

A. B. HANKINS

COMPLAINANT

VS

SOUTHERN PLANTATION  
DEVELOPMENT COMPANY,  
A CORPORATION,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. \_\_\_\_\_

RESPONDENTS

LIS PENDENS NOTICE

It having been made to appear, in the above styled cause by proper affidavit that Southern Plantation Development Company is a corporation but has no one resident in Baldwin County, Alabama, upon whom service can be perfected; That Edwin F. Winegar is over twenty-one years of age and a non-resident of the State of Alabama, and whose address cannot be ascertained after a diligent search and inquiry; that Denniston-Boykin Company Inc., is a corporation with its offices in Mobile, Alabama; that Baldwin Timber & Naval Stores Company is a corporation with its offices in Mobile, Alabama; that A. B. Hankins is over twenty-one years of age and a resident of Baldwin County, Alabama, and the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Northeast quarter of Southwest quarter of Section 16,  
Township 5 South, Range 4 East.

That your Complainant acquired title to said lands by conveyance from J. H. Hankins and Dovie Hankins, his wife, dated December 24, 1941, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 70 NS, pages 432-3; that no person is known to have paid any taxes on said land or to have been in possession thereof, within ten years next preceding the filing of the bill of complaint, excepting A. B. Hankins and J. H. Hankins.

It is therefore ordered and notice is hereby given that the said Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston Boykin Company, Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, the unknown heirs, devisees, personal representatives, grantees, successors and assigns of Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and any other person,

BOOK 002 PAGE 424

firms or corporations claiming any title to, interest in, lien or encumbrances upon said lands, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before the 10th day of January, 1952, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

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

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 9th day of December, 1952.

*Alice J. Duck*  
Register

HARRY J. WILTERS JR.  
Solicitor for the Complainant.

STATE OF ALABAMA  
BALDWIN COUNTY

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, in the cause of A. B. Hankins, Complainant vs Southern Plantation Development Company, a corporation, et al, Respondents, and file for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said lands lie, in accordance with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 9th day of December, 1952.

*Alice J. Duck*  
Register

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 12-11-52  
Recorded 19  
L.S. Prob. book. 423-4  
*W. L. Stewart*  
Judge of Probate

3

MOTION FOR FINAL DECREE

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

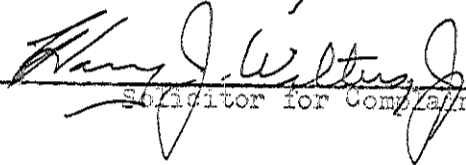
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

Testimony having been taken in this cause and the same being ready for final decree, motion is hereby made that the said cause be set down for final decree this the 19 day of February, 1953.

  
\_\_\_\_\_  
Attorney for Complainant

2932

TRANSCRIPT OF TESTIMONY

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, A CORPORATION, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

This day, before me, appeared A. B. HANKINS and J. H. HANKINS, witnesses for the Complainant in the above styled cause, Wilters & Brantley, Attorneys for the Complainant in the above styled cause, and Reuben F. McKinley, Guardian ad Litem for the unknown parties Respondents in the above styled cause.

A. B. HANKINS and J. H. HANKINS then being duly sworn, by me, to speak the truth, the whole truth and nothing but the truth were examined first by the attorneys for the Complainant and then cross examined by the attorney for unknown parties Respondents testified as follows:

ON DIRECT EXAMINATION MR. A. B. HANKINS TESTIFIED:

Q. Are you Mr. A. B. Hankins?

A. Yes.

Q. Are you over twenty-one years old?

A. Yes.

Q. Resided in Baldwin County more than one year?

A. Yes.

Q. Do you know whether Southern Plantation Development Company, is a corporation or not?

A. I do not.

Q. Did you have your attorney check to find out whether the heirs of Southern Plantation Development, Edwin F. Winegar, Denniston-Boykin Company, Baldwin Timber & Naval Stores Company were non-residents and over the ages of twenty-one years?

A. I did.

Q. Do you know whether he ascertained Edwin F. Winegar to be a non-resident of the State of Alabama?

A. I do not know, I suppose he did. I turned it over to him to handle for me, I suppose he did.

Q. Mr. Hankins do you own the Northeast Quarter of the Southwest quarter of Section 16, Township 5 South, Range 4 East, Baldwin County, Alabama.

