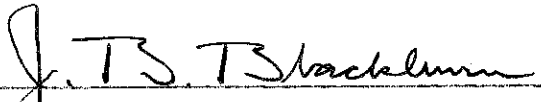
6. This Respondent denies each and all other allegations of the said Bill of Complaint which are not specifically answered herein.

PRAYER FOR PROCESS.

The said Charles C. Hand having now answered the Bill of Complaint, prays that his answer may be taken and treated in all respects as a Cross Bill and that the said William A. Yeend be made a party Respondent to this his Cross Bill and that he have notice of same according to the rules and practice of this Honorable Court.

PRAYER FOR RELIEF.

This Respondent and Cross Complainant prays that upon a final hearing of this cause it be adjudged and decreed that the Complainant and Cross Respondent, William A. Yeend, has no right, title, claim or interest in or encumbrance upon the said lands or any part thereof and that title to the said land be quieted and established in this Respondent and Cross Complainant as against the Complainant and Cross Respondent and that he be forever enjoined from asserting or attempting to assert, claiming or attempting to claim any right, title, claim or interest in or lien or encumbrance on or possession of the said lands or any part thereof. This Respondent and Cross-Complainant further prays for such other further and general relief as he may be equitably entitled to the premises considered.

  
Solicitor for Respondent and Cross  
Complainant.

FOOT NOTE: The Complainant and Cross Respondent is required to answer each and every paragraph of the foregoing Cross Bill, but not under oath, the benefit whereof is hereby expressly waived.

J. B. T. Bladlum.

Solicitor for Respondent and Cross-Complainant.

The State of Alabama, }  
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon CHARLES C. HAND

of BALDWIN County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

WILLIAM A. YEEND

against said CERTAIN LANDS, ROBERT J. YEEND, CHARLES C. HAND,  
WILLIAM A. SMITH and JOSEPH SMITH,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, Robert S. Duck, Register of said Circuit Court, this 22nd day of February 1936



Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

WILLIAM A. YEEND,

Complainant,

VS.

CERTAIN LANDS and CHARLES C.  
HAND, et al,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 196.

DEMURRER.

Now comes E. Davidson, a person claiming title to a part of the lands described in the Bill of Complaint in this cause, namely: The East Half of Southwest Quarter of Section 26, Township 8 South Range 3 East, in Baldwin County, Alabama, and for demurrer to the Bill of Complaint and to each and every count thereof, separately and severally say:

1. It does not state specifically from whom and how Complainant's interest or title so claimed in and to said lands was obtained.

2. It does not state in whose name the title to said lands or the interest therein claimed by the Complainant stands upon the records of the Probate Court of Baldwin County, Alabama.

3. It does not allege who or if anyone has at any-time within ten years next preceeding the filing of the Bill of Complaint paid any taxes upon the said lands or any part thereof or any interest therein.

4. For aught that appears in the Bill of Complaint as filed in said cause the State of Alabama had no title to the real estate named therein at the time of the conveyance by it as set out in the said Bill of Complaint.

5. For aught that appears from said Bill of Complaint persons other than the Complainant and those under whom he claims, have annually paid taxes on the said lands described in the Bill of Complaint.

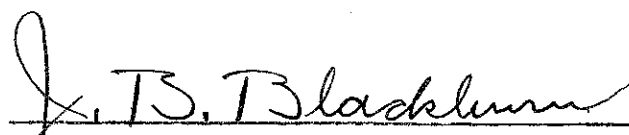
6. For aught that appears from the said Bill of Complaint the title to the said lands does not stand in the name of the Complainant upon the records of the Probate Court of Baldwin County, Alabama.

7. No facts are alleged showing that the Complainant exercised diligence to ascertain the facts with regard to any of the matters stated in the Bill of Complaint as unknown to Complainant.

8. Because in paragraph Fourth of the said Bill of Complaint the allegations therein are made upon information and belief and no facts are stated therein showing that Complainant exercised diligence to ascertain the facts with regard thereto.

9. It affirmatively appears from the said Bill that the same is exhibited against this Defendant and several other Defendants and distinct matters and causes involving separate and distinct tracts of land in several whereof this Defendant is not in any matter concerned, and that the Bill is altogether multifarious.

10. It appears by the said Bill that the same improperly unites distinct matters and causes so that it is altogether multifarious.

  
Solicitor for E. Davidson.

