

810

SAM PARKER
COMPLAINANT

VS:

BEATRICE PARKER
RESPONDENT.

*
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*
*
*

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA IN EQUITY

To the Honorable Francis W. Hare, Judge of said Court, sitting
in Equity.

Sam Parker brings this his bill of complaint
against Beatrice Parker, and thereupon your orator pleads and
says:

1. That your orator is over the age of twenty-one years
and resides at Perdido, Baldwin County, Alabama and has been
a bona fide resident of said County, in said State for more
than three years next preceding the filing of this bill; that
the respondent, Beatrice Parker, is over the age of twenty-one
years and resides at Perdido, Baldwin County, Alabama, and that
her post-office address is Perdido, Alabama.

2. That your orator and respondent intermarried at Pascagoula,
Jackson County, Mississippi on or about the First day of April, 1923.


3. That on or about the 15th. day of April, 1927, while your
orator and respondent were living together as husband and wife
in Baldwin County, Alabama the respondent voluntarily, and with-
out just cause or good excuse abandoned the bed and board of your
orator and has never returned to live with him as his wife since
said abandonment.

Wherefore, the premises considered, your orator
prays the Court as follows:

PRAYER FOR PROCESS AND RELIEF.

That the said Beatrice Parker be made a party
respondent to this bill of complaint; that the usual process
of this Honorable Court be forthwith issued to her commanding
her to demur, plead to or answer this bill of complaint with-
in the time and under the pains and penalties provided by law

and under the rules of this Honorable Court; that upon a final hearing of this cause a decree be rendered dissolving the bonds of matrimony now existing between your orator and respondent; that your orator be granted the right and privilege to again marry should he so desire; and such other further and different relief to which he may be entitled, the premises considered.


SOLICITOR FOR THE COMPLAINANT

FOOT NOTE:

The respondent is required to answer each paragraph of the foregoing bill of complaint, numbered one (1), two (2) and three (3), but not under oath, answer under oath being hereby expressly waived.


SOLICITOR FOR THE COMPLAINANT.

Respondent lives at Perdido, Alabama.

The State of Alabama, } Circuit Court of Baldwin County, In Equity,
Baldwin County.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

Beatrice Parker

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

Sam Parker

against said Beatrice Parker

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, T. W. Richerson, Register of said Circuit Court, this 24th day of

April 192 9

T. W. Richerson Register

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

The State of Alabama,
Baldwin County.

{ No. 809. CIRCUIT COURT IN EQUITY.

Sam Parker

Complainant

vs.

Beatrice Parker

Defendant

Motion is hereby made for a Decree Pro Confesso against

Beatrice Parker

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 20th day of July 19 29

Frank G. Horn

Solicitor.

The State of Alabama,
Baldwin County.

No. 809

CIRCUIT COURT, IN EQUITY

Sam Parker

Complainant

vs.

Beatrice Parker

Defendant

In this cause it appears to the Register
that a Summons requiring the Defendant Beatrice Parker

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the
service of said Summons upon Beatrice Parker
was served upon her by the Sheriff of Baldwin County, Alabama, on the
13th day of May 19 29

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of Hon. F. G. Horn, Atty. for Complainant

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as
confessed against the said Beatrice Parker

Defendant aforesaid.

This 22nd day of July 19 29



Register.

Sam Parker

.....

vs.
Beatrice Parker

.....

.....

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,.....

*deceit, fraud, and testimony of
Sam Parker, J. W. Frost and H. S.
Rogers.*

and in behalf of Defendant upon.....

.....

.....

.....

J. O. McIlwain

Register.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 1929

Sam Parker _____, Complainant

vs.

Beatrice Parker _____, Defendant

To, *J. W. Rickerson* _____, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by *Frank G. Horne*

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Frank G. Horne
Solicitor for Complainant.

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No. 809

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Sam Parker

VS.

Beatrice Parker

RECORDED

REQUEST FOR DECREE IN
VACATION

FILED

July 25 1929

T. W. R...

Register

RECORDED IN RECORD

VOL..... PAGE.....

Register

Handwritten notes and markings on the right side of the page, including a large 'X' and some illegible text.

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No. 809

828 MOORE PTG CO BALDWIN COUNTY

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Sam Parker

RECORDED

VS

Beatrice Parker

NOTE OF TESTIMONY

Filed in Open Court this 23rd

day of *July* 1929

Tom [Signature]

Register

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No. 809 Page

**The State of Alabama,
Baldwin County**

Circuit Court In Equity

Sam Parker

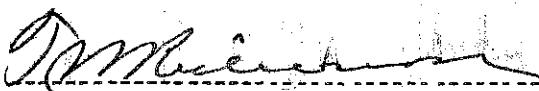
RECORDED

vs.

Beatrice Parker

**Decree Pro Confesso On
Personal Service.**

Issued July 22nd 19 29


Register.

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No. 809

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Sam Parker

RECORDED

vs.

Beatrice Parker

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed July 20th, 19 29

D. Williams

Register.

Recorded in Record.

Vol. Page

Register.

Original

SERVE ON _____

**Circuit Court of Baldwin County
In Equity.**

No. _____

SUMMONS

Sa. Parker _____

vs.

Beatrice Parker _____

Hon. Frank G. Horn _____

Solicitor for Complainant

Recorded in Vol. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

Received in office this _____

day of _____ 192 _____

Sheriff.

Executed this 13th day of

May 192 9

by leaving a copy of the within Summons with

Beatrice Parker

Defendant.

Irwin

Sheriff.

By _____

Deputy Sheriff.

on Memoirs

No. 809

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
Baldwin County, Ala.

Sam Parker

RECORDED

vs

Beatrice Parker

DECREE OF DIVORCE

Filed in office this

29th

day of

July

, 19

29

D. W. Richardson

Register.

E. O. M.

The State of Alabama, } **Circuit Court of Baldwin County, Alabama**
 Baldwin County. } **(In Equity.)**

Sam Parker Complainant.

VS.

Beatrice Parker Respondent.

I, T. W. Richerson

as Register and Commissioner

have called and caused to come before me Sam Parker, J. W. Frost, and

H. S. Rogers

witnesses named in the Requirement for Oral Examination, on the 25th day of July

1929, at the office of T. W. Richerson, Clerk Circuit Court

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Witnesses

doth depose and say as follows:

Sam Parker, the complainant, who being duly sworn, testifies as follows: My name is Sam Parker. I am the Complainant in the above styled cause. I live at Perdido, Baldwin County, Alabama. I am over the age of twenty-one years, and have resided in Baldwin County for the last forty-four years. I married Beatrice King, the respondent in this case, whose name now is Beatrice Parker, at Pascagoula, Jackson County, Mississippi, April 1st, 1923. She is over the age of twenty-one years. On or about the 15th day of April, while my wife and myself were living at Perdido, Alabama, she did abandon me voluntarily and without just cause or good excuse, and has never returned to live with me as my wife since said abandonment.

Sam Parker

Testimony of J. W. Frost:

My name is J. W. Frost. I live at Perdido, Alabama. I know the Complainant and the Respondent in this case. I know that on or about April 15th, 1927, the Complainant was living at Perdido, and that his wife left him and went to her brother-in-law's house, and has never lived with him since. I know that he was a good

...provider, and that he took care of her well.

J. M. [unclear]

..... Testimony of H. S. Rogers:.....

..... I know the respondent is about 24 or 25 years of age, and...
...that the Complainant is about 43 or 44 years old... I know that the
... Respondent left the Complainant about April 15th, 1927, volun-...
...tarily, and that she had no just cause or good excuse to do same.
... I was a merchant, and I furnished groceries and other merchandise
... to Sam Parker and to his wife, and I know that she always had....
... all the necessaries of life, and that he paid for and furnished...
... her same... I know that she has never returned to live with him...
... since said abandonment.

H. S. Rogers

ORAL EXAMINATION.

I, T. W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and F. G. Horn *Atty for Defendant* at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses s or had proof made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 25th day of July 1929.

T. W. Richerson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Sam Parker

vs. Complainant

Beatrice Parker

Respondent.

Oral Deposition

Filed July 25, 1929.

T. W. Richerson, Register.
Recorded in _____

Record

Vol. _____ Page _____

Register

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause coming on to be heard is submitted for final decree on the original bill of complaint filed May 14, 1929, and the affidavit thereto attached; on the order of the Judge of this Court, dated May 15., 1929, ordering notice of the pendency of such bill of complaint published in the Baldwin Times a newspaper published at Bay Minette, in Baldwin County, Alabama; notice of such bill of complaint as drawn and filed by the Register of this Court May 27, 1929; notice of the pendency of the bill of complaint as published, together with the affidavit of the Publisher of the Baldwin Times making proof of such publication; original notice of pendency of the bill of complaint served on Leneila Glass, Defendant, together with the Sheriff's return thereon; Certificate of the Register of this Court as to publication of notice of the pendency of the said bill

of complaint, and as to the mailing of notice of the pendency of the bill of complaint to Allee Kirksey, Defendant, at Sweetwater, Texas, by registered mail, marked for delivery to addressee only, and of the fact that such notice was unclaimed; notice of the pendency of such suit as filed for record in the office of the Judge of Probate, May 22, 1929, and certificate of the Probate Judge that the same was recorded May 28, 1929, in Book of Lis Pendens #1, pages 88-9; application for oral examination of C. Irwin and Walker Taylor, witnesses for the Complainant, filed September 17, 1929; notice of application of oral examination of C. Irwin and Walker Taylor, witnesses for Complainant, served by entry on the Register's Order Book September 17, 1929; order of the Register granting motion for oral examination of witnesses C. Irwin and Walker Taylor for Complainant, dated September 23, 1929; notice of time and place of taking testimony of C. Irwin and Walker Taylor, witnesses for Complainant, served by entry on the Order Book October 1st., 1929; deposition of C. Irwin, witness for Complainant; certified copy of deed from United States to State of Alabama, dated July 11, 1870, recorded Deed Book 5NS, pages 222, et sequa; patent from United States to Henry Taylor, dated November 15, 1854; deed from Alabama Insane Hospitals to Ernest Hanks, dated May 23, 1928; deed from State of Alabama to Ernest Hanks, dated April 29, 1929; certified copy of deed from J. D. Payne and Olle V. Payne, his wife, to O. R. Jones, dated November 28, 1891; deed from O. R. Jones to Ernest Hanks, dated July 20, 1921; deed from O. R. Jones to F. Tynes, dated May 6, 1921; deed from F. Tynes to Ernest Hanks, dated July 20, 1921; all as noted by the Register, and the same being considered, 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 that the Complainant Ernest Hanks is over the age of twenty-one years and a resident of Georgiana, in the State of Alabama; that he is the owner in fee simple of, and in the actual peaceable possession of the following described lands situated in Baldwin County, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