A. Yes.

Q. How long have you been in possession of this land?

A. I have been in possession since 1943.

Q. Do you live on it?

A. I have lived on this land ever since I owned it. I use it for pasture. I cleared it about eight or nine years ago and put it into pasture.

Q. Has any body disputed your title?

A. No.

Q. Are there any mortgages, liens or encumbrances against this?

A. No.

Q. Who did you buy this land from?

A. My dad gave it to me.

Q. Is his name J. H. Hankins?

A. Yes.

Q. Was this deed made December 4, 1941?

A. Yes.

CROSS EXAMINATION BY REUBEN F. MORINLEY:

Q. Mr. Hankins was your father in possession at the time he conveyed it to you?

A. Yes.

Q. Have you paid taxes on this for the past ten years?

A. I assessed it when I bought it and have assessed and paid tax since.

RE-DIRECT EXAMINATION BY TOBERT M. BRANTLEY:

Q. Did you have the records searched?

A. I was informed there were no claims against any of the land.

Q. Did your search of the records determine who the heirs or people were who could claim under these Respondents?

A. He did.

Q. Mr. Hankins, is this the deed under which you claim title?

A. Yes.

Mr. Brantley: I am going to introduce this deed in evidence as Exhibit 1 for the Complainant, and ask permission to substitute a certified copy of this deed.

Mr. McKinley: You have my permission if you will identify it.

Mr. Brantley: This deed is from J. H. Hankins and Dovie Hankins to A. E. Hankins to the following described real estate: The Northeast Quarter of the Southeast Quarter, Section 16, Township 5 South, Range 4 East, Baldwin County, Alabama, bearing date of 24th, December, 1941, recorded in the Office of the Probate Judge in Deed Book number 76, page 432. Filed for record January 13, 1942.

CROSS EXAMINATION BY REUBEN F. MCKINLEY:

Q. Mr. Hankins, when did you go into possession?

A. I do not remember, as soon as I bought it.

Q. All that time you have paid tax?

A. Every year since that time.

DIRECT EXAMINATION OF MR. J. H. HANKINS, BY TOLEBERT M. BRANTLEY:

Q. You are Mr. J. H. Hankins, the father of Mr. A. E. Hankins?

A. Yes.

Q. Are you familiar with this property?

A. Yes.

Q. Were you the owner at one time?

A. Yes.

Q. Who did you purchase it from?

A. I understand Boykin owned ~~XXXXXXXXXX~~ it. I bought it from his agent.

Q. Is this the deed through which you claim title?

A. Yes.

Q. Mr. Hankins, this deed shows that you got this land February 15, 1937.

A. I went into possession. I fenced it immediately. I fenced it all and used it for pasture. He and I both were using it for pasture and I finally gave it to him.

Q. Did anybody try to get possession of this land?

A. Never has been, I paid tax from 37 until I let him have it.

Mr. Brantley: I want to introduce this deed in evidence as Exhibit 2 for Complainant, and ask permission to substitute a certified copy in lieu of the original.

*Mr. McKinley - "Granted" R.F.M.*

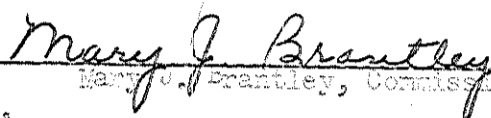
CROSS EXAMINATION BY REUBEN F. MCKINLEY:

Q. Mr. Hankins, were you in possession at all times from the date you went into possession?


A. Absolutely, and has never been any complaint from anybody.

I, Mary J. Brantley, as Commissioner hereby certify that the foregoing testimony was taken down by me in writing in the words of the witnesses, A. B. HANKINS and J. H. HANKINS, on the 18th day of February, 1953, in the office of Wilters & Brantley; that I have personal knowledge of the personal identity of said witnesses; that I am not of counsel nor of kin to any of the parties to said cause; or in any manner interested in the result thereof.


Given under my hand and seal this the 18th day of February, 1953.

  
Mary J. Brantley, Commissioner.