STATE OF ALABAMA |  
COUNTY OF BALDWIN |

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

TO THE HONORABLE JUDGE OF SAID COURT:

Comes William A. Yeend and shows unto this court that he is over the age of twenty-one years and is a resident citizen of Mobile County, Alabama and brings this bill of complaint pursuant to the provisions of Article 2 of Chapter 336 of the Code of Alabama 1923 against the certain tracts or parcels of land situated in the County of Baldwin, State of Alabama and more particularly described as follows:

1st Parcel

The west half of the southeast quarter of Section twenty-six in Township eight South, Range Three East, containing eighty (80) acres, more or less. Being the same property conveyed to the Grantor by deed from George H. Hoyle and Evie D. Hoyle, his wife, dated the 29th day of March, 1919, and recorded the 16th day of December, 1919, in Deed Book No. 29, N. S., page 99, Probate Records of Baldwin County, Alabama. ALSO:

2nd Parcel

East half of the southwest quarter of section twenty-six (26), Township eight (8) South, Range Three (3) East, containing Eighty (80) acres, more or less. Being the same property conveyed to the grantor by deed from John B. Foley and Anna E. Foley, his wife, dated the 1st day of April, 1919, and recorded on the 16th day of December 1919, in Deed Book No. 29, N. S. page 99, Probate Records of Baldwin County, Ala.

3rd Parcel

That lot of land being a portion of the W. E. Kennedy Tract on Bon Secour River commencing at the Northeast corner of Section thirty-four (34), William E. Kennedy Grant, in Township eight (8) South Range three (3) East; thence running south twenty-five degrees east on the east line of the William E. Kennedy Grant, Sixteen hundred and twenty-three (1623) feet; thence south twenty-four (24) degrees and fourteen (14) minutes west, one thousand and twenty feet; thence south three degrees east five hundred feet, more or less to the north margin of Bon Secour River; thence south seventy-four (74) degrees and forty-one (41) minutes west, three hundred and thirty-three (333) feet along the north margin of Bon Secour River; thence north sixteen degrees west, two hundred and eighty-one and one-half feet; thence north one hundred and twenty minutes west two thousand seven thirty-four, William E. Kennedy Grant; thence East one hundred and seventy-eight and three quarters feet to the point of beginning.

And also against all persons claiming any title to, interest



in, lien or incumbrance thereon, for the purpose of establishing his title to and interest in said land and for the further purpose of clearing up all doubts and disputes concerning the same, and shows unto your Honor:

FIRST: That complainant is the sole owner and in actual, peaceable possession of the above described parcels or tracts of land, and that he claims to own the same in fee simple; that your complainant holds the legal title and is in possession of said lands by virtue of numerous deeds in which his predecessor in title, and from whom he is grantee, was in actual, peaceable, open, notorious, exclusive, continuous and adverse possession of said lands, claiming to own the same; that complainant's predecessors in title claimed openly, notoriously, peaceably, exclusively, continuously and adversely up to the time that complainant purchased said lands and went unto possession of same as hereinafter stated and that your complainant's claim of ownership and possession has always been open, notorious, exclusive, continuous and adverse to all of the world from the date complainant purchased and went into possession of said lands unto this date and your complainant's title and possession with that of the grantors from whom your complainant acquired title and possession has been for more than 20 years next preceding the filing of this bill of complaint always open, notorious, exclusive, continuous and adverse to all the world and during which time your complainant and his predecessors in title have paid all taxes that have been assessed against and become due and payable upon said lands.

SECOND: That your complainant acquired title to all of the lands described in his bill of complaint by virtue of a warranty deed from one, Robert J. Yeend, which deed is dated December 16, 1919 and conveys to your complainant all of the lands hereinbefore described in this bill of complaint. That Robert J. Yeend acquired his title in and to the lands by virtue of the following conveyances:

1st Parcel

Tax Deed State of Alabama to George H. Hoyle dated July 28, 1902. Quit Claim Deed George H. Hoyle & wife to Robert J. Yeend dated March 29, 1919 according to D. B. 29 N. S. P. 99 of the Probate Records of Baldwin County, Alabama. (Recorded December 16, 1919.)

any part thereof and no one is known to complainant to claim said lands or any part thereof or any interest therein or to have any lien or incumbrances thereon.

FOURTH: That your complainant is informed and believes and upon such information and belief charges the fact to be that one, Charles C. Hand, who resides in Bay Minette, Baldwin County, Alabama is claiming some ownership, title or interest in and to the lands described in your complainant's bill of complaint and more particularly the first parcel thereof; the exact extent of the claim of ownership by said Charles C. Hand is unknown to your complainant.