That there is no suit pending to test the title to, interest in or his right to possession of such lands, and that his title to the said land stands upon the record of the Probate Court of Baldwin County, Alabama, in his name; that his title to the said land was obtained by the following deeds: Patent from United States to State of Alabama, dated July 11, 1897, recorded in Deed Book 5NS, pages 222, et sequa, conveying the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to place of beginning, all in Section twenty-four, Township two South, Range three East; deed from State of Alabama to the said Ernest Hanks dated April 29, 1929, conveying the said lands; deed from Alabama Insane Hospitals dated May 25, 1928, conveying the said lands, and patent from United States to Henry Taylor, dated November 15, 1854, conveying the Southwest quarter of the Southwest quarter of said Section twenty-four; deed from J. D. Payne and Olle V. Payne, his

wife, to O. R. Jones, dated November 28, 1891, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Record Book "R", page 236-7; deed from O. R. Jones to Ernest Hanks, dated July 20, 1921, recorded in said Probate Office in Deed Book 31NS, page 131, conveying that part of the said above described land lying in the North half of the Southwest quarter of said Section; deed from O. R. Jones to F. Tynes, dated May 6, 1921, recorded in said office in Deed Book 30NS, page 611, conveying the South half of the Southwest quarter of said Section twenty-four; deed from F. Tynes to said Ernest Hanks dated July 20, 1921, recorded 31NS, page 130, conveying the said South half of the Southwest quarter of said Section twenty-four, and by adverse possession under the said deed by him and by the said persons through whom he claims for more than twenty-five years continuously, next preceding the filing of the said bill of complaint; that Leneila Glass and Allee Kirksey are each over the age of twenty-one years, the said Allee Kirksey resides at and her Post Office address is Sweetwater, Texas, the said Leneila Glass resides at and her Post Office address is Tallassee, Alabama; that Alfred Sewell and F. Blount are unknown to Complainant; that it is unknown to him as to whether or not they are living or dead, and if dead whether or not they died testate or intestate, and who are their heirs and devisees, that he has made diligent inquiry to ascertain the same and the same cannot be ascertained upon diligent inquiry; that neither the said Allee Kirksey, Leneila Glass, F. Blount, Alfred Sewell, or the unknown heirs and devisees of the said F. Blount and of the said Alfred Sewell have had or exercised any possession over the whole or any part of the said described lands for more than twenty-five years, next preceding the filing of the said bill of complaint; that they and neither of them have paid any taxes on the said lands and that any title, interest, lien,

incumbrance or claim by them or either of them to the said lands or any part thereof is invalid; that the said Ernest Hanks and those through whom he claim have annually for more than twenty-five years listed and paid taxes on the said lands to the proper officials of Baldwin County, Alabama; that no person other than the said Ernest Hanks and those through whom he claim have for more than twenty-five years been in the possession of the said lands or any part thereof, or listed the said lands for taxation, or paid the taxes thereon.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the fee simple title to the lands first described herein, namely,

The Southwest quarter of the Southwest quarter and the Southeastquarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

clear of incumbrance, and to each part thereof is vested in the Complainant, Ernest Hanks, as against the aforesaid Defendants and each of them, and as against any and all persons claiming any title to, interest in, lien or incumbrance on the said lands or any part thereof, and that the said Defendants, namely, Alfred Sewell, the unknown heirs and devisees of Alfred Sewell, F. Blount, and the unknown heirs and devisees of F. Blount, Leneila Glass and Allee Kirksey, and each of them have no title to, interest in, lien or incumbrance on the said lands or any part thereof and that no other person whomsoever than this Complainant, Ernest Hanks, has any title to, interest in, lien or incumbrance on the said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court file for record in the office of the Judge of

Probate of Baldwin County, Alabama, a duly certified copy of this decree and cause the same to be indexed in the proper indexes in the said Probate Office in the direct index in the name of Alfred Sewell, F. Blount, Allee Kirksey, Leneila Glass, and the unknown heirs and devisees of F. Blount and the unknown heirs and devisees of Alfred Sewell to Ernest Hanks, and in the reverse index in the name of Ernest Hanks from Alfred Sewell, F. Blount, and the unknown heirs and devisees of F. Blount and the unknown heirs and devisees of F. Blount, and from Allee Kirksey and Leneila Glass.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the cost of this proceeding for which let execution issue.

Done this the 10th day of October, 1929.

F. W. Hare
~~REGISTER.~~ Judge

NOTICE OF PENDENCY OF BILL OF COMPLAINT.

ERNEST HANKS,
Complainant,

VS

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Lenella Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

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

To Lenella Glass who is over the age of twenty-one years and whose residence and Post Office address is Tallassee, Alabama; Allee Kirksey who is over the age of twenty-one years and whose residence and Post Office address is Sweet Water, Texas; Alfred Sewell who is over the age of twenty-one and whose place of residence and Post Office address is unknown; F. Blount who is over the age of twenty-one years and whose place of residence and Post Office address is unknown; the unknown heirs and devisees of Alfred Sewell whose names, ages and place of residence and Post Office address is unknown; the unknown heirs and devisees of F. Blount, whose names, ages, place of residence and Post Office address is unknown, and to any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

Notice is hereby given that Ernest Hanks did on the 14th day of May, 1929, file a bill of complaint in this, the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, to quiet and establish his title to the said lands, as and to be in fee simple, clear of encumbrance against the said named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and to settle and clear up any and all doubts and disputes concerning the same.

That the Complainant in his said bill of complaint alleges that he is the owner in fee simple of the said lands and each part thereof, that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have been for more than twenty years consecutively next preceding the filing of the said bill of complaint in the actual adverse possession of the said lands and each part thereof; that he and those through whom he holds the said lands have for more than twenty years consecutively next preceding the filing of the said bill of complaint, annually listed and paid the taxes on the said lands to the proper officers of Baldwin County, Alabama, and that during the whole of the said period no other

person than he and those through whom he holds the said lands have been in the possession of the said lands or of any part thereof, or paid any taxes on the said lands or any part thereof, and that his title to the said lands is derived by mesne conveyances from the United States Government through, under and by the following instruments:

Patent of United States to the State of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 222, et sequa;

Deed from the State of Alabama to this complainant, dated April 29, 1889;

Deed from the Alabama Insane Hospitals, dated May 25, 1923;

Deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1881, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734;

Deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 9, 1882, recorded in said office in Book N, pages 128-1;

Deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1884;

Patent from United States to Henry Taylor, dated November 15, 1854, recorded in said Probate Office in Book _____, page _____;

Deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1884, recorded in said office in Deed Book 29, page 643;

Deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 2923, page 673;

Deed from Charles Ursprung, et al, to Follie V. Payne, dated November 23, 1891, recorded in said office in Book 29NS, page 64B.

Deed from J. R. Payne and Olie V. Payne, his wife, to C. R. Jones, dated November 23, 1891, recorded in said office in Book "R", pages 256-7;

Deed of C. R. Jones to Ernest Hanks dated July 20, 1921, recorded July 30, 1921, in Deed Book 51NS, page 181;

Deed of C. R. Jones to F. Tynes, dated May 6, 1921, recorded in said office in Record Book 50NS, page 611;

Deed of F. Tynes to Ernest Hanks dated July 20, 1921, recorded in said office in Book 51NS, page 130.

IN WITNESS WHEREOF, I, T. W. Richerson, Register of the Circuit Court of Baldwin County, Alabama, in equity, have hereunto set my hand and seal this the 27th day of May, 1929.

Archie Hall
Solicitors for
Complainant

T. W. Richerson (SEAL)
Register Circuit Court Baldwin
County, Alabama In Equity
~~BLEEN & HALL,~~
SOLICITORS FOR COMPLAINANT.

NOTICE OF PENDENCY OF BILL OF COMPLAINT.

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

To Leneila Glass who is over the age of twenty-one years and whose residence and Post Office address is Tallassee, Alabama; Allee Kirksey who is over the age of twenty-one years and whose residence and Post Office address is Sweet Water, Texas; Alfred Sewell who is over the age of twenty-one and whose place of residence and Post Office address is unknown; F. Blount who is over the age of twenty-one years and whose place of residence and Post Office address is unknown; the unknown heirs and devisees of Alfred Sewell whose names, ages and place of residence and Post Office address is unknown; the unknown heirs and devisees of F. Blount, whose names, ages, places of residence and Post Office address is unknown, and to any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

Notice is hereby given that Ernest Hanks did on the 14th day of May, 1929, file a bill of complaint in this, the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, to ~~quit~~ and establish his title to the said lands, as and to be in fee simple, clear of encumbrance against the said named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and to settle and clear up any and all doubts and disputes concerning the same.

That the Complainant in his said bill of complaint alleges that he is the owner in fee simple of the said lands and each part thereof, that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have been for more than twenty years consecutively next preceding the filing of the said bill of complaint in the actual adverse possession of the said lands and each part thereof; that he and those through whom he holds the said lands have for more than twenty years consecutively next preceding the filing of the said bill of complaint, annually listed and ~~paid~~ the taxes on the said lands to the proper officers of Baldwin County, Alabama, and that during the whole of the said period no other

person than he and those through whom he holds the said lands have been in the possession of the said lands or of any part thereof, or paid any taxes on the said lands or any part thereof, and that his title to the said lands is derived by mesne conveyances from the United States Government through, under and by the following instruments:

Patent of United States to the State of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 222, et sequa;

Deed from the State of Alabama to this complainant, dated April 29, 1929;

Deed from the Alabama Insane Hospitals, dated May 25, 1928;

Deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1881, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734;

Deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 2, 1882, recorded in said office in Book N, pages 120-1;

Deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1884;

Patent from United States to Henry Taylor, dated November 15, 1854, recorded in said Probate Office in Book _____, page § _____;

Deed from Rosanna E. Taylor, et al, to Charles Ursprung, dated October 1, 1884, recorded in said office in Deed Book 29, page 648;

Deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 29NS, page 678;

Deed from Charles Ursprung, et al, to Pollie V. Payne,
dated November 28, 1921, recorded in said office in Book 29NS, page 842;

Deed from J. D. Payne and Ollie V. Payne, his wife, to
O. R. Jones, dated November 28, 1921, recorded in said office in
Book "R", pages 336-7;

Deed of O. R. Jones to Ernest Hanks dated July 20, 1921,
recorded July 30, 1921, in Deed Book 31NS, page 151;

Deed of O. R. Jones to F. Tynes, dated May 6, 1921, recorded
in said office in Record Book 30NS, page 611;

Deed of F. Tynes to Ernest Hanks dated July 20, 1921,
recorded in said office in Book 31NS, page 150.

IN WITNESS WHEREOF, I, T. W. Richardson, Register of the
Circuit Court of Baldwin County, Alabama, in equity, have hereto
set my hand and seal this the 27 day of May, 1929.

Bessie Hall
for complainant

Register (SEAL)

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

ERNEST HANKS

COMPLAINANT

VS.

LENEILA GLASS ET AL

RESPONDENT

I, T. W. RICHEYSON

as Register and Commissioner

have called and caused to come before me C. IRWIN

witness named in the Requirement for Oral Examination, on the 4th day of October

19 29, at the office of T. W. RICHEYSON

in BAY MINETTE, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said C. IRWIN

doth depose and say as follows:

My name is C. Irwin, I am 51 years old. I have resided at Bay Minette, Baldwin County, Alabama, about 40 years, during the whole of which time I have known continuously and frequently seen the following land;

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, Baldwin County, Alabama.

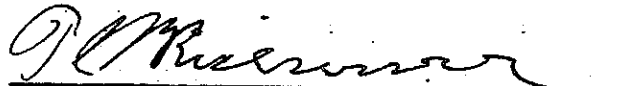
That he knows Ernest Hanks; that Ernest Hanks is over the age of twenty-one years and a resident of Georgiana, Alabama; that Ernest Hanks is the owner in fee simple of and is in actual peaceable possession of the said lands; that there is no suit pending to test his title to or his right to possession of said lands or interest therein; that on November 28th, 1891, J. D. Payne and Olle V. Payne, his wife, were in the actual possession of the said lands; that on the said day the said J. D. and Olle V. Payne, conveyed the said lands to O. R. Jones; that O. R. Jones immediately went into possession of said lands cultivating the same annually and living thereon continuously until July 1921, when he sold a part of said lands to the Complainant Ernest Hanks, and a part of it to F. Tines, and F. Tines about the same time sold the part that he bought to Ernest Hanks; that Ernest Hanks immediately went into possession of the whole of said lands and has remained in the continuous possession to the date of the filing of the bill in this case, May 14th, 1929; that the title of the said lands stands upon the record of Baldwin County, Alabama, in the name of Ernest Hanks; that the said O. R. Jones; F. Tines and Ernest Hanks have been successively in the continuous possession of said lands claiming to own the said adversely to the whole world from November 28th, 1891 to May 14th, 1929; that they successively have annually assessed and paid the taxes on the said lands and no other person during the said period have paid taxes on the same or any part thereof or have been in possession or claim to be in possession of the said lands or any part thereof; that the possession of the said O. R. Jones, F. Tines and Ernest Hanks, has been actual, open, notorious, exclusive, hostile, peaceable, visible and continuous

under color of title since November 28th, 1981, and under claim of ownership. Affiant further says that he knows Leneila Glass; that Leneila Glass is over the age of twenty-one years and is a resident of Tallasee, Alabama; that he also Alle Kirsey; that she is over the age of twenty-one years and resides at and her post office address is Sweetwater, Texas; that Alfred Sewell and F. Blount, he does not know; that he ~~has~~ never heard of them and has never heard the names of their heirs or devisees and does not know whether or not the said F. Blount or the said Alfred Sewell is living or dead.