I, Harry J. Wilters, Jr., one of the Solicitors for the Complainant in the above styled cause, hereby certify that I have read the foregoing transcript of the testimony of A. B. Hankins and J. H. Hankins, which was taken before the above named commissioner and hereby certify that it is a true and correct transcript of their testimony.

  
Harry J. Wilters, Jr.

I, Reuben F. McKinley, Solicitor for the unknown parties Respondents in the above styled cause, hereby certify that I have read the foregoing transcript of the testimony of A. B. Hankins and J. H. Hankins, which was taken before the above named commissioner and hereby certify that it is a true and correct transcript of their testimony.

  
Reuben F. McKinley

FILED

FEB 23 1953

ALICE J. DUCK, Register



NOTICE OF TIME AND PLACE OF TAKING TESTIMONY

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

The Solicitor for Complainant in the above styled cause hereby gives to Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company, Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and any and all persons, firms, associations and corporations, notice that the deposition of A. B. HANKINS and J. H. HANKINS, witnesses for the Complainant will be taken before the Court on the 18 day of February, 1953, at Bay Minette  
Alabama.

Witness my hand this the 6 day of February, 1953.

[Signature]  
Solicitor for Complainant

ACCEPTANCE OF NOTICE BY GUARDIAN AD LITEM

Now comes [Signature] Guardian ad litem for the unknown parties Respondent in the above styled cause and accepts service of the foregoing notice.

[Signature]  
Guardian ad litem for the unknown parties  
Respondent

REGISTER'S CERTIFICATE

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, In Equity, do hereby certify that the foregoing notice of the time and place of taking deposition of Complainant's witnesses was filed and entered on the Order Book of the Register on the 9th day of Feb, 1953.

Alice J. Duck  
Register

NOTICE OF TIME & PLACE OF TAKING  
TESTIMONY

A. B. HANKINS,  
Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

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FILED  
FEB 9, 1963

WICK J. DICK, CLERK

NOTICE OF MOTION FOR ORAL EXAMINATION

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

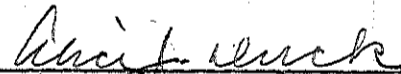
CASE NO. \_\_\_\_\_

To the unknown heirs, devisees, personal representatives, alinees and assigns of Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described lands, to-wit: North-east quarter of the Southwest quarter of Section 16, Township 5 South, Range 4 East, Baldwin County, Alabama, or some parcel or part thereof.

Notice is hereby given that the Complainant in the above styled cause has this day made application for the oral examination of A. B. HANKINS and J. H. HANKINS, witnesses for the Complainant in the above styled cause.

Witness this 6 day of February, 1953.

  
Solicitor for Complainant

  
Register, Circuit Court of  
Baldwin County, Alabama.

NOTICE OF MOTION FOR ORAL EXAMINATION

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AIS.,

Respondents.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

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FILED

FEB 9, 1953.

ALICE L. DUCK, Register

ORDER GRANTING MOTION FOR ORAL EXAMINATION

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

Complainant having on the 6 day of February, 1953,  
filed his motion and request for oral examination of A. B. HANKINS and J. H. HANKINS,  
witnesses for Complainant and due and proper notice thereof having been given as  
requested by law on the Order Book of this Court.

It is therefore ORDERED, ADJUDGED and DECREED that the said  
motion for oral examination of A. B. HANKINS and J. H. HANKINS, witnesses for  
Complainant, be and is hereby granted.

Witness my hand this the 6 day of February, 1953.

Alvin J. Smith  
Register

ORDER GRANTING MOTION FOR ORAL EXAMINATION

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET ALs.,

Respondent.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_  
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FILED

FEB 9, 1953

ALICE I. DUCK, Register

MOTION FOR ORAL EXAMINATION OF WITNESSES

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_<sup>a</sup>

Comes the Complainant in the above styled cause and requests that oral examination of A. B. HANKINS and J. H. HANKINS, as witnesses for the Complainant, who reside in Baldwin County, State of Alabama.

Witness my hand this the 6 day of February, 1953.

