

856

STATE OF ALABAMA }
County of Baldwin }

G. C. Stephenson, being first duly sworn, desposes and says that he is the publisher of THE BALDWIN COUNTY NEWS, a newspaper published every Thursday at Robertsedale, Baldwin County, Alabama, in the English language and of general circulation in said Baldwin County, Ala-

bama; that the notice hereto attached of _____

Notice to Non Resident.

Oscar Williams, complainant, No 856 Vs The

Unknown heirs, devisees and next of kin of

William Gibson, Deceased, defendants.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of first publication	<u>Nov. 28th 1929</u>	Vol. <u>8</u>	No. <u>34</u>
Date of second publication	<u>Dec 5th 1929</u>	Vol. <u>8</u>	No. <u>35</u>
Date of third publication	<u>Dec 12th 1929</u>	Vol. <u>8</u>	No. <u>36</u>
Date of fourth publication	<u>Dec 19th 1929</u>	Vol. <u>8</u>	No. <u>37</u>

And said affiant further states that there is no contract, agreement or

understanding between himself and _____ the officer charged with the duty of advertising said notice in a newspaper, for any advantage, gain or profit to accrue to such officer, and that the sum charged for the publication of said notice is the actual, lowest, regular price for such advertisement.

G. C. Stephenson

Subscribed in my presence and sworn to before me, this 14th day of February, 1930.

Mrs Alice B. Cooper

Cost of Publication \$ 8.82

Notary Public, State of Alabama, Baldwin County
My Commission expires Nov. 24, 1932

Cost of Affidavitt, .25

Total \$ 9.07

NOTICE TO NON-RESIDENT.

Oscar William, complainant, No. 856
vs. ~~The unknown heirs, devisees~~
and next of kin of William Gibson,
deceased, Defendants.

State of Alabama, Baldwin County.
Circuit Court, in Equity. This the
23rd day of November, 1929.

In this cause it being made to ap-
pear to the Register of this Court by
the affidavit of Oscar Williams that
the Defendant, The unknown heirs,
devisees and next of kin of William
Gibson, deceased, is a non-resident of
the State of Alabama and whose places
of residences are unknown to Affiant
and further, that, in the belief of said
Affiant the Defendants are over the
age of 21 years; it is, therefore ordered
that publication be made in The Bald-
win County News, a newspaper pub-
lished in Robertsedale, Baldwin County,
Alabama, once a week for four con-
secutive weeks, requiring defendants,
the said Unknown heirs, devisees and
next of kin of William Gibson to an-
swer or demur to the Bill of Complaint
in this cause by the 28th day of
December, 1929, or after thirty days
therefrom a decree Pro Confesso may
be taken against the said defendants.

T. W. RICHMOND,
Register.

LLOYD A. MAGNEY,
Attorney for Plaintiff.

nov28-dec5-12-19

OSCAR WILLIAMS,

Plaintiff,

-vs-

THE UNKNOWN HEIRS, DEVISEES
AND NEXT OF KIN OF WILLIAM
GIBSON, DECEASED,

Defendants.

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

DECREE.

This cause coming on to be heard on the Bill of Complaint and decree pro confesso against the defendants and each of them, and it appearing to the Court from the proof on file that the service on the defendants and each of them, is due and regular and in all respects in conformity with the laws of the state of Alabama, and that the Court has jurisdiction of the subject matter of this action, and being fully advised in the premises, the Court finds:

That the allegations of the Bill of Complaint are true and that the Plaintiff is in the actual, peaceable possession, claiming to own the same, of the following described lands in Baldwin County, Alabama, to-wit:

The west one-half ($W\frac{1}{2}$) of the East one-half ($E\frac{1}{2}$) of Lot Eleven (11) in the southeast quarter ($SE\frac{1}{4}$) of Section Twenty (20), in Township Six (6) South, Range Two (2) East of St. Stephens Meridian, containing five (5) acres, more or less.....

That during his life time one William Gibson claimed or was reputed to own an interest in, right or title to or incumbrance upon said lands, but the said William Gibson is now dead and his heirs, devisees and next of kin, their ages and places of residence, are all unknown to the plaintiff.