Affiant

Sworn to and subscribed before me this the 4th day of October, 1929.



Register Circuit Court, Baldwin
County, Alabama. In Equity.

ORAL EXAMINATION

I, T. W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition ... on Oral Examination was taken down in writing by me in the words of the witness ... and read over to him and he signed the same in the presence of myself and Hon. W. C. Keefer at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ... or had proof made before me of the identity of said witness ... ; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 4th day of October 1929.

T. W. Richerson (L. S.)
Register of the Circuit Court,
Baldwin County, Alabama.
In Equity.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ERNEST HANKS

COMPLAINANT

VS.

LENETTA GLASS, ET AL.

RESPONDENT

ORAL DEPOSITION

Filed Oct 4, 1929

T. W. Richerson Register

RECORDED IN

Record _____

Vol. _____ Page _____

Register _____

(12)

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.

Defendants.

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Comes the Complainant in the above styled cause and requests the oral examination of ~~A. Robinson~~ and Walker Taylor, witnesses for the complainant who reside in the Town of Bay Minette, State of Alabama, and suggests T. W. Richerson, Register of this Court, as a suitable person to act as Commissioner to take the deposition of the said witnesses.

Witness our hands this 17 day of September, 1929.

Berbe Hall

Attorneys for Complainant.

Entered on the ^{Registers} order book this Sept 17, 1929

T. W. Richerson
Register

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.

Defendants.

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

Whereas Ernest Hanks has filed his bill of complaint in this court on the 14 day of May, 1929, alleging that he is the owner in fee simple of, and is in the actual peaceable possession of the said lands described, situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

And further alleging in the said bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County, Alabama, in the said Complainant, Ernest Hanks; and further alleging that he and those through whom he claims title have been in the actual adverse possession, under color of title, of the said lands for more than twenty years consecutively, next preceding the

filing of the said bill of complaint; and that he and those through whom he claims title to said lands have annually listed and paid the taxes on the said lands in Baldwin County, Alabama, for more than twenty years consecutively, next preceding the filing of the said bill of complaint; and that during the whole of said time no one else has paid the taxes thereon, or been in the possession of the said lands or any part thereof, and that his bill of complaint is filed for the purpose of establishing his title to and interest in the said lands, and of clearing up all doubts and disputes concerning the same; and that the said Defendants, Leneila Glass, Allee Kirksey, F. Blount and Alfred Sewell, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the said lands or some part thereof, and it appearing from the said bill of complaint, the same having been verified as required by law, that the place of residence and Post Office address of the Defendants F. Blount and Alfred Sewell is unknown to the Complainant, and it is unknown whether or not the said F. Blount and Alfred Sewell are living or dead, and if dead their heirs and devisees are unknown to Complainant, and that diligent inquiry has been made by the said Complainant to ascertain such matters and that upon such diligent inquiry he has been unable to ascertain the same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that notice to F. Blount, Alfred Sewell, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and Leneila Glass, Allee Kirksey, and any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, of the pendency of the said suit be drawn and signed by the Register and published once a week for four

consecutive weeks in the Baldwin Times, a newspaper published at Bay
Minette, in Baldwin County, Alabama.

Witness my hand this the 15th day of May, 1929.

J. W. Hare
JUDGE.

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North Half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

I, T. W. Richerson, Register of the said Court, do hereby certify that the foregoing and attached notice was drafted by me in accordance with, and under the directions of an order of the Hon. F. W. Hare, Judge of the said Court, dated May 15, 1929, and caused to be published by me in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, in its issues of May 30th., June 6th., June 13th., June 30th., 1929, and that a copy of the said notice was by me mailed to Allee Kirksey, Defendant, at Sweetwater, Texas, postage prepaid, registered marked for delivery to addressee only, and return receipt requested, May 27, 1929, and on June 15, 1929, and that each of the said notices so addressed were returned to me unclaimed by the said Allee Kirksey; and that a copy of the said notice was issued by me and served on Leneila Glass,

Defendant, by the Sheriff of Elmore County, Alabama, June 14th.,
1929.

WITNESS my hand and seal this the 14th day of October,

1929.

J. C. Richardson
REGISTER.

NOTICE OF PENDENCY OF BILL OF COMPLAINT.

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

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

To Leneila Glass who is over the age of twenty-one years and whose residence and Post Office address is Tallassee, Alabama; Allee Kirksey who is over the age of twenty-one years and whose residence and Post Office address is Sweet Water, Texas; Alfred Sewell who is over the age of twenty-one and whose place of residence and Post Office address is unknown; F. Blount who is over the age of twenty-one years and whose place of residence and Post Office address is unknown; the unknown heirs and devisees of Alfred Sewell whose names, ages and place of residence and Post Office address is unknown; the unknown heirs and devisees of F. Blount, whose names, ages, place of residence and Post Office address is unknown, and to any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 215 yards, thence East 453.73 yards, thence South 215 yards, thence West 453.73 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

Notice is hereby given that Ernest Hanks did on the 14th day of May, 1929, file a bill of complaint in this, the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, to quiet and establish his title to the said lands, as and to be in fee simple, clear of encumbrance against the said named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and to settle and clear up any and all doubts and disputes concerning the same.

That the Complainant in his said bill of complaint alleges that he is the owner in fee simple of the said lands and each part thereof, that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have been for more than twenty years consecutively next preceding the filing of the said bill of complaint in the actual adverse possession of the said lands and each part thereof; that he and those through whom he holds the said lands have for more than twenty years consecutively next preceding the filing of the said bill of complaint, annually listed and paid the taxes on the said lands to the proper officers of Baldwin County, Alabama, and that during the whole of the said period no other

person than he and those through whom he holds the said lands have been in the possession of the said lands or of any part thereof, or paid any taxes on the said lands or any part thereof, and that his title to the said lands is derived by mesne conveyances from the United States Government through, under and by the following instruments:

Patent of United States to the State of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 223, et sequa;

Deed from the State of Alabama to this complainant, dated April 29, 1923;

Deed from the Alabama Insane Hospitals, dated May 25, 1923;

Deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1931, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734;

Deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 9, 1932, recorded in said office in Book N, pages 129-1;

Deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1934;

Patent from United States to Henry Taylor, dated November 15, 1934, recorded in said Probate Office in Book _____, page _____;

Deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1934, recorded in said office in Deed Book 23, page 643;

Deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1930, recorded in said office in Deed Book 23, page 673;

Deed from Charles Ursprung, et al, to Follie V. Payne,
dated November 28, 1891, recorded in said office in Book 29NS,
page 648.

Deed from J. H. Payne and Olie V. Payne, his wife, to O. R.
Jones, dated November 28, 1891, recorded in said office in Book "R",
pages 536-7;

Deed of O. R. Jones to Ernest Hanks dated July 20, 1921,
recorded July 30, 1921, in Deed Book 51NS, page 131;

Deed of O. R. Jones to F. Tynes, dated May 6, 1921, recorded
in said office in Record Book 50NS, page 611;

Deed of F. Tynes to Ernest Hanks dated July 20, 1921,
recorded in said office in Book 51NS, page 150.

IN WITNESS WHEREOF, I, T. W. Richerson, Register of the
Circuit Court of Baldwin County, Alabama, in equity, have hereto
set my hand and seal this the 27 day of May, 1929.

Burber Hall
Solicitor General
Complainant

T. W. Richerson (SEAL)
Register

I, T. W. Richerson, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing attached is a true, correct and literal copy of a notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein Ernest Hanks is Complainant and the Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and against the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, are Defendants;

And I do further certify that the said notice was drawn and signed by me as Register of this Court;

And under and inconformity with an order of this Court made and entered on the _____ day of May, 1929, the same was caused to be published in the Baldwin Times, the newspaper designated in such order, in the issues of the said paper of _____, ^{9/18/33} _____, _____ and _____;

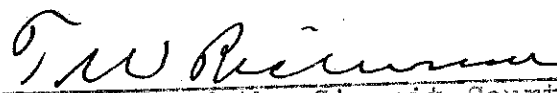
And I do further certify that a duly certified copy of the said notice was by me filed for record in the office of the Judge of Probate of Baldwin County, Alabama, and caused to be recorded

by the said Judge of Probate in Lis Pendens Record No. 1, page _____, on the _____ day of May, 1929.

And I do further certify that a copy of this notice was by the Sheriff of Elmore County, Alabama, served on Leneila Glass, at Tallassee, Alabama, on the _____ day of _____, 1929, and due return of such service was made by the said Sheriff;

And I do further certify that a copy of this notice was by me as Register of this Court sent to Allee Kirksey at Sweet Water, Texas, by registered mail, postage prepaid, marked for delivery only to the person to whom addressed, and return receipt demanded addressed to the Register of this Court, and that return receipt signed by the said Allee Kirksey, was by me as Register of this Court received on the _____ day of _____, 1929, and filed in this cause.

Witness my hand and seal of office this the 27 day of May, 1929.


Register of the Circuit Court of
Baldwin County, Alabama, in Equity

ERNEST HANKS,
Complainant.

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

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

To The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands of any part thereof.

Notice is hereby given that on October 4, 1929, Complainant will take the oral deposition of Walker Taylor and of C. Irwin, witnesses for the Complainant in the above styled cause, before T. W. Richerson, as Commissioner, in the office of the said T. W. Richerson, Clerk of the Circuit Court of Baldwin County, Alabama, at Bay Minette, at ten o'clock A. M.

Witness this the 1st., day of October, 1929.

Beebe Hall
Attorneys for Complainant.

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and part of the North NOTICE OF PENDENCY OF BILL OF COMPLAINT.

beginning at the Northwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to Complainant, beginning, all in Section twenty-four, Township two South, Range three East.

vs

BALDWIN COUNTY, ALABAMA.

Notice is hereby given that Ernest Banks did on the 14th day of August, 1911, file in the Circuit Court of Baldwin County, Alabama, a bill of complaint against the above described persons and against the interest in, lien or share of, to quiet and to be in fee simple, and to be in fee simple, and described persons having any title to, interest in, or any part thereof, and to settle any dispute concerning the same.

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

IN EQUITY.

Defendants.

To Leneila Glass who is over the age of twenty-one years and whose residence and Post Office address is Tallassee, Alabama; Allee Kirksey who is over the age of twenty-one years and whose residence and Post Office address is Sweet Water, Texas; Alfred Sewell who is over the age of twenty-one and whose place of residence and Post Office address is unknown; F. Blount who is over the age of twenty-one years and whose place of residence and Post Office address is unknown; the unknown heirs and devisees of Alfred Sewell whose names, ages and place of residence and Post Office address is unknown; the unknown heirs and devisees of F. Blount, whose names, ages, place of residence and Post Office address is unknown, and to any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, township two south Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.
Defendants.

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Notice is hereby given that Complainant in the above styled cause by his attorneys of record have this day made application for oral examination of C. Irwin and Walker Taylor, witnesses for the Complainant and have suggested T. W. Richerson, as commissioner to take depositions of such witnesses and that such motion will be heard before the Commissioner at his office on the 23rd., day of September, 1929.

Beebe Hall
Attorneys for Complainant.

T. W. Richerson
Register.

Served Sept 17, 1929 by entry on their Register's order Book

T. W. Richerson
Register

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,
Defendants.