Walter J. Wilton, Jr.  
Solicitor for the Complainant

Comes now Rubens G. McQuilley, as guardian ad litem for the unknown parties Respondents in the above styled cause and accepts service of this motion for oral examination of witnesses and waives and further service or notice of this said motion.

Rubens G. McQuilley  
Guardian ad litem for unknown parties  
Respondents.



C E R T I F I C A T E

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the Complainant for oral examination of the said A. B. HANKINS and J. H. HANKINS, witnesses for Complainant and that notice of said motion was given to the Respondents by entry on the Order Book of the Register, said entry having been made on the 6 day of February, 1953.

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

MOTION FOR ORAL EXAMINATION OF WITNESSES

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET ALS,

Respondents.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

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FILED

FEB 9, 1953

ALICE J. DICK, Register

A. B. Hankins

vs.

Southern Plantation Development Co

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,

Testimony of Complainant and J. E. Hankins

and in behalf of Defendant upon Decree Pro Conesso

Answer of Guardian Ad Litem

*Walter J. Wilters Jr.*  
Wilters & Brantley

*W. J. French*  
Register.

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

VS.

**NOTE OF TESTIMONY**

Filed in Open Court this 26<sup>th</sup> .....

day of July ....., 1943

W. J. French  
Register.



FINAL DECREE

A. E. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, A CORPORATION, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

This cause coming on to be heard is submitted for final decree upon behalf of the Complainant, upon the original Bill of Complaint and upon the service pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said Bill of Complaint against the said lands and SOUTHERN PLANTATION DEVELOPMENT COMPANY, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and against their, and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns and any other person, firm and corporation claiming any right, title to, interest in, encumbrance against said land or any part thereof and all unknown parties who may have some right, title, interest in or claim against said land. It is therefore found, ascertained, ordered, adjudged or decreed by the Court that the said Complainant, A. E. Hankins, is over the age of twenty-one, a resident of Baldwin County, Alabama. That at the time of the filing of the said Bill of Complaint and at the time of the submission of this cause for final decree, the Complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple all of that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Northeast quarter of the Southwest quarter of Section 16,  
Township 5 South, Range 4 East.

That the Complainant obtained title to the said lands by a conveyance from J. H. Hankins and Dovie Hankins, his wife, by instrument dated December 24, 1941, and recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 70, pages 432-433. That the title to the said land and each parcel thereof stands in the name of the Complainant upon the records of Baldwin County, Alabama; that for more than ten (10) years next preceding the filing of the Bill of Complaint no person other than the Complainant has assessed or paid taxes thereon. That there is no suit pending to test the Complainant's title to, in-

terest in or right of possession to said land.

It is therefore ORDERED, ADJUDGED and DECREED that the said A. B. Hankins at the time of the filing of the Bill of Complaint in this cause and at this time had and has the fee simple title to the above described lands and to each and every part and parcel thereto, that neither of said Respondents, Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and against their, and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns and any other person, firm and corporation claiming any right, title to, interest in, encumbrance against said land or any part thereof and all unknown parties who may have some right, title, interest in or claim against said land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quieted and established in and declared to be in the said A. B. HANKINS, shall inure to the benefit of all persons deriving title to said lands or any part therein, from or through the said A. B. HANKINS, and the said title so quieted and established in her shall be treated and considered as established in favor of the said A. B. HANKINS and all persons deriving title through her.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the Register of this Court, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding for which let execution issue.

Done at Bay Minette this the 26<sup>th</sup> day of February,

1953.

Hubert M. Jace  
JUDGE

FINAL DECREE

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

FILED

2-27-53

ALICE J. DICK, Register



STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons SOUTHERN PLANTATION DEVELOPMENT COMPANY, A CORPORATION, EDWIN F. WINEGAR, EDWIN F. WINEGAR, TRUSTEE, DENNISTON BOYKIN COMPANY INC., A CORPORATION, BALDWIN TIMBER & NAVAL STORES COMPANY A CORPORATION, the unknown heirs, devisees, grantees, personal representatives and assigns of Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by A. B. HANKINS as Complainant and against Southern Plantation Development Company, a corporation, et al, as Respondents.

20X  
B  
Pres  
J. T. Rosta  
Pres

WITNESS my hand this the 9th day of December, 1952.