That the defendants, the said unknown heirs, devisees and next of kin of the said William Gibson, deceased, claim or are reputed to claim or own, some right, title, interest in or incumbrance upon said lands, but the Court finds that the said defendants, nor any of them, have no valid claim, right, title, interest in nor incumbrance upon said lands or any part thereof.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the claim, title, lien or incumbrance of the defendants The Unknown Heirs, Devisees and Next of Kin of William Gibson, deceased, or any of them, is utterly and entirely void; that the said defendants The Unknown Heirs, Devisees and Next of Kin of William Gibson, deceased, have no claim, to, right or title in or incumbrance upon the following described lands to-wit:

The west one-half ($W\frac{1}{2}$) of the East one-half ($E\frac{1}{2}$) of Lot Eleven (11) in the southeast quarter ($SE\frac{1}{4}$) of Section Twenty (20), in Township Six (6) South, Range Two (2) East of St. Stephens Meridian, containing five (5) Acres, more or less, in Baldwin County, Alabama.....

and that the title of the plaintiff in and to said lands be, and the same hereby is quieted and confirmed in him against any and all claims, rights, liens or incumbrances of the Defendants, or any of them, to, in or upon said lands or any part thereof. That the Register of this Court, within thirty days from the date hereof, file a certified transcript of this decree in the Probate Court of Baldwin County, Alabama, and that the same be recorded by the Probate Judge in the same book in which deeds are recorded, and the names of the Defendants indexed in the direct index and the name of the Plaintiff in the reverse index, and that Plaintiff pay the costs of this action ~~to-wit:~~ _____.

ORDERED, ADJUDGED AND DECREED this 5th day of February, 1930.

A. M. Hare
Chancellor.

OSCAR WILLIAMS,

Plaintiff,

-vs-

THE UNKNOWN HEIRS, DEVISEES
AND NEXT OF KIN OF WILLIAM
GIBSON, DECEASED,

Defendants.

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

BILL OF COMPLAINT.

PART I.

To the Honorable F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, in Chancery sitting:

PART II.

Your Orator, Oscar Williams, a resident of the County of Baldwin in this State, and over twenty-one years old, respectfully exhibits this his Bill of Complaint against The Unknown Heirs, Devisees and Next of Kin of William Gibson, deceased, whose names, ages and places of residence are all unknown to him.

PART III.

And humbly complaining your Orator would represent unto your Honor, as follows:

1: That he is in the actual, peaceable possession, claiming to own the same, of the following described lands in Baldwin County, Alabama, to-wit:

The west one-half ($W\frac{1}{2}$) of the East one-half ($E\frac{1}{2}$) of Lot Eleven (11) in the southeast quarter ($SE\frac{1}{4}$) of Section Twenty (20), in Township Six (6) south, Range Two (2) East of St. Stephens Meridian, containing five (5) acres, more or less.

2: That during his life time, one William Gibson claimed or was reputed to own an interest in, right or title to or incumbrance upon said lands, but the said William Gibson is now dead, and his heirs, devisees and next of kin, their ages and places of residence, are all unknown to your Orator.

3: That the said unknown heirs, devisees and next of kin of the said William Gibson, deceased, claim or are reputed to claim or own, some right, title, interest in or incumbrance upon

said lands hereinbefore described.

4: That no suit is pending to enforce or test the validity of such title, claim or incumbrance and your Orator files this Bill to settle the title to such lands and clear up all doubts and disputes concerning the same and calls upon the Defendants, the unknown heirs, devisees and next of kin of William Gibson, deceased, to set forth and specify their title, claim, interest or incumbrance, and the title, claim, interest or incumbrance of each of them, and how and by what instrument the same is derived or created.

5: Your Orator further represents that for more than fifty-three years last past, he and his immediate grantors have been in the actual, visible, exclusive, hostile, open, notorious, peaceable and continuous possession of said lands, claiming ownership thereof against all the world, and that by reason thereof the title of your Orator in and to said lands has been perfected and should be quieted and confirmed in him.

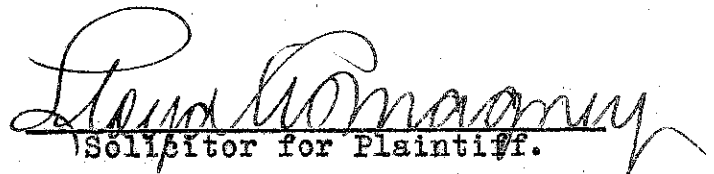
PART IV.

WHEREFORE, your Orator prays that the defendants and each of them be required to set forth and specify his title, claim, interest or incumbrance to said property hereinbefore described, and how and by what instrument the same is derived and created; that your Honor will hear and determine such title, claim, interest or incumbrance of the defendants and each of them, and finally adjudge and decree whether the defendants, or any of them, have any right, title, interest in or incumbrance on said lands, and, if so, what such right, title, interest or incumbrance is and in or upon what part of the lands, if any, the same exists; that upon a final hearing of this cause, your Honor will decree and adjudge that the claim, title, lien, interest or incumbrance of the defendants, or any of them, is utterly and entirely void; that the title of your Orator in and to said lands hereinbefore described be quieted and confirmed in him, and that your Orator may have such other and further relief in the premises as may be just and equitable.