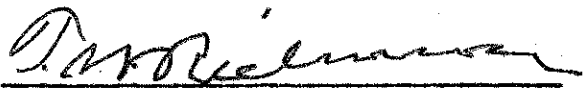
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

The Complainant having on to-wit, September 17, 1929, made application to this Court for oral examination of C. Irwin and Walker Taylor, witnesses for the Complainant, and due and proper notice of the said application having been given by entry on the Register's Order Book September 17, 1929, and the said cause coming on to be heard, this September 23, 1929:

IT IS THEREFORE ORDERED that the said application be and is hereby granted.

WITNESS my hand this the 23rd., day of September, 1929.


REGISTER.

BAY MINETTE, ALA.,

Nov 19

19*29*

Name J. M. Richardson

Circuit Clerk

IN ACCOUNT WITH

G. W. HUMPHRIES

JUDGE OF PROBATE

BALDWIN COUNTY

Please Return Bill With Remittance

DEBIT
Rec. Most. from

Consolidated, ...

Privilege Tax

Rec. Fee

Total

3.05

*Paid
11/2/29
G. W. Humphries Judge
J. S. ...*

TO THE HONORABLE FRANCIS W. HARR, JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Come Ernest Banks and brings this bill of complaint against the Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and against Leola Glass, Allee Kirksey, Alfred Sewell, and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and respectfully shows unto your Honor as follows:

FIRST:

That your Complainant, Ernest Banks, is over the age of twenty-one years of age and a resident of Georgiana, State of Alabama; that he is the owner in fee simple of and is in the actual peaceable possession of the said lands described, situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

That there is no suit pending to test his title to, interest in, or his right to the possession of such lands; that his title to the said lands and each part thereof stands upon the record of the Probate Court of Baldwin County, Alabama, in his name, that his title to the said lands was obtained by the following deeds: Patent of United States to the State

of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 322, et sequa, conveying the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter and run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to place of beginning, all in Section twenty-four, Township two South, Range three East; deed from the State of Alabama to this complainant, dated April 29, 1929, conveying the same lands; deed from the Alabama Insane Hospitals, dated May 25, 1928, conveying the same lands; deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1931, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734, conveying the said lands; deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 9, 1932, recorded in said office in Book N, pages 120-1; deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1934; patent from United States to Henry Taylor, dated _____ day of _____, 18____, recorded in said Probate Office in Book _____, page _____, conveying the Southwest quarter of the Southwest quarter of Section twenty-four, Township two South, Range three East; deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1834, conveying the Southwest quarter of the Southwest quarter of said Section, recorded in said office in Deed Book 29, page 643; deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 29N3, page 673, conveying the Southwest quarter of the Southwest quarter of said Section; deed from Charles Ursprung, et al, to Pollie V. Payne, dated November 23, 1891, recorded in said office in Book 29N3, page 643, conveying all of the lands described in this bill of complaint;

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

Notice is hereby given that Ernest Hanks did on the 14th day of May, 1929, file a bill of complaint in this, the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, to quiet and establish his title to the said lands, as and to be in fee simple, clear of encumbrance against the said named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and to settle and clear up any and all doubts and disputes concerning the same.

That the Complainant in his said bill of complaint alleges that he is the owner in fee simple of the said lands and each part thereof, that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have been for more than twenty years consecutively next preceding the filing of the said bill of complaint in the actual adverse possession of the said lands and each part thereof; that he and those through whom he holds the said lands have for more than twenty years consecutively next preceding the filing of the said bill of complaint, annually listed and paid the taxes on the said lands to the proper officers of Baldwin County, Alabama, and that during the whole of the said period no other

person than he and those through whom he holds the said lands have been in the possession of the said lands or of any part thereof, or paid any taxes on the said lands or any part thereof, and that his title to the said lands is derived by mesne conveyances from the United States Government through, under and by the following instruments:

Patent of United States to the State of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 222, et sequa;

Deed from the State of Alabama to this complainant, dated April 29, 1929;

Deed from the Alabama Insane Hospitals, dated May 25, 1928;

Deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1881, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734;

Deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 8, 1882, recorded in said office in Book N, pages 120-1;

Deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1884;

Patent from United States to Henry Taylor, dated November 15, 1854, recorded in said Probate Office in Book _____, page _____;

Deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1884, recorded in said office in Deed Book 29, page 648;

Deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 29NS, page 678;

Deed from Charles Ursprung, et al, to Pollie V. Payne,
dated November 28, 1891, recorded in said office in Book 29NS, page 648;

Deed from J. D. Payne and Olle V. Payne, his wife, to
O. R. Jones, dated November 28, 1891, recorded in said office in
Book "R", pages 236-7;

Deed of O. R. Jones to Ernest Hanks dated July 20, 1921,
recorded July 30, 1921, in Deed Book 31NS, page 131;

Deed of O. R. Jones to F. Tynes, dated May 6, 1921, recorded
in said office in Record Book 30NS, page 611;

Deed of F. Tynes to Ernest Hanks dated July 20, 1921,
recorded in said office in Book 31NS, page 130.

IN WITNESS WHEREOF, I, T. W. Richerson, Register of the
Circuit Court of Baldwin County, Alabama, in equity, have hereto
set my hand and seal this the 27 day of May, 1929.

Beebe Hall
for complainant

T. W. Richerson (SEAL)
Register

7

RECORDED

Hanks
vs
Glass, et al

Order granting
motion for oral
examination of
witness

(10)

Filed Oct 1, 1929
J. M. [unclear]
Register

6 Court File
Hanks

vs

RECORDED

Citizens Land & Lumber

Notice of application
for oral examination
of witnesses for
complainant

Filed this Sept 17, 1927

J. W. McNamee

Register

(9)

4

Hanks

vs

Glass, et al

RECORDED

note of time
presence of witnesses
of witnesses

(11)

Served by entry on
Registers or new book

Oct 1, 1929

D W Rice
Proctor

That your Complainant's title is derived through the following chain of title: Deed of J. D. Payne and Olie V. Payne, his wife, to C. R. Jones, dated November 23, 1891, filed in the office of the Judge of Probate of Baldwin County, Alabama, November 30, 1891, recorded in Book "R", pages 236-7, conveying the following described lands:

All of the Southwest quarter of Southwest quarter and Southeast quarter of Southwest quarter of Section twenty-four, Township two South, Range three East, containing 90.65 acres, more or less.

Also a certain lot of land commencing at the Northeast corner of the Southwest quarter of Southwest quarter of Section twenty-four, and running thence West 17 chains to a post; thence North 19 chains to a post; thence East 37 chains to a post at the branch; thence along the west side of the branch southward to the east and west line on which the beginning was made in Section twenty-four, Township two South, Range three East, containing ten acres, more or less, all situated in the County of Baldwin, State of Alabama.

Deed of C. R. Jones to Ernest Hanks, dated July 30, 1921, recorded July 30, 1921, in Deed Book 51NS, page 131, in the office of the Judge of Probate of Baldwin County, Alabama, conveying the following described lands:

That part of the South half of the Northwest quarter of Section twenty-four, described as follows: Beginning at the Southwest corner of North half of Southwest quarter of Section twenty-four, Township two South of Range three East, run North 216 yards, East 453.75 yards, South 216 yards on the east and west line of South boundary, West 453.75 yards to place of beginning, being in Section twenty-four, Township two South, Range three East.

Deed of C. R. Jones to F. Tynes, dated May 9, 1921, recorded May 7, 1921, in the office of the Probate Judge of Baldwin County, Alabama, in Record Book 30NS, page 511, conveying the following described lands:

The South half of the Southwest quarter of Section twenty-four, Township two South of Range three East, containing eighty acres, more or less.

Deed of F. Tynes to Ernest Hanks dated July 30, 1921, recorded July 30, 1921 in said Probate Office in Book 51NS, page 130, conveying the following described lands:

The South half of the Southwest quarter of Section twenty-four, Township two South, Range three East, containing eighty acres, more or less.

That at the time of the execution of the aforesaid deeds by J. D. Payne and Ollie V. Payne to O. R. Jones, the said J. D. Payne and Ollie V. Payne were in the actual possession of said lands; that upon the execution of the aforesaid deed O. R. Jones went into possession of the whole of the lands described in this bill of complaint, claiming to own the whole of the same and the entire interest therein in fee simple; that he remained in continuous possession thereof under such claim of ownership and annually listed and paid the taxes thereon in Baldwin County, Alabama, until May 6, 1921, when he conveyed the South half of the Southwest quarter of Section twenty-four, Township two South, Range three East, to F. Tynes, who immediately went into possession of said land claiming to own the same and the whole interest thereof in fee simple, and continued in such possession thereof until July 20, 1921; that the remainder of said lands remained in such possession of the said O. R. Jones until July 20, 1921, when the said O. R. Jones and the said F. Tynes, each by deeds above described, conveyed the respective tracts owned by them as aforesaid to the complainant; that your complainant immediately went into possession of the said lands and has remained in continuous possession thereof, claiming to own the whole of the same and the entire interest therein in fee simple; Complainant further shows unto your Honor that he and those persons aforesaid through whom he claims title have been continuously for more than twenty-five years next preceding the filing of this bill of complaint in the actual adverse possession of the whole of the aforesaid lands under color of title, claiming to own the same in fee simple, that his and their possession thereof has been actual, open, notorious, exclusive, hostile, peaceable, visible and continuous under color of title for more than twenty-five years next preceding the filing of this bill of complaint, and that he and those through whom he claim as aforesaid have, each in succession, annually listed and paid the taxes on the said property

in Baldwin County, Alabama, to the proper officer thereof.

SECOND:

Complainant further shows that during the whole of the said period, namely, twenty-five years next preceding the filing of this bill of complaint, no person other than he and those through whom he claims as aforesaid have had any possession of the said lands or any part thereof, or have attempted to exercise any acts of possession over the said lands or any part thereof; that no other person than he and those through whom he claims as aforesaid have paid any taxes on the said lands in Baldwin County, Alabama, during any part of the said period of twenty-five years.

THIRD:

Complainant further alleges that the said Defendants, Leneila Glass, Alice Kirksey and Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he is dead, and the unknown heirs and devisees of F. Blount if he is dead, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the said lands or some part thereof; Complainant further shows unto your Honor that the said Alice Kirksey, Leneila Glass are each over the age of twenty-one years, and the said Alice Kirksey resides at and her Post Office address is Sweet Water, Texas; and the said Leneila Glass resides at and her Post Office address is Tallapoosa, Alabama; that this Complainant does not know whether or not the said Alfred Sewell and the said F. Blount, or either of them is living or dead, and if living he does not know the place of residence and Post Office address of them or either of them; that if they or either of them are dead he does not know who their heirs and devisees are, or who are the heirs and devisees of either of them; that he has made diligent search to ascertain the Post Office address and place of residence of them and of each of them, and to ascertain whether or not they be living or

dead, and if dead whether or not they died testate or intestate and who are their heirs and devisees, or the heirs and devisees of either of them; that in his search to ascertain the same he has caused W. C. Beebe and H. M. Hall, his agents and attorneys in the premises, to make search of the Probate Records of Baldwin County, Alabama, and of the records in the offices of the Tax Collector and Tax Assessor of Baldwin County, Alabama, and in the office of the Clerk of the Circuit Court of Baldwin County, Alabama, and of the Sheriff of Baldwin County, Alabama, and that the said records and books of addresses kept in the said offices do not disclose the address of either of them at this time or at any time, and do not disclose whether or not they or either of them are dead, and whether or not they died testate or intestate, and who are their heirs and devisees, or the heirs and devisees of either of them; and that through and by the said Attorneys of this Complainant he caused and they did make inquiry of each and all persons in each and all of the said offices, and of J. W. Taylor, W. D. Stapleton, O. C. Hall, O. B. Jones, and diverse and numerous other persons who lived near to and have known continuously for more than twenty-five years the said lands, as to the place of residence of the said F. Blount and Alfred Sewell, and as to whether they be living or dead, and if dead whether they died testate or intestate, and who are their heirs or devisees, or the heirs and devisees of either of them; and neither of the said persons know, or have ever known, either of the said F. Blount or the said Alfred Sewell, nor whether they or either of them be living, or dead, and if dead, whether or not they or either of them died testate or intestate, and who are their heirs and devisees, or the heirs and devisees of either of them; and upon such inquiry as aforesaid this Complainant does believe and allege that the said Alfred Sewell and F. Blount, if living, are over the age of twenty-one years, that their

Post Office address and place of residence is unknown, that he does not know whether they or either of them are living or dead, that if dead he does not know whether or not they died testate or intestate, nor who the heirs and devisees of either of them are, nor what the ages and places of residence are of the heirs and devisees of either of them, and that diligent inquiry has been made to ascertain the said matters, and that the same cannot be ascertained upon diligent inquiry.