David J. Ruck  
Register

A. B. HANKINS	∅	
COMPLAINANT	∅	IN THE CIRCUIT COURT OF
VS	∅	BALDWIN COUNTY, ALABAMA,
SOUTHERN PLANTATION DEVELOPMENT COMPANY, A CORPORATION, ET AL,	∅	IN EQUITY
RESPONDENTS	∅	

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

Your Complainant, A. B. Hankins, presents this his bill of complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

Northeast quarter of the Southwest quarter of Section 16, Township 5 South, Range 4 East,

and also against Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and against their, and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns, and also against any other person, firm or corporation claiming any right, title to, interest in, or encumbrance against said land or any part thereof, and respectfully represents and shows unto Your Honor as follows:

1.

That your Complainant is over twenty-one years of age and a resident

of Baldwin County, Alabama.

2.

That Southern Plantation Development Company is a corporation but has no one resident in Baldwin County, Alabama, upon whom service can be perfected; That Edwin F. Winegar is over twenty-one years of age and a non-resident of the State of Alabama, and whose address cannot be ascertained after a diligent search and inquiry; that Denniston-Boykin Company Inc., is a corporation with its principal office in Mobile, Alabama; that Baldwin Timber & Naval Stores Company is a corporation with its office in Mobile Alabama;

3.

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

Northeast quarter of Southwest quarter of Section 16,  
Township 5 South, Range 4 East.

4.

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

5.

That your Complainant acquired title to the said lands by conveyance from J. H. Hankins and Dovie Hankins, his wife, dated December 24, 1941, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 70, pages 432-3.

6.

That the title to said lands claimed by your Complainant stands upon the records of the Probate Court of Baldwin County, Alabama, in the names of A. B. Hankins and J. H. Hankins.

7.

That no one has at any time within ten years next preceding the filing of the bill of complaint in this cause, paid any taxes upon said lands other than your Complainant and J. H. Hankins.

8.

That the only person shown by the records of Baldwin County, Alabama, to claim said land or any part thereon, or any interest therein are your Complainant, A. B. Hankins and J. H. Hankins.

9.

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

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores, a corporation, the unknown heirs devisees, grantees, personal representatives, successors and assigns of Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon the said lands in Baldwin County, Alabama, to-wit:

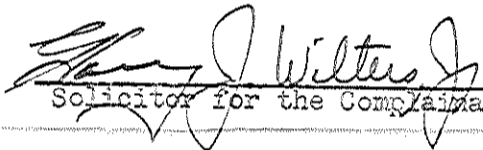
Northeast quarter of the Southwest quarter of Section 16, Township 5 South, Range 4 East.

or any part thereof, parties respondent to this bill of complaint, and require them, and each of them to appear and 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 hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances, to the lands herein described and to each and every part and parcel thereof, is vested in

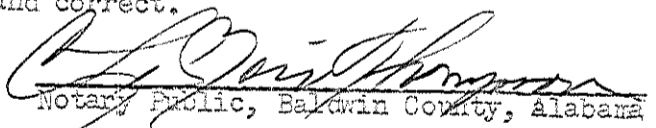
your Complainant, A. B. Hankins, and that neither Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, Trustee, Denniston-Boykin Company, Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, the unknown heirs, devisees, personal representatives, successors, grantees, and assigns of Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, Trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, nor any other person, firm or corporation has any right, title to, interest in or encumbrance upon the said land or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

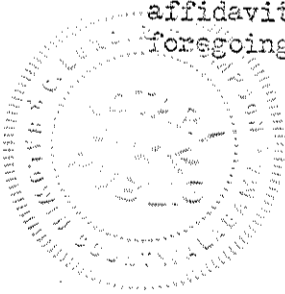
Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

  
Solicitor for the Complainant

STATE OF ALABAMA  
BALDWIN COUNTY

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

  
Notary Public, Baldwin County, Alabama



Received in Sheriff's Office  
this 10 day of Dec, 1952  
TAYLOR WILKINS, Sheriff