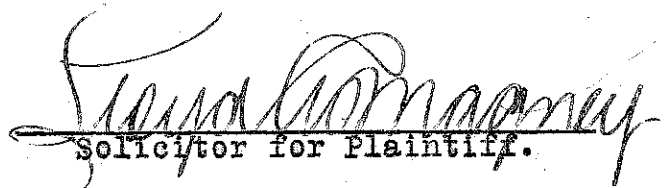
PART V.

And your Orator would further pray that your Honor direct that the Register of this Court make out and superintend the appropriate order of publication to the defendants, The Unknown Heirs,

Devises and Next of Kin of William Gibson, deceased, commanding them within thirty days after the period specified in the order of publication to appear before your Honor in this Honorable Court then and there to answer all and singular the premises, and to stand to and abide such order and decree therein as to this Honorable Court shall seem meet; and your Orator shall ever pray, &c.


Solicitor for Plaintiff.

The defendants the unknown heirs, devisees and next of kin of William Gibson, deceased, are hereby required to answer the allegations of Part III of the above bill, from section 1 to section 5, both inclusive, but not under oath, oath to answer being expressly waived.


Solicitor for Plaintiff.

STATE OF ALABAMA, }
County of Baldwin. }

Before me, Lloyd A. Magney, a notary public in and for said county and state, on the ____ day of November, 1929, personally appeared Oscar Williams, known to me, the plaintiff in the aforesaid cause, and being by me first duly sworn, deposed and said that the defendants, the unknown heirs, devisees and next of kin of William Gibson, deceased, who are described in sections 2 and 3 of Part III of the Bill of Complaint in this cause, as having the interest therein described in the subject matter of this suit, are unknown to the plaintiff; that he has made diligent inquiry to ascertain the names, ages and places of residence of said defendants the unknown heirs, devisees and next of kin of William Gibson, deceased, or any of them, but has been unable to do so and the same are all unknown to him; that the residence of all of said defendants, as he believes, is not in this state.

X Oscar Williams

Subscribed and sworn to before me, this 19 day of November, 1929.

Lloyd A. Magney
Notary Public.

NOTICE TO NON-RESIDENT.

MOORE PTG CO BAY MINETTE

Oscar Williams,

Complainant

No. 856

vs.

The unknown heirs, devisees and next
of kin of William Gibson, deceased,

Defendants

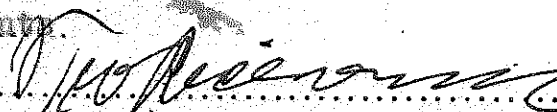
STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

This the 23rd day of
November, 1929

In this cause it being made to appear to the Register of this Court by the affidavit of

Oscar Williams

that the Defendant The unknown heirs, devisees and next of kin
of William Gibson, deceased,is a non-resident of the State of Alabama and whose places of residences are
unknown to Affiantand further, that, in the belief of said Affiant the Defendant are over the age of 21
years; it is, therefore ordered that publication be made in the Baldwin County News
, a newspaper published in Robertsdale,Baldwin County, Alabama, once a week for four consecutive weeks, requiring defendants,
the said Unknown heirs, devisees and next of kin of William Gibsonto answer or demur to the Bill of Complaint in this cause by the 28th day of
December, 1929, or after thirty days therefrom a decree Pro Confesso may
be taken against the said defendants. Register.Lloyd A. Magney
Attorneys for Plaintiff.

Oscar Williams,

THE STATE OF ALABAMA,

Baldwin COUNTY.

vs.

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

The unknown heirs, devisees, and next of kin
of William Gibson, deceased,

In this cause it appearing to the Court, by certificate of the Clerk, that the Order of Publication heretofore made in this cause, was published for four consecutive weeks, commencing on the ~~27th~~ 27th day of

November 19 30, in the Baldwin Times,

a newspaper published in Robertsdale, ; that a copy of said order was

posted at the Court House door in said County, on the 27th day of November 19 29,

~~and it now further appearing to the Court that the said~~ ~~20th~~ ~~day of~~ ~~November~~ ~~19 29,~~

~~and it now further appearing to the Court that the said~~

~~and it now further appearing to the Court that the said~~ and it now further appearing to the Court that the said

The unknown heirs, devisees and next of kin of William Bishop, deceased,

has, to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause. It is, therefore, on

motion of Complainant, ordered and decreed by the Court, that the said Bill of Complaint be, and it hereby is, in

all things, taken as confessed against the said. The unknown heirs, devisees and next of

kin of William Gibson, deceased,

This 4th day of February 19 30

J. W. Hare

Judge of the Circuit Court of

Baldwin

County.

Good Flat 18/930
T. McQuinn
Rejoice

57-12
No. 856 **RECORDED**

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT OF

Baldwin COUNTY.

Oscar Williams

vs.

The unknown heirs, devisees
and next of kin of William Gib
-son, deceased.

DECREE PRO CONFESSO AGAINST
NON-RESIDENT DEFENDANT.

Filed this 4th day of

February 19 30

For Register
Register.