PRAYER FOR PROCESS

WHEREFORE, premises considered complainant prays that the lands hereinbefore described, said Charles C. Hand and the unknown heirs of William H. Smith and Joseph Smith be made parties defendant to this bill of complaint and that the usual process of this Court issue to the defendants who are residents and the non-resident defendants be brought into court by publication or other usual and proper process of this Honorable Court; that they and each of them be required to demur to or answer this bill of complaint within the time prescribed by law and according to the rules of this Honorable Court and that notice of the pendency of this bill of complaint be published and a certified copy thereof filed in the Lis Pendens docket of the Probate Court of Baldwin County, Alabama, and such other notice of the pendency of this bill of complaint be given as may be required by the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that if any one of the defendants hereinbefore named, or any other person, firm or corporation claims said lands or any part thereof, or any interest therein, or lien or incumbrance thereon, they be required to appear and set forth and specify such claim, title, interest or lien or incumbrance, and further set forth how and by what instrument the same was derived or created.

Complainant further prays that upon the final hearing of this cause, your Honor will order, adjudge and decree that the complainant at the time of filing this bill of complaint in this cause had and continues to have the legal title to the lands described in this bill of complaint; that none of the defendants nor any other person firm or corporation own the same or any part thereof, or now have any right, title or interest, or interest therein or thereto, or any lien or incumbrance thereon and complainant prays for such others further and different and general relief as in equity and good conscience he may be entitled to receive in the premises.

William A. Ems  
COMPLAINANT

William H. Corran  
SOLICITOR FOR COMPLAINANT

STATE OF ALABAMA §

COUNTY OF MOBILE §

Personally appeared before me, Marcelle M. Cowan, a Notary Public in and for said State and County, William A. Yeend, complainant in the above entitled cause, who is known to me and who being by me first duly sworn, deposes and says that the foregoing Bill of Complaint was stated upon his personal knowledge and that the facts stated therein are true according to his personal knowledge and that he has been informed as to said facts stated therein and upon such information and belief charges the same to be true.

Given under my hand this 20<sup>th</sup> day of February, 1936.

William A. Ems  
Complainant

Subscribed and sworn to before me this 20<sup>th</sup> day of February, 1936.

Marcelle M. Cowan  
Notary Public, Mobile County, Ala.

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**I'M SO**

*It always works*

Just do what hospitals do, doctors insist on. Use a good laxative, and aid Nature's clocklike regularity without ill effect.  
 A liquid can always be gradually reduced doses. *Dosage is the real secret of relief.*

**NOTICE**  
 William A. Yeend, Complainant vs. The lands herein described; Robert J. Yeend, Charles C. Hand, William A. Smith, and Joseph Smith, Respondents  
 Circuit Court of Baldwin County, Alabama, Equity Side  
 Notice is hereby given that William A. Yeend, on the 22nd day of February, 1936, filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, Equity Side, claiming to be in actual, peaceable possession, owning and claiming to own that certain parcel or lot of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:  
 First Parcel  
 The west half of the southeast quarter of Section twenty-six in Township eight South, Range Three East, containing eighty (80) acres, more or less. Being the same property conveyed to the Grantor by deed from H. H. and H. W. D. Hovye.

the filing of this bill  
 d that to complain-  
 no one else has paid  
 n or been in posses-  
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 clearing up all doubts  
 concerning same.  
 and this 22 day of  
 S. DUCK, Register  
 Court, Baldwin County,  
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ST.

Smith

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H. H. Yeend vs. R. J. Yeend - c. c. Hand

Notice

ADVERTISING RATES GIVEN IN ADVANCE  
 SUBSCRIPTION \$1.50 PER YEAR IN ADVANCE

**THE BALDWIN TIMES**  
 PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA  
 William H. Conner  
 Solicitor

Robert S. Duck, Register

BAY MINETTE, ALA. Feb-29-36

BAY MINETTE, ALA

4/20/37

Mr. R. S. Duck, Register

**THE BALDWIN TIMES**

"Alabama's Best County's Best Newspaper"

March 11 - William A. Yeend - vs. certain lands -  
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\$ 25.00 Bay Minette, Ala., June 12, 1939

THE BALDWIN TIMES

Received of W. H. Cowan

Twenty five and no/100 Dollars

on account Legal for Williams & Grand  
Nov Feb. 1936

\$ 25.00 Bay Minette, Ala., June 12, 1939

THE BALDWIN TIMES

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Rev Feb. 1936

Nº 478

Expiration Date C. J. Sims