FOURTH:

Complainant further alleges that neither the said Defendants, namely, Ailee Kirksey, Lenella Glass, F. Blount, Alfred Sewell, and the unknown heirs and devisees of F. Blount and the unknown heirs and devisees of Alfred Sewell, have had or exercised any possession over the whole or any part of the lands described in this bill of complaint at any time during the twenty-five years next preceding the filing of this bill of complaint, and that neither of them have during any part of said period paid any taxes on the said lands or any part thereof; and that the title, interest, lien or encumbrance claimed by them or either of them to the said lands or any part thereof is invalid, and that this Complainant's aforesaid title to the said land and to every part thereof is perfect as against the said Defendants and each of them and as against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.

Wherefore your Complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint, that by appropriate process the said lands and the aforesaid Defendants, namely, Alfred Sewell and the unknown heirs and devisees of Alfred Sewell, F. Blount, and the unknown heirs and devisees of F. Blount, Lenella Glass and Ailee Kirksey, and any and all persons claiming any

title to, interest in, lien or encumbrance on said lands or any part thereof be made party defendants to this bill of complaint, and by appropriate process be required 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; that upon the final hearing of the cause made by this bill of complaint this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, clear of encumbrances, to the lands described in this bill of complaint, and to each part thereof is vested in this Complainant as against the said Defendants and each of them and as against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and that the said Defendants, namely, Alfred Sewell, and the unknown heirs and devisees of Alfred Sewell, F. Blount, and the unknown heirs and devisees of El Blount, Leneila Glass and Alice Kirksey, and each of them have no title to, interest in, lien or encumbrance on the said lands or any part thereof, and that no other person whosoever that this Complainant has any title, to, interest in, lien or encumbrance on the said lands or any part thereof, and this Complainant prays for such other, further or different relief as in equity and good conscience he shall be entitled to receive in the premises.

Beebe & Hall
Attorneys for Complainant.

FOOT NOTE:

The Defendants are required to answer every material allegation of the foregoing bill of complaint, in paragraphs first to fourth, inclusive, but not under oath. Oath being hereby expressly waived.

Beebe & Hall
Attorneys for Complainant.

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, Eloise Slocumb, a Notary Public in and for said State and County, personally appeared W. C. Beebe who is known to me and who being by me first duly sworn deposes and says that he is attorney of record for Ernest Hanks, Complainant in that certain cause pending in the Circuit Court of Baldwin County, Alabama, wherein the said Ernest Hanks is Complainant, and the Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning ^{at} the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards, to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Ailee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, are Defendants; that he has read the said bill of complaint and knows the facts alleged therein, to which said bill of complaint this affidavit is attached, and the said bill of complaint referred to and made a part of this affidavit and that the facts alleged in said bill of complaint are true.

W. C. Beebe

Sworn to and subscribed before me on this the 14
day of May, 1929.

Eloise Slocumb
Notary Public,
Baldwin County, Alabama.

TO THE HONORABLE FRANCIS W. HARR, JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes Ernest Hanks and brings this bill of complaint against the Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and against Lenalla Glass, Alice Kirksey, Alfred Sewall, and F. Blount, and the unknown heirs and devisees of Alfred Sewall if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and respectfully shows unto your Honor as follows:

FIRST:

That your Complainant, Ernest Hanks, is over the age of twenty-one years of age and a resident of Georgiana, State of Alabama; that he is the owner in fee simple of and is in the actual peaceable possession of the said lands described, situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

That there is no suit pending to test his title to, interest in, or his right to the possession of such lands; that his title to the said lands and each part thereof stands upon the record of the Probate Court of Baldwin County, Alabama, in his name, that his title to the said lands was obtained by the following deeds: Patent of United States to the State

of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 222, et sequa, conveying the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter and run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to place of beginning, all in Section twenty-four, Township two South, Range three East; deed from the State of Alabama to this complainant, dated April 29, 1929, conveying the same lands; deed from the Alabama Insane Hospitals, dated May 25, 1923, conveying the same lands; deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1881, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734, conveying the said lands; deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 9, 1882, recorded in said office in Book N, pages 120-1; deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1884; patent from United States to Henry Taylor, dated _____ day of _____, 18____, recorded in said Probate Office in Book _____, page _____, conveying the Southwest quarter of the Southwest quarter of Section twenty-four, Township two South, Range three East; deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1884, conveying the Southwest quarter of the Southwest quarter of said Section, recorded in said office in Deed Book 29, page 648; deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 29NS, page 678, conveying the Southwest quarter of the Southwest quarter of said Section; deed from Charles Ursprung, et al, to Pollie V. Payne, dated November 23, 1891, recorded in said office in Book 29NS, page 648, conveying all of the lands described in this bill of complaint;

That your Complainant's title is derived through the following chain of title: Deed of J. D. Payne and Olie V. Payne, his wife, to O. R. Jones, dated November 28, 1891, filed in the office of the Judge of Probate of Baldwin County, Alabama, November 30, 1891, recorded in Book "R", pages 236-7, conveying the following described lands:

All of the Southwest quarter of Southwest quarter and Southeast quarter of Southwest quarter of Section twenty-four, Township two South, Range three East, containing 90.65 acres, more or less.

Also a certain lot of land commencing at the Northeast corner of the Southwest quarter of Southwest quarter of Section twenty-four, and running thence West 17 chains to a post; thence North 19 chains to a post; thence East 37 chains to a post at the branch; thence along the west side of the branch southward to the east and west line on which the beginning was made in Section twenty-four, Township two South, Range three East, containing ten acres, more or less, all situated in the County of Baldwin, State of Alabama.

Deed of O. R. Jones to Ernest Hanks, dated July 20, 1921, recorded July 30, 1921, in Deed Book 31NS, page 131, in the office of the Judge of Probate of Baldwin County, Alabama, conveying the following described lands:

That part of the South half of the Northwest quarter of Section twenty-four, described as follows: Beginning at the Southwest corner of North half of Southwest quarter of Section twenty-four, Township two South of Range three East, run North 216 yards, East 453.75 yards, South 216 yards on the east and west line of South boundary, West 453.75 yards to place of beginning, being in Section twenty-four, Township two South, Range three East.

Deed of O. R. Jones to F. Tynes, dated May 6, 1921, recorded May 7, 1921, in the office of the Probate Judge of Baldwin County, Alabama, in Record Book 30NS, page 611, conveying the following described lands:

The South half of the Southwest quarter of Section twenty-four, Township two South of Range three East, containing eighty acres, more or less.

Deed of F. Tynes to Ernest Hanks dated July 20, 1921, recorded July 30, 1921 in said Probate Office in Book 31NS, page 130, conveying the following described lands:

The South half of the Southwest quarter of Section twenty-four, Township two South, Range three East, containing eighty acres, more or less.

That at the time of the execution of the aforesaid deeds by J. D. Payne and Olie V. Payne to O. R. Jones, the said J. D. Payne and Olie V. Payne were in the actual possession of said lands; that upon the execution of the aforesaid deed O. R. Jones went into possession of the whole of the lands described in this bill of complaint, claiming to own the whole of the same and the entire interest therein in fee simple; that he remained in continuous possession thereof under such claim of ownership and annually listed and paid the taxes thereon in Baldwin County, Alabama, until May 6, 1921, when he conveyed the South half of the Southwest quarter of Section twenty-four, Township two South, Range three East, to F. Tynes, who immediately went into possession of said land claiming to own the same and the whole interest thereof in fee simple, and continued in such possession thereof until July 20, 1921; that the remainder of said lands remained in such possession of the said O. R. Jones until July 20, 1921, when the said O. R. Jones and the said F. Tynes, each by deeds above described, conveyed the respective tracts owned by them as aforesaid to the complainant; that your complainant immediately went into possession of the said lands and has remained in continuous possession thereof, claiming to own the whole of the same and the entire interest therein in fee simple; Complainant further shows unto your Honor that he and those persons aforesaid through whom he claims title have been continuously for more than twenty-five years next preceding the filing of this bill of complaint in the actual adverse possession of the whole of the aforesaid lands under color of title, claiming to own the same in fee simple, that his and their possession thereof has been actual, open, notorious, exclusive, hostile, peaceable, visible and continuous under color of title for more than twenty-five years next preceding the filing of this bill of complaint, and that he and those through whom he claim as aforesaid have, each in succession, annually listed and paid the taxes on the said property

in Baldwin County, Alabama, to the proper officer thereof.

SECOND:

Complainant further shows that during the whole of the said period, namely, twenty-five years next preceding the filing of this bill of complaint, no person other than he and those through whom he claims as aforesaid have had any possession of the said lands or any part thereof, or have attempted to exercise any acts of possession over the said lands or any part thereof; that no other person than he and those through whom he claims as aforesaid have paid any taxes on the said lands in Baldwin County, Alabama, during any part of the said period of twenty-five years.

THIRD:

Complainant further alleges that the said Defendants, Leneila Glass, Allee Kirksey and Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he is dead, and the unknown heirs and devisees of F. Blount if he is dead, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the said lands or some part thereof; Complainant further shows unto your Honor that the said Allee Kirksey, Leneila Glass are each over the age of twenty-one years, and the said Allee Kirksey resides at and her Post Office address is Sweet Water, Texas; and the said Leneila Glass resides at and her Post Office address is Tallassee, Alabama; that this Complainant does not know whether or not the said Alfred Sewell and the said F. Blount, or either of them is living or dead, and if living he does not know the place of residence and Post Office address of them or either of them; that if they or either of them are dead he does not know who their heirs and devisees are, or who are the heirs and devisees of either of them; that he has made diligent search to ascertain the Post Office address and place of residence of them and of each of them, and to ascertain whether or not they be living or

dead, and if dead whether or not they died testate or intestate and who are their heirs and devisees, or the heirs and devisees of either of them; that in his search to ascertain the same he has caused W. C. Beebe and H. M. Hall, his agents and attorneys in the premises, to make search of the Probate Records of Baldwin County, Alabama, and of the records in the offices of the Tax Collector and Tax Assessor of Baldwin County, Alabama, and in the office of the Clerk of the Circuit Court of Baldwin County, Alabama, and of the Sheriff of Baldwin County, Alabama, and that the said records and books of addresses kept in the said offices do not disclose the address of either of them at this time or at any time, and do not disclose whether or not they or either of them are dead, and whether or not they died testate or intestate, and who are their heirs and devisees, or the heirs and devisees of either of them; and that through and by the said Attorneys of this Complainant he caused and they did make inquiry of each and all persons in each and all of the said offices, and of J. W. Taylor, W. D. Stapleton, O. C. Hall, O. R. Jones, and divers and numerous other persons who lived near to and have known continuously for more than twenty-five years the said lands, as to the place of residence of the said F. Blount and Alfred Sewell, and as to whether they be living or dead, and if dead whether they died testate or intestate, and who are their heirs or devisees, or the heirs and devisees of either of them; and neither of the said persons know, or have ever known, either of the said F. Blount or the said Alfred Sewell, nor whether they or either of them be living, or dead, and if dead, whether or not they or either of them died testate or intestate, and who are their heirs and devisees, or the heirs and devisees of either of them; and upon such inquiry as aforesaid this Complainant does believe and allege that the said Alfred Sewell and F. Blount, if living, are over the age of twenty-one years, that their

Post Office address and place of residence is unknown, that he does not know whether they or either of them are living or dead, that if dead he does not know whether or not they died testate or intestate, nor who the heirs and devisees of either of them are, nor what the ages and places of residence are of the heirs and devisees of either of them, and that diligent inquiry has been made to ascertain the said matters, and that the same cannot be ascertained upon diligent inquiry.