CD  
463

RECORDED  
2932

443

*[Signature]*

B. HANKINS

COMPLAINANT

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, A CORPORATION, ET AL.,

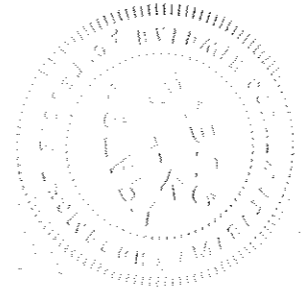
RESPONDENTS

BILL OF COMPLAINT

FILED

DEC 9 1952

Alice L. Duck, Register



Received 12<sup>th</sup> Day of December 1952  
 and on 25<sup>th</sup> Day of November 1952  
 I served a copy of the within et al  
 on Southern Plantation Development  
Company, et al on Ball's Timber and Wood  
Co, et al  
 by service on W. H. Holcombe by service on W. H. Holcombe  
(Hoe) (Hoe)

W. H. HOLCOMBE, Sheriff

By W. H. Holcombe D.S.

W. H. HOLCOMBE, Sheriff

By W. H. Holcombe D.S.

MOTION FOR DECREE PRO CONFESSO

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

Motion is hereby made for Decree Pro Confesso against Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and each of the heirs, devisees, grantees, administrators, successors, personal representatives and assigns and any other person, firm, corporation claiming any right, title to, interest in or encumbrance against the lands involved in this suit, Respondents in this cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown to the Court by due proof that the Respondents, alleged to be non-residents of the State of Alabama, are in fact non-residents, and that all have failed to answer, plead or demur to the bill in this cause to the date hereof.

This the 4 day of February, 1953.

  
\_\_\_\_\_  
Sponsor for Complainant

MOTION FOR DECREE PRO CONFESSO

RECORDED

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

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

IN EQUITY

CASE NO. \_\_\_\_\_  
-----

FILED

NOV 8, 1953

CLERK OF COURT, BALDWIN COUNTY, ALABAMA

APPOINTMENT AND ACCEPTANCE OF GUARDIAN AD LITEM

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

It appearing to the Court from the allegations of the Bill of Complaint filed in the above entitled cause and from the averments of the affidavit filed in support of such Bill of Complaint that some of the Respondents are non residents of the State of Alabama and are unknown parties, it is therefore, by the Court ordered, adjudged, and decreed:

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

Amos J. Smith  
Register

Comes now Reuben M. Kinley and accepts the appointment of guardian ad litem for the unknown heirs in the above styled cause.

Reuben M. Kinley  
Guardian ad litem

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

Reuben M. Kinley  
Guardian ad litem



APPOINTMENT AND ACCEPTANCE OF GUARD-  
IAN AD LITEM

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation,

Respondents.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

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FILED

FEB 9, 1953

STATE & COUNTY CLERK

DECREE PRO CONFESSO

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_.

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 11<sup>th</sup> day of Dec, 1952, in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, that a copy of said order was posted at the Courthouse door in Bay Minette, Baldwin County, on the 8<sup>th</sup> day of Dec, 1952.

And it now further appearing to the Register, Alice J. Duck, that the said Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company, Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and each of the heirs, devisees, grantees, administrators, successors, personal representatives and assigns, claiming any title to, interest in, claim, lien or encumbrance on said lands involved 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 that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Southern Plantation Development Company, a corporation, Edwin F. Winegar, Edwin F. Winegar, trustee, Denniston-Boykin Company Inc., a corporation, Baldwin Timber & Naval Stores Company, a corporation, and any and all firms, associations, and corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands involved, except the unknown parties to this suit.

This 9<sup>th</sup> day of Feb, 1953.

Alice J. Duck  
Alice J. Duck, Register

**RECORDED**

DECREE PRO CONFESSO

A. B. HANKINS,

Complainant,

VS.

SOUTHERN PLANTATION DEVELOPMENT  
COMPANY, a corporation, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. \_\_\_\_\_

**FILED**

FEB 9, 1953

ALICE J. DUCK, Register



No. \_\_\_\_\_

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

A. B. Hankins

Complainant—

**vs.**

Southern Plantation Development  
Company, a corporation, et al

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

Mary J. Brentley

WITNESSES:

A. B. Hankins

J. H. Hankins

2932

