

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

Comes KATHLEEN OWENS, and humbly complaining against
RANDOLPH MCGOWAN, respectfully shows unto your Honor as follows:

FIRST:

That your complainant is over the age of twenty-one
years and a resident of Atmore, Escambia County, Alabama; that
the said Randolph McGowan is over the age of twenty-one years and
a resident of Bay Minette, Baldwin County, Alabama.

SECOND:

That your complainant is the owner of and in peaceable
possession of the North half of the Southwest quarter of Section
twenty-seven (27), Township four (4) South, Range six (6) East, in
Baldwin County, Alabama.

THIRD:

That the said defendant claims or is reputed to claim
some right, title, interest in or incumbrance upon said lands, or
some part thereof, and the complainant calls upon him to set forth
and specify his right, title, claim, interest in or incumbrance
upon the said lands, and to set forth and specify how and by what
instrument the same is derived or created.

FOURTH:

That no suit is pending to enforce or test the validity
of such right, title, claim, interest in or incumbrance upon the
said lands.

FIFTH:

Complainant further alleges that the right, title, claim,
interest in or incumbrance upon said lands held by the said Randolph
McGowan is derived through and by a sale of the aforesaid lands for
taxes under an assessment against Joseph E. Martin on September 1st,
1933, at which sale the State of Alabama became the purchaser of
said property, and the State of Alabama, acting through and by the
State Tax Commission, did on May 31, 1937, attempt to sell and con-

vey its right, title, claim, interest in or incumbrance upon the said lands to the said Randolph McGowan, and did on said date make and execute to him a deed of conveyance purporting to convey all of its right, title, claim, interest in or incumbrance upon the said lands to the said Randolph McGowan, and the said Randolph McGowan is attempting to claim some right, title, claim, interest in or incumbrance upon the said property by virtue of the aforesaid conveyance.

Complainant further alleges that she is the owner of the said lands, holding title to the same by mesne conveyance from the said Joseph E. Martin.

Complainant further alleges that under and by virtue of the statutes made and provided relating thereto, your complainant has a right to redeem said lands from the aforesaid tax sale, and she has made application to the Probate Judge of Baldwin County, Alabama, to redeem the same from the aforesaid tax sale and has deposited with the said Probate Judge all the moneys necessary and proper to redeem the same, but that the aforesaid deed executed by the State Tax Commission to the said Randolph McGowan constitutes a cloud on the title of your complainant and ought to be removed.

SIXTH:

Complainant further alleges that the right, title, claim, interest in or incumbrance held by the said Randolph McGowan on the aforesaid lands is derived through and by virtue of a sale of the aforesaid lands for taxes on September 1st, 1933, under an assessment against one Joseph E. Martin, at which said sale the State of Alabama became the purchaser of the said lands, and the State of Alabama, acting through and by the State Tax Commission, did on May 31, 1937, execute a deed of conveyance conveying all of its right, title, claim, interest in and lien upon the said lands to the said Randolph McGowan; that your complainant is the owner of the said lands, having acquired the same from the said Joseph E. Martin, against whom the said lands were assessed for taxes and who was the owner of the said

lands at the time of the sale of the said lands for taxes, and your complainant is in the peaceable possession of the said lands and is entitled to redeem the same, and now moves this court to ascertain the amount paid by the purchaser at the said sale and the amount of the taxes subsequently paid by the purchaser, together with eight per cent. interest thereon per annum, or such rate of interest as shall be lawful, and your complainant offers to pay such amount as this Court shall so ascertain.

SEVENTH:

Your complainant places herself wholly within the jurisdiction of this Court and offers to do and perform whatsoever this Court shall lawfully require of her in the premises.

WHEREFORE, your complainant prays this Honorable Court will take jurisdiction of the cause made by this bill of complaint and make the said Randolph McGowan a party defendant hereto, and by appropriate process require him to plead, answer or demur to this bill of complaint within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

And your complainant further prays that upon a final hearing of the cause made by this bill of complaint this Honorable Court will make and enter a decree authorizing your complainant to redeem the said lands from the aforesaid tax sale and will further adjudge and decree that the aforesaid deed executed by the State Tax Commission of the State of Alabama to the said Randolph McGowan is void and of no effect, and cause the same to be cancelled upon the record thereof.

Complainant further prays that this Honorable Court will further decree that the said Randolph McGowan has no right, title or interest in, or incumbrance upon the said lands, or any part thereof, and will enjoin the said Randolph McGowan from claiming any right, title, interest in or incumbrance upon the said lands, or any part thereof, and from asserting or attempting to assert any possession or right to possession of the said lands, or any part

thereof, and your complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive.

Beebe Hall & Beebe
Solicitors for Complainant.

FOOT NOTE:

Respondent is required to answer each and every allegation of the foregoing bill of complaint, Paragraphs FIRST to SEVENTH inclusive, but not under oath; oath is hereby expressly waived.

Beebe Hall & Beebe
Solicitors for Complainant.

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instrument the same is derived or created.

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vey its right, title, claim, interest in or incumbrance upon the said lands to the said Randolph McGowan, and did on said date make and execute to him a deed of conveyance purporting to convey all of its right, title, claim, interest in or incumbrance upon the said lands to the said Randolph McGowan, and the said Randolph McGowan is attempting to claim some right, title, claim, interest in or incumbrance upon the said property by virtue of the aforesaid conveyance.