FOURTH:

Complainant further alleges that neither the said Defendants, namely, Allee Kirksey, Leneila Glass, F. Blount, Alfred Sewell, and the unknown heirs and devisees of F. Blount and the unknown heirs and devisees of Alfred Sewell, have had or exercised any possession over the whole or any part of the lands described in this bill of complaint at any time during the twenty-five years next preceding the filing of this bill of complaint, and that neither of them have during any part of said period paid any taxes on the said lands or any part thereof; and that the title, interest, lien or encumbrance claimed by them or either of them to the said lands or any part thereof is invalid, and that this Complainant's aforesaid title to the said land and to every part thereof is perfect as against the said Defendants and each of them and as against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.

Wherefore your Complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint, that by appropriate process the said lands and the aforesaid Defendants, namely, Alfred Sewell and the unknown heirs and devisees of Alfred Sewell, F. Blount, and the unknown heirs and devisees of F. Blount, Leneila Glass and Allee Kirksey, and any and all persons claiming any

title to, interest in, lien or encumbrance on said lands or any part thereof be made party defendants to this bill of complaint, and by appropriate process be required 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; that upon the final hearing of the cause made by this bill of complaint this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, clear of encumbrances, to the lands described in this bill of complaint, and to each part thereof is vested in this Complainant as against the said Defendants and each of them and as against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and that the said Defendants, namely, Alfred Sewell, and the unknown heirs and devisees of Alfred Sewell, F. Blount, and the unknown heirs and devisees of J. Blount, Leneila Glass and Allee Kirksey, and each of them have no title to, interest in, lien or encumbrance on the said lands or any part thereof, and that no other person whomsoever that this Complainant has any title to, interest in, lien or encumbrance on the said lands or any part thereof, and this Complainant prays for such other, further or different relief as in equity and good conscience he shall be entitled to receive in the premises.

Beebe & Hall
Attorneys for Complainant.

FOOT NOTE:

The Defendants are required to answer every material allegation of the foregoing bill of complaint in paragraphs first to fourth, inclusive, but not under oath. Oath being hereby expressly waived.

Beebe & Hall
Attorneys for Complainant.

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, Eloise Slocumb, a Notary Public in and for said State and County, personally appeared W. C. Beebe who is known to me and who being by me first duly sworn deposes and says that he is attorney of record for Ernest Hanks, Complainant in that certain cause pending in the Circuit Court of Baldwin County, Alabama, wherein the said Ernest Hanks is Complainant, and the Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, ^{at} described as beginning/the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards, to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Alice Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, are Defendants; that he has read the said bill of complaint and knows the facts alleged therein, to which said bill of complaint this affidavit is attached, and the said bill of complaint referred to and made a part of this affidavit and that the facts alleged in said bill of complaint are true.

W. C. Beebe

Sworn to and subscribed before me on this the 14
day of May, 1929.

Eloise Slocumb
Notary Public,
Baldwin County, Alabama.

How J. M. Robinson

BAY MINETTE, ALA.

May 28

19

IN ACCOUNT WITH

G. W. HUMPHRIES
JUDGE OF PROBATE
BALDWIN COUNTY

Please Return Bill With Remittance

Deed
Rec. Mort. from

Ernest Woods vs. 700 Lenoir St. S.W. Atl.
Bank of W. Va. vs. Magnolia Springs, S.W. Ga.

Privilege Tax

Rec. Fee

Tot

1.85
1.85

3.70

Paid 5/28/29
G. W. Humphries Judge
by J. H. Smith, Clk

NOTICE OF PENDENCY OF BILL OF COMPLAINT.

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

To Leneila Glass who is over the age of twenty-one years and whose residence and Post Office address is Tallassee, Alabama; Allee Kirksey who is over the age of twenty-one years and whose residence and Post Office address is Sweet Water, Texas; Alfred Sewell who is over the age of twenty-one and whose place of residence and Post Office address is unknown; F. Blount who is over the age of twenty-one years and whose place of residence and Post Office address is unknown; the unknown heirs and devisees of Alfred Sewell whose names, ages and place of residence and Post Office address is unknown; the unknown heirs and devisees of F. Blount, whose names, ages, place of residence and Post Office address is unknown, and to any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

Notice is hereby given that Ernest Hanks did on the 14th day of May, 1929, file a bill of complaint in this, the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, to quiet and establish his title to the said lands, as and to be in fee simple, clear of encumbrance against the said named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and to settle and clear up any and all doubts and disputes concerning the same.

That the Complainant in his said bill of complaint alleges that he is the owner in fee simple of the said lands and each part thereof, that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have been for more than twenty years consecutively next preceding the filing of the said bill of complaint in the actual adverse possession of the said lands and each part thereof; that he and those through whom he holds the said lands have for more than twenty years consecutively next preceding the filing of the said bill of complaint, annually listed and paid the taxes on the said lands to the proper officers of Baldwin County, Alabama, and that during the whole of the said period no other

person than he and those through whom he holds the said lands have been in the possession of the said lands or of any part thereof, or paid any taxes on the said lands or any part thereof, and that his title to the said lands is derived by mesne conveyances from the United States Government through, under and by the following instruments:

Patent of United States to the State of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 222, et sequa;

Deed from the State of Alabama to this complainant, dated April 29, 1939;

Deed from the Alabama Insane Hospitals, dated May 25, 1923;

Deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1881, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-754;

Deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 9, 1882, recorded in said office in Book N, pages 138-1;

Deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1884;

Patent from United States to Henry Taylor, dated November 15, 1884, recorded in said Probate Office in Book _____, page _____;

Deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1884, recorded in said office in Deed Book 29, page 643;

Deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 29NS, page 673;

Deed from Charles Ursprung, et al, to Follie V. Payne,
dated November 23, 1921, recorded in said office in Book 2093,
page 648.

Deed from J. B. Payne and Olla V. Payne, his wife, to O. R.
Jones, dated November 23, 1921, recorded in said office in Book "H",
pages 236-7;

Deed of O. R. Jones to Ernest Hanks dated July 20, 1921,
recorded July 30, 1921, in Deed Book 5123, page 131;

Deed of O. R. Jones to F. Tynes, dated May 6, 1921, recorded
in said office in Record Book 3083, page 611;

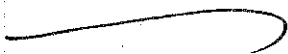
Deed of F. Tynes to Ernest Hanks dated July 20, 1921,
recorded in said office in Book 5123, page 130.

IN WITNESS WHEREOF, I, T. W. Richardson, Register of the
Circuit Court of Baldwin County, Alabama, in equity, have hereto
set my hand and seal this the 27th day of May, 1922.

Burke Hall
Solicitor for Complainant

T. W. Richardson (SEAL)
Register Circuit Court Baldwin
County, Alabama, in Equity
Baldwin & Hall,
SOLICITORS FOR COMPLAINANT.

Ernest Hawk



THE UNIVERSITY OF CHICAGO

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540 EAST 57TH STREET
CHICAGO, ILL. 60637

UNIVERSITY OF CHICAGO
LIBRARY

BAY MINETTE, ALA.

6/1/29

M. T. W. Richardson

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

Deek & Hall Atty's

To Notice of Ernest Heals 15 Lands etc

Run 5/30- 6/6-13-20 — 1140 rods 4 1/2

5130

NOTICE OF PENDENCY OF BILL OF COMPLAINT.

ERNEST HANKS,
Complainant,

VS

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Lenella Class, Alice Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

To Lenella Class who is over the age of twenty-one years and whose residence and Post Office address is Tallapoosa, Alabama; Alice Kirksey who is over the age of twenty-one years and whose residence and Post Office address is Sweet Water, Texas; Alfred Sewell who is over the age of twenty-one and whose place of residence and Post Office address is unknown; F. Blount who is over the age of twenty-one years and whose place of residence and Post Office address is unknown; the unknown heirs and devisees of Alfred Sewell whose names, ages and place of residence and Post Office address is unknown; the unknown heirs and devisees of F. Blount, whose names, ages, place of residence and Post Office address is unknown, and to any and all persons claiming any title to, interest in, lien or encumbrance on the whole or any part of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

Notice is hereby given that Ernest Henke did on the 14th day of May, 1929, file a bill of complaint in this, the Circuit Court of Baldwin County, Alabama, in equity, against the above described lands and the above named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, to quiet and establish his title to the said lands, as and to be in fee simple, clear of encumbrance against the said named and described persons and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and to settle and clear up any and all doubts and disputes concerning the same.

That the Complainant in his said bill of complaint alleges that he is the owner in fee simple of the said lands and each part thereof, that the title to the same stands on the records of the Probate Court of Baldwin County, Alabama, in his name; that he and those through whom he claims title have been for more than twenty years consecutively next preceding the filing of the said bill of complaint in the actual adverse possession of the said lands and each part thereof; that he and those through whom he holds the said lands have for more than twenty years consecutively next preceding the filing of the said bill of complaint, annually listed and paid the taxes on the said lands to the proper offices of Baldwin County, Alabama, and that during the whole of the said period no other

person than he and those through whom he holds the said lands have been in the possession of the said lands or of any part thereof, or paid any taxes on the said lands or any part thereof, and that his title to the said lands is derived by mesne conveyances from the United States Government through, under and by the following instruments:

Patent of United States to the State of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 222, et sequa;

Deed from the State of Alabama to this complainant, dated April 29, 1929;

Deed from the Alabama Insane Hospitals, dated May 25, 1928;

Deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1881, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734;

Deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 9, 1882, recorded in said office in Book N, pages 129-1;

Deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1884;

Patent from United States to Henry Taylor, dated November 15, 1854, recorded in said Probate Office in Book _____, page _____;

Deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1884, recorded in said office in Deed Book 29, page 648;

Deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 29NS, page 678;

Deed from Charles Ursprung, et al, to Pollie V. Payne, dated November 28, 1891, recorded in said office in Book 29NS, page 848.

Deed from J. H. Payne and Ollie V. Payne, his wife, to O. R. Jones, dated November 28, 1891, recorded in said office in Book "R", pages 236-7;

Deed of O. R. Jones to Ernest Hanks dated July 20, 1921, recorded July 30, 1921, in Deed Book 51NS, page 131;

Deed of O. R. Jones to F. Tynes, dated May 6, 1921, recorded in said office in Record Book 30NS, page 611;

Deed of F. Tynes to Ernest Hanks dated July 20, 1921, recorded in said office in Book 51NS, page 130.

IN WITNESS WHEREOF, I. T. W. Richerson, Register of the Circuit Court of Baldwin County, Alabama, in equity, have hereto set my hand and seal this the 27 day of May, 1929.

Richer & Hall
Selectors for Complainant


I. T. W. Richerson (SEAL)
Register, Baldwin County
Alabama, In Equity

I, T. W. Richerson, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing attached is a true, correct and literal copy of a notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein Ernest Hanks is Complainant and The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, are Defendants;

And I do further certify that the said notice was drawn and signed by me as Register of this Court.

Witness my hand and seal of office this the 27 day of

May, 1929.


Register of the Circuit Court of
Baldwin County, Alabama, in equity.

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes Ernest Hanks and brings this bill of complaint against the Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and against Leneila Glass, Allee Kirksey, Alfred Sewell, and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he be dead, and the unknown heirs and devisees of F. Blount if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and respectfully shows unto your Honor as follows:

FIRST:

That your Complainant, Ernest Hanks, is over the age of twenty-one years of age and a resident of Georgiana, State of Alabama; that he is the owner in fee simple of and is in the actual peaceable possession of the said lands described, situated in the County of Baldwin, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

That there is no suit pending to test his title to, interest in, or his right to the possession of such lands; that his title to the said lands and each part thereof stands upon the record of the Probate Court of Baldwin County, Alabama, in his name, that his title to the said lands was obtained by the following deeds: Patent of United States to the State *

of Alabama, dated July 11, 1870, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 5, page 222, et sequa, conveying the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter and run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to place of beginning, all in Section twenty-four, Township two South, Range three East; deed from the State of Alabama to this complainant, dated April 29, 1929, conveying the same lands; deed from the Alabama Insane Hospitals, dated May 25, 1928, conveying the same lands; deed from Lorenzo M. Wilson, et al, to D. C. Byrne, dated March 2, 1881, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book L, pages 733-734, conveying the said lands; deed from D. C. Byrne, et al, to J. W. Litchfield, dated January 9, 1882, recorded in said office in Book N, pages 120-1; deed from J. W. Litchfield, et al, to Charles Ursprung, dated December 30, 1884; patent from United States to Henry Taylor, dated 13 day of November, 1854, recorded in said Probate Office in Book _____, page _____, conveying the Southwest quarter of the Southwest quarter of Section twenty-four, Township two South, Range three East; deed from Rosanna I. Taylor, et al, to Charles Ursprung, dated October 1, 1884, conveying the Southwest quarter of the Southwest quarter of said Section, recorded in said office in Deed Book 29, page 648; deed from Rosanna I. Litchfield, et al, to Charles Ursprung, filed for record July 14, 1920, recorded in said office in Deed Book 29NS, page 678, conveying the Southwest quarter of the Southwest quarter of said Section; deed from Charles Ursprung, et al, to Pollie V. Payne, dated November 28, 1891, recorded in said office in Book 29NS, page 648, conveying all of the lands described in this bill of complaint;

That your Complainant's title is derived through the following chain of title: Deed of J. D. Payne and Olle V. Payne, his wife, to O. R. Jones, dated November 28, 1891, filed in the office of the Judge of Probate of Baldwin County, Alabama, November 30, 1891, recorded in Book "R", pages 236-7, conveying the following described lands:

All of the Southwest quarter of Southwest quarter and Southeast quarter of Southwest quarter of Section twenty-four, Township two South, Range three East, containing 90.65 acres, more or less.

Also a certain lot of land commencing at the Northeast corner of the Southwest quarter of Southwest quarter of Section twenty-four, and running thence West 17 chains to a post; thence North 19 chains to a post; thence East 37 chains to a post at the branch; thence along the west side of the branch southward to the east and west line on which the beginning was made in Section twenty-four, Township two South, Range three East, containing ten acres, more or less, all situated in the County of Baldwin, State of Alabama.

Deed of O. R. Jones to Ernest Hanks, dated July 20, 1921, recorded July 30, 1921, in Deed Book 31NS, page 131, in the office of the Judge of Probate of Baldwin County, Alabama, conveying the following described lands:

That part of the South half of the Northwest quarter of Section twenty-four, described as follows: Beginning at the Southwest corner of North half of Southwest quarter of Section twenty-four, Township two South of Range three East, run North 216 yards, East 453.75 yards, South 216 yards on the east and west line of South boundary, West 453.75 yards to place of beginning, being in Section twenty-four, Township two South, Range three East.

Deed of O. R. Jones to F. Tynes, dated May 6, 1921, recorded May 7, 1921, in the office of the Probate Judge of Baldwin County, Alabama, in Record Book 30NS, page 611, conveying the following described lands:

The South half of the Southwest quarter of Section twenty-four, Township two South of Range three East, containing eighty acres, more or less.

Deed of F. Tynes to Ernest Hanks dated July 20, 1921, recorded July 30, 1921 in said Probate Office in Book 31NS, page 130, conveying the following described lands:

The South half of the Southwest quarter of Section twenty-four, Township two South, Range three East, containing eighty acres, more or less.

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That at the time of the execution of the aforesaid deeds by J. D. Payne and Olle V. Payne to O. R. Jones, the said J. D. Payne and Olle V. Payne were in the actual possession of said lands; that upon the execution of the aforesaid deed O. R. Jones went into possession of the whole of the lands described in this bill of complaint, claiming to own the whole of the same and the entire interest therein in fee simple; that he remained in continuous possession thereof under such claim of ownership and annually listed and paid the taxes thereon in Baldwin County, Alabama, until May 6, 1921, when he conveyed the South half of the Southwest quarter of Section twenty-four, Township two South, Range three East, to F. Tynes, who immediately went into possession of said land claiming to own the same and the whole interest thereof in fee simple, and continued in such possession thereof until July 20, 1921; that the remainder of said lands remained in such possession of the said O. R. Jones until July 20, 1921, when the said O. R. Jones and the said F. Tynes, each by deeds above described, conveyed the respective tracts owned by them as aforesaid to the complainant; that your complainant immediately went into possession of the said lands and has remained in continuous possession thereof, claiming to own the whole of the same and the entire interest therein in fee simple; Complainant further shows unto your Honor that he and those persons aforesaid through whom he claims title have been continuously for more than twenty-five years next preceding the filing of this bill of complaint in the actual adverse possession of the whole of the aforesaid lands under color of title, claiming to own the same in fee simple, that his and their possession thereof has been actual, open, notorious, exclusive, hostile, peaceable, visible and continuous under color of title for more than twenty-five years next preceding the filing of this bill of complaint, and that he and those through whom he claim as aforesaid have, each in succession, annually listed and paid the taxes on the said property

in Baldwin County, Alabama, to the proper officer thereof.

SECOND:

Complainant further shows that during the whole of the said period, namely, twenty-five years next preceding the filing of this bill of complaint, no person other than he and those through whom he claims as aforesaid have had any possession of the said lands or any part thereof, or have attempted to exercise any acts of possession over the said lands or any part thereof; that no other person than he and those through whom he claims as aforesaid have paid any taxes on the said lands in Baldwin County, Alabama, during any part of the said period of twenty-five years.

THIRD:

Complainant further alleges that the said Defendants, Leneila Glass, Allee Kirksey and Alfred Sewell and F. Blount, and the unknown heirs and devisees of Alfred Sewell if he is dead, and the unknown heirs and devisees of F. Blount if he is dead, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the said lands or some part thereof; Complainant further shows unto your Honor that the said Allee Kirksey, Leneila Glass are each over the age of twenty-one years, and the said Allee Kirksey resides at and her Post Office address is Sweet Water, Texas; and the said Leneila Glass resides at and her Post Office address is Tallassee, Alabama; that this Complainant does not know whether or not the said Alfred Sewell and the said F. Blount, or either of them is living or dead, and if living he does not know the place of residence and Post Office address of them or either of them; that if they or either of them are dead he does not know who their heirs and devisees are, or who are the heirs and devisees of either of them; that he has made diligent search to ascertain the Post Office address and place of residence of them and of each of them, and to ascertain whether or not they be living or

dead, and if dead whether or not they died testate or intestate and who are their heirs and devisees, or the heirs and devisees of either of them; that in his search to ascertain the same he has caused W. C. Beebe and H. M. Hall, his agents and attorneys in the premises, to make search of the Probate Records of Baldwin County, Alabama, and of the records in the offices of the Tax Collector and Tax Assessor of Baldwin County, Alabama, and in the office of the Clerk of the Circuit Court of Baldwin County, Alabama, and of the Sheriff of Baldwin County, Alabama, and that the said records and books of addresses kept in the said offices do not disclose the address of either of them at this time or at any time, and do not disclose whether or not they or either of them are dead, and whether or not they died testate or intestate, and who are their heirs and devisees, or the heirs and devisees of either of them; and that through and by the said Attorneys of this Complainant he caused and they did make inquiry of each and all persons in each and all of the said offices, and of J. W. Taylor, W. D. Stapleton, O. C. Hall, O. R. Jones, and divers and numerous other persons who lived near to and have known continuously for more than twenty-five years the said lands, as to the place of residence of the said F. Blount and Alfred Sewell, and as to whether they be living or dead, and if dead whether they died testate or intestate, and who are their heirs or devisees, or the heirs and devisees of either of them; and neither of the said persons know, or have ever known, either of the said F. Blount or the said Alfred Sewell, nor whether they or either of them be living, or dead, and if dead, whether or not they or either of them died testate or intestate, and who are their heirs and devisees, or the heirs and devisees of either of them; and upon such inquiry as aforesaid this Complainant does believe and allege that the said Alfred Sewell and F. Blount, if living, are over the age of twenty-one years, that their

Post Office address and place of residence is unknown, that he does not know whether they or either of them are living or dead, that if dead he does not know whether or not they died testate or intestate, nor who the heirs and devisees of either of them are, nor what the ages and places of residence are of the heirs and devisees of either of them, and that diligent inquiry has been made to ascertain the said matters, and that the same cannot be ascertained upon diligent inquiry.

FOURTH:

Complainant further alleges that neither the said Defendants, namely, Allee Kirksey, Leneila Glass, F. Blount, Alfred Sewell, and the unknown heirs and devisees of F. Blount and the unknown heirs and devisees of Alfred Sewell, have had or exercised any possession over the whole or any part of the lands described in this bill of complaint at any time during the twenty-five years next preceding the filing of this bill of complaint, and that neither of them have during any part of said period paid any taxes on the said lands or any part thereof; and that the title, interest, lien or encumbrance claimed by

them or either of them to the said lands or any part thereof is invalid, and that this Complainant's aforesaid title to the said land and to every part thereof is perfect as against the said Defendants and each of them and as against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof.

Wherefore your Complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint, that by appropriate process the said lands and the aforesaid Defendants, namely, Alfred Sewell and the unknown heirs and devisees of Alfred Sewell, F. Blount, and the unknown heirs and devisees of F. Blount, Leneila Glass and Allee Kirksey, and any and all persons claiming any

benefit of this Honorable Court: first upon the just hearing of the matter the time and under the penalties prescribed by law and the appropriate process be had to bring answer or demurrer to the same thereof be made by the defendants to this bill of complaint, and as to title to, interest in, lien or encumbrance on said lands or any part thereof.

STATE OF ALABAMA }
BALDWIN COUNTY }

Before me, Eloise Slocumb, a Notary Public in and for said State and County, personally appeared W. C. Beebe who is known to me and who being by me first duly sworn deposes and says that he is attorney of record for Ernest Hanks, Complainant in that certain cause pending in the Circuit Court of Baldwin County, Alabama, where- in the said Ernest Hanks is Complainant, and the Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning ^{at} the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards, to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, are Defendants; that he has read the said bill of complaint and knows the facts alleged therein, to which said bill of complaint this affidavit is attached, and the said bill of complaint referred to and made a part of this affidavit and that the facts alleged in said bill of complaint are true.

W C Beebe

Sworn to and subscribed before me on this the 14
day of May, 1929.

Eloise Slocumb
Notary Public,
Baldwin County, Alabama.

NOTE OF EVIDENCE.

ERNEST HANKS,
Complainant,

vs

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Allee Kirksey, Alfred Sewell and F. Blount, and unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause is submitted on behalf of the Complainant:

FIRST: On the original bill of complaint filed May 14, 1929, and the affidavit thereto attached.

SECOND: On the order of the Judge of this Court, dated May 15, 1929, ordering notice of the pendency of such bill of complaint published in the Baldwin Times a newspaper published at Bay Minette, in Baldwin County, Alabama.

THIRD: Notice of such bill of complaint as drawn and filed by the Register of this Court May 27, 1929.

FOURTH: Notice of the pendency of the bill of complaint as published, together with the affidavit of the Publisher of the Baldwin Times making proof of such publication.