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Complainant further alleges that under and by virtue of the statutes made and provided relating thereto, your complainant has a right to redeem said lands from the aforesaid tax sale, and she has made application to the Probate Judge of Baldwin County, Alabama, to redeem the same from the aforesaid tax sale and has deposited with the said Probate Judge all the moneys necessary and proper to redeem the same, but that the aforesaid deed executed by the State Tax Commission to the said Randolph McGowan constitutes a cloud on the title of your complainant and ought to be removed.

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SEVENTH:

Your complainant places herself wholly within the jurisdiction of this Court and offers to do and perform whatsoever this Court shall lawfully require of her in the premises.

WHEREFORE, your complainant prays this Honorable Court will take jurisdiction of the cause made by this bill of complaint and make the said Randolph McGowan a party defendant hereto, and by appropriate process require him to plead, answer or demur to this bill of complaint within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

And your complainant further prays that upon a final hearing of the cause made by this bill of complaint this Honorable Court will make and enter a decree authorizing your complainant to redeem the said lands from the aforesaid tax sale and will further adjudge and decree that the aforesaid deed executed by the State Tax Commission of the State of Alabama to the said Randolph McGowan is void and of no effect, and cause the same to be cancelled upon the record thereof.

Complainant further prays that this Honorable Court will further decree that the said Randolph McGowan has no right, title or interest in, or incumbrance upon the said lands, or any part thereof, and will enjoin the said Randolph McGowan from claiming any right, title, interest in or incumbrance upon the said lands, or any part thereof, and from asserting or attempting to assert any possession or right to possession of the said lands, or any part

thereof, and your complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive.

Beebe, Hall & Beebe
Solicitors for Complainant.

FOOT NOTE:

Respondent is required to answer each and every allegation of the foregoing bill of complaint, Paragraphs FIRST to SEVENTH inclusive, but not under oath; oath is hereby expressly waived.

Beebe, Hall & Beebe
Solicitors for Complainant.

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WILLIAMSON COUNTY

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WILLIAMSON COUNTY

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

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

RANDOLPH MCGOWIN


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

KATHLEEN OWEN

against said RANDOLPH MCGOWIN

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

WITNESS, Robert S. Duck, Register of said Circuit Court, this 13th day of AUGUST 1937

 Register

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

KATHLEEN OWENS,
Complainant,
vs.
RANDOLPH MCGOWAN,
Defendant.

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

NOTICE IS HEREBY GIVEN that Kathleen Owens did on the 15th day of August, 1937, file a bill in the Circuit Court of Baldwin County, Alabama, in Equity, against Randolph McGowan, alleging that she is the owner and is in the possession of the North half of the Southwest quarter of Section twenty-seven (27), Township four (4) South, Range six (6) East, Baldwin County, Alabama; that Randolph McGowan claims some right, title, interest in or incumbrance upon the said lands, or some part thereof, and calling upon him to set forth and specify his right, title, claim, interest in or incumbrance upon the said lands, and to set forth and specify how and by what instrument the same is derived and created, and that no suit is pending to enforce or test the validity of such right, title, claim, interest in or incumbrance upon the said lands, and also alleging that the said Randolph McGowan holds a tax deed from the State Tax Commission of Alabama attempting to convey all the right, title and interest of the State of Alabama in and to the said lands acquired by the said State under a sale of the said lands for taxes September 1st, 1935, under an assessment against Joseph E. Martin, and that the complainant had a right to redeem from the said sale, and further alleging that the said deed constituted a cloud on her title and that she had made application to redeem the said lands from the said sale, and praying that she be permitted to redeem from the said sale, and that the deed held by the said Randolph McGowan from the State Tax Commission be cancelled as a cloud on her title and that the said Court decree that the said Randolph McGowan has no right, title, interest in or in-

sumbrances upon the said lands, or any part thereof.

WITNESS, this the 13th day of August, 1937.

Bruce Hall & Gule
Solicitors for Complainant.

THIS BEING THE

to request, said law for every jurisdiction, thereof, and your commission given for such other, further or
-no as shall be in equity and good conscience she shall be en-
titled to receive.

Charles Hall & Co.
Solicitors for Complainant.

KATHLEEN OWING, Complainant,
RANDOLPH MCGOWAN, Defendant.
IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.
IN EQUITY.

FILED August 13 1937
Charles S. Dack
J. J. [Signature]

BILL OF COMPLAINT.

FOOT NOTE

ORIGINAL

Serve on _____

Circuit Court of Baldwin County
IN EQUITY

No. 362

SUMMONS

KATHLEEN OWEN,

Complainant,

vs.

RANDOLPH MCGOWIN,

Respondent,

BEERIE, HALL & BEERIE,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

RECORDED 97-270

Book

THE STATE OF ALABAMA,

BALDWIN COUNTY

Received in office this _____

day of _____, 193_____

SHERIFF

Executed this

Aug. 23

day of

193_____

by leaving a copy of the within Summons with

Randolph McGowin
Defendant

M. H. McIlhenny
Sheriff

By *C. K. Anderson*
Deputy Sheriff

RECORDED

LIS PENDENS.

Kathleen Owens

vs.

Randolph N. S. Lewis

J. Anderson

-2-

Witness, this the 18th day of August, 1921, at
comprised upon the said lands, or any part thereof.

362

John A. ...
Collector for Comptroller