FIFTH: Original notice of pendency of the bill of complaint served on Leneila Glass, Defendant, together with the Sheriff's return thereon.

SIXTH: Certificate of the Register of this Court as to publication of notice of the pendency of the said bill of complaint, and as to the mailing of notice of the pendency of the bill of complaint to Allee Kirksey, Defendant, at Sweetwater, Texas, by registered mail, marked for delivery to addressee only, and of the fact that such notice was unclaimed.

SEVENTH: Notice of the pendency of such suit as filed for record in the office of the Judge of Probate, May 22, 1929, and certificate of the Probate Judge that the same was recorded May 28, 1929, in Book of Lis Pendens #1, pages 88-89.

EIGHTH: Application for oral examination of C. Irwin and Walker Taylor, witnesses for the Complainant, filed September 17, 1929.

NINTH: Notice of application of oral examination of C. Irwin and Walker Taylor, witnesses for Complainant, served by entry on the Register's Order Book September 17, 1929.

TENTH: Order of the Register granting motion for oral examination of witnesses C. Irwin and Walker Taylor for complainant, dated September 23, 1929.

ELEVENTH: Notice of time and place of taking testimony of C. Irwin and Walker Taylor, witnesses for Complainant, served by entry on the Order Book October 1st., 1929.

λ TWELFTH: Deposition of C. Irwin, witness for Complainant.

< THIRTEENTH: Certified copy of deed from United States to State of Alabama, dated July 11, 1870, recorded Deed Book 5NS, pages 222, et sequa.

FOURTEENTH: Patent from United States to Henry Taylor, dated November 15, 1854.

FIFTEENTH: Deed from Alabama Insane Hospitals to Ernest Hanks, dated May 23, 1928.

SIXTEENTH: Deed from State of Alabama to Ernest Hanks, dated April 29, 1929.

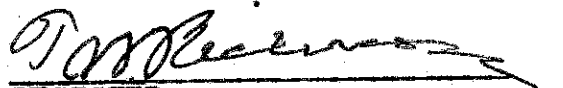
SEVENTEENTH: Certified copy of deed from J. D. Payne and Olle V. Payne, his wife, to O. R. Jones, dated November 28, 1891.

EIGHTEENTH: Deed from O. R. Jones to Ernest Hanks dated July 20, 1921.

NINETEENTH: Deed from O. R. Jones to F. Tynes, dated May 6, 1921.

TWENTIETH: Deed from F. Tynes to Ernest Hanks, dated July 20, 1921.

21 *see O.R. Jones to Ernest Hanks dated June 19, 1921*
This the 7th day of October, 1929.


REGISTER.

ERNEST HANKE,
Complainant,

vs

The southwest quarter of the southwest quarter and the southeast quarter of the southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 455.75 yards, thence South 216 yards, thence West 455.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East, and Leneila Glass, Alice Kirkesey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause coming on to be heard is submitted for final decree on the original bill of complaint filed May 14, 1929, and the affidavit thereto attached; on the order of the Judge of this Court, dated May 15., 1929, ordering notice of the pendency of such bill of complaint published in the Baldwin Times a newspaper published at Bay Minette, in Baldwin County, Alabama; notice of such bill of complaint as drawn and filed by the Register of this Court May 27, 1929; notice of the pendency of the bill of complaint as published, together with the affidavit of the Publisher of the Baldwin Times making proof of such publication; original notice of pendency of the bill of complaint served on Leneila Glass, Defendant, together with the Sheriff's return thereon; Certificate of the Register of this Court as to publication of notice of the pendency of the said bill

of complaint, and as to the mailing of notice of the pendency of the bill of complaint to Alice Kirksey, Defendant, at Sweetwater, Texas, by registered mail, marked for delivery to addressee only, and of the fact that such notice was unclaimed; notice of the pendency of such suit as filed for record in the office of the Judge of Probate, May 22, 1929, and certificate of the Probate Judge that the same was recorded May 28, 1929, in Book of Lis Pendens #1, pages 88-9; application for oral examination of C. Irwin and Walker Taylor, witnesses for the Complainant, filed September 17, 1929; notice of application of oral examination of C. Irwin and Walker Taylor, witnesses for Complainant, served by entry on the Register's Order Book September 17, 1929; order of the Register granting motion for oral examination of witnesses C. Irwin and Walker Taylor for Complainant, dated September 23, 1929; notice of time and place of taking testimony of C. Irwin and Walker Taylor, witnesses for Complainant, served by entry on the Order Book October 1st., 1929; deposition of C. Irwin, witness for Complainant; certified copy of deed from United States to State of Alabama, dated July 11, 1870, recorded Deed Book 583, pages 222, et sequa; patent from United States to Henry Taylor, dated November 15, 1854; deed from Alabama Insane Hospitals to Ernest Hanks, dated May 23, 1928; deed from State of Alabama to Ernest Hanks, dated April 29, 1929; certified copy of deed from J. D. Payne and Olie V. Payne, his wife, to C. R. Jones, dated November 28, 1921; deed from C. R. Jones to Ernest Hanks, dated July 20, 1921; deed from C. R. Jones to F. Tynes, dated May 6, 1921; deed from F. Tynes to Ernest Hanks, dated July 20, 1921; all as noted by the Register, and the same being considered, 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 that the Complainant Ernest Hanks is over the age of twenty-one years and a resident of Georgiana, in the State of Alabama; that he is the owner in fee simple of, and in the actual peaceable possession of the following described lands situated in Baldwin County, State of Alabama, to-wit:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

That there is no suit pending to test the title to, interest in or his right to possession of such lands, and that his title to the said land stands upon the record of the Probate Court of Baldwin County, Alabama, in his name; that his title to the said land was obtained by the following deeds: Patent from United States to State of Alabama, dated July 11, 1897, recorded in Deed Book 582, pages 222, et sequa, conveying the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards, thence West 453.75 yards to place of beginning, all in Section twenty-four, Township two South, Range three East; deed from State of Alabama to the said Ernest Hanks dated April 29, 1929, conveying the said lands; deed from Alabama Insane Hospitals dated May 25, 1929, conveying the said lands, and patent from United States to Henry Taylor, dated November 15, 1854, conveying the Southwest quarter of the Southwest quarter of said Section twenty-four; deed from J. D. Payne and Olie V. Payne, his

wife, to O. R. Jones, dated November 28, 1891, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Record Book "R", page 236-7; deed from O. R. Jones to Ernest Hanks, dated July 20, 1921, recorded in said Probate Office in Deed Book 5183, page 131, conveying that part of the said above described land lying in the North half of the Southwest quarter of said Section; deed from O. R. Jones to F. Tynes, dated May 6, 1921, recorded in said office in Deed Book 3083, page 611, conveying the South half of the Southwest quarter of said Section twenty-four; deed from F. Tynes to said Ernest Hanks dated July 20, 1921, recorded 5183, page 130, conveying the said South half of the Southwest quarter of said Section twenty-four, and by adverse possession under the said deed by him and by the said persons through whom he claims for more than twenty-five years continuously, next preceding the filing of the said bill of complaint; that Lonella Glass and Alice Kirksey are each over the age of twenty-one years, the said Alice Kirksey resides at and her Post Office address is Sweetwater, Texas, the said Lonella Glass resides at and her Post Office address is Tallassee, Alabama; that Alfred Sewell and F. Blount are unknown to Complainant; that it is unknown to him as to whether or not they are living or dead, and if dead whether or not they died testate or intestate, and who are their heirs and devisees, that he has made diligent inquiry to ascertain the same and the same cannot be ascertained upon diligent inquiry; that neither the said Alice Kirksey, Lonella Glass, F. Blount, Alfred Sewell, or the unknown heirs and devisees of the said F. Blount and of the said Alfred Sewell have had or exercised any possession over the whole or any part of the said described lands for more than twenty-five years, next preceding the filing of the said bill of complaint; that they and neither of them have paid any taxes on the said lands and that any title, interest, lien,

incumbrance or claim by them or either of them to the said lands or any part thereof is invalid; that the said Ernest Hanks and those through whom he claim have annually for more than twenty-five years listed and paid taxes on the said lands to the proper officials of Baldwin County, Alabama; that no person other than the said Ernest Hanks and those through whom he claim have for more than twenty-five years been in the possession of the said lands or any part thereof, or listed the said lands for taxation, or paid the taxes thereon.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the fee simple title to the lands first described herein, namely,

The Southwest quarter of the Southwest quarter and the Southeastquarter of the Southwest quarter and that part of the North half of the Southwest quarter, described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 215 yards, thence East 453.75 yards, thence South 215 yards, thence West 453.75 yards to the place of beginning, all in Section twenty-four, Township two South, Range three East.

clear of incumbrance, and to each part thereof is vested in the Complainant, Ernest Hanks, as against the aforesaid Defendants and each of them, and as against any and all persons claiming any title to, interest in, lien or incumbrance on the said lands or any part thereof, and that the said Defendants, namely, Alfred Sewell, the unknown heirs and devisees of Alfred Sewell, F. Blount, and the unknown heirs and devisees of F. Blount, Lenella Glass and Alice Kirksey, and each of them have no title to, interest in, lien or incumbrance on the said lands or any part thereof and that no other person whomsoever than this Complainant, Ernest Hanks, has any title to, interest in, lien or incumbrance on the said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court file for record in the office of the Judge of

Probate of Baldwin County, Alabama, a duly certified copy of this decree and cause the same to be indexed in the proper indexes in the said Probate Office in the direct index in the name of Alfred Sewell, F. Blount, Alice Kirksey, Lenelia Glass, and the unknown heirs and devisees of F. Blount and the unknown heirs and devisees of Alfred Sewell to Ernest Hanks, and in the referee index in the name of Ernest Hanks from Alfred Sewell, F. Blount, and the unknown heirs and devisees of F. Blount and the unknown heirs and devisees of F. Blount, and from Alice Kirksey and Lenelia Glass.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the cost of this proceeding for which let execution issue.

Done this the 10th day of October, 1929.

F.W.Hare,
Judge

State of Alabama,
Baldwin County.

Circuit Court in Equity.

I.T.W.Richerson, Register of said Court of said County, Alabama, do hereby certify that the foregoing is a full, true and correct copy of the decree rendered by said Court on the 10th day of October, 1929 in the cause of Ernest Hanks Complainant, vs The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and that part of the North half of the Southwest quarter described as beginning at the Southwest corner of the North half of the Southwest quarter, run North 216 yards, thence East 453.75 yards, thence South 216 yards to the place of beginning, all in Section twenty-four, Township two South, Range Three East, and Lenelia Glass, Allee Kirksey, Alfred Sewell and F. Blount, and the unknown heirs and devisees of F. Blount if he be dead, and the unknown heirs and devisees of Alfred Sewell if he be dead, and against any and all persons, claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, Defendants. as appears of record in said Court.

witness my hand this 30 th day of October, 1929.

I.T.W. Richerson

Register.

THE STATE OF ALABAMA }
BALDWIN COUNTY } PROBATE COURT

Filed in office this 1 day of Nov 1929
and duly recorded in 648 Book No. 487
pages 156-7; and I certify that \$ etc.

~~license or privilege tax, paid as required by an Act of
the Legislature, approved September 14, 1928; and
etc. license or privilege tax, paid as re-
quired by an Act of the Legislature approved August~~

J. W. Humphries
J. H. [unclear]
Judge of Probate

J. W. Richardson
[unclear]
11/1/29
3:20 PM

Filed October 12th, 1929.
-Register-

Certain Lands.
VS.
Ernest Hanks, Complainant
Decree in cause of
Certified copy of Final

5
Hanks
vs
Blair et al

RECORDED

Notes of Evidence

Filed Oct 7, 1937
T. W. Whinnery
Register

After five days return to
G. W. HUMPHRIES
PROBATE JUDGE, BALDWIN COUNTY
BAY MINETTE, ALA.

Hand

R.

T. W. Richerson,
City

Co Howell

No. 810