

1807

C. V. HOOVER

Complainant

-vs-

Hoover's Subdivision lying in the Southwest quarter (SW $\frac{1}{4}$ ) of Section twenty-two (22), township nine (9) South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama, WILLIAM DeFORREST HOLLY, JACOB BAPTISTE, JOSEPH I. CLEMONS, F. F. ALBA, L. E. WARNER, N. R. CLARK, J. H. WEBB, SOPHIA A. WARNER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land.

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

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

Comes your Complainant, C. V. Hoover, and brings this his Bill  
of Complaint against the following described real property situated  
in Baldwin County, Alabama, to-wit:-

Hoover's Subdivision lying in the Southwest quarter (SW $\frac{1}{4}$ ) of Section twenty-two (22), township nine (9), South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou, thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama.

The Complainant further brings his Bill of Complaint against any and all persons, firms or corporations claiming any title to, interest in, or lien or encumbrance upon the above described lands or any part thereof and especially brings his Bill of Complaint against William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, N. R. Clark, J. H. Webb, Sophia A. Warner and any and all persons, firms or corporations claiming any interest in the above described lands and Complainant respectively shows unto your Honor as follows:

FIRST:

That he is in the actual, peaceable, adverse possession of the above described lands, claiming to own the same in fee simple and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test the complainant's title to, interest in, or right of possession of said land.

THIRD:

Complainant further shows unto your Honor that he claims the entire fee simple title in and to said land, having acquired the same by Warranty Deed from John Terry and Victorine Terry, his wife, for an undivided one-third (1/3) interest, dated November 26, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 114 NS, pages 179-180; by Warranty Deed from E. W. Walthall, unmarried, for an undivided one-third (1/3) interest, dated October 4, 1946, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114 NS, page 184-185; by Warranty Deed for an undivided one-third interest from Paul A. Frederick, dated October 18, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, NS pages 172-173; and Quit Claim Deed from Esther Frederick, conveying all of the property above described and recorded in the office of the Judge of Probate in Deed Book 114 NS, page 150.

FOURTH:

Complainant further shows unto your Honor as follows: Accord-

ing to survey prepared by deputy surveyors in 1821 and 1829 and on file in the office of the Surveyor General of Public Lands in Alabama, that portion of the land in Section twenty-two (22), township nine (9), South, Range two (2), East in Baldwin County, Alabama, above described is designated as Lot two (2), and was shown by this description in the tract book entry. This property was also described as follows, to-wit: "All of subdivison four (4), lying West of a creek known as Alligator Creek on Mobile Bay in Section twenty-two (22), township nine (9), South, Range two (2), East", in a conveyance of this property dated February 9, 1884. It was also described as "Lot number 2 or the South quarter ( $S\frac{1}{4}$ ) of the Southwest quarter ( $SW\frac{1}{4}$ ) of Section twenty-two (22), township nine (9), South, Range two (2), East in a tax deed dated April 30, 1896 and in a tax deed dated June 25, 1894. In various conveyances this property was shown to be 853 feet, more or less, along the South line and it has been shown to be 963 feet, more or less, along the South line and Complainant shows unto your Honor that a survey was made of this property on October 10, 1946, by R. E. Bell, civil engineer, Reg. number 510 and that an additional survey was made by the same surveyor on December 6, 1946; a plat of the latter survey being on record in the office of the Judge of Probate of Baldwin County, Alabama in Map Book 3, page 41; and that this property is shown to be 963.4 feet along the South line; and Complainant further shows unto your Honor that the various descriptions above referred to described the property shown by this plat.

FIFTH:

Complainant further shows unto your Honor that he has made a diligent inquiry in the neighborhood of the said land as to the prior ownership of same, the possession of same, the whereabouts of any and all persons who are or may be interested in the same or who claim any interest therein; that your Complainant, in this investigation and inquiry has had an abstract of title to said real estate made from the records of Baldwin County, Alabama; that Complainant

has used diligence in trying to ascertain the names and residences and post office addresses of the defendants named herein and that he has been unable to do so.

SIXTH:

Complainant further shows unto your Honor that no one has paid taxes on the lands above described for the last ten years except your Complainant, John Terry, Paul A. Frederick, and E. W. Walthall through and under whom Complainant claims title and that no one is known to your Complainant to claim said lands, any part thereof or interest therein, except your Complainant and the defendants to the proceeding as hereinabove named.

The Complainant calls upon the several persons hereinabove named as defendants or any one else interested to set forth or specify his, her, or its interest in, title to, or encumbrance upon said land and how and by what instrument or otherwise the same is derived or created.

PRAYER FOR PROCESS

To the end therefore, that equity may be had in the premises, Complainant prays that your Honor will cause the usual writ of process to be issued to the following named defendants, viz:- William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, N. R. Clark, J. H. Webb, Sophia A. Warner, if they be living and if they be dead, their unknown heirs, devisees or personal representatives of them and each of them and to any and all persons, firms or corporations claiming any interest in the above described land in the usual form and according to the practices of this Honorable Court, requiring them to plead, answer or demur to the same within the time required by law and the practices of this Honorable Court and that Your Honor will cause Notice to be published of the proceedings instituted by the filing of this Bill of Complaint as required by the laws of the State of Alabama, authorizing the quieting of title by proceedings in rem; that your Honor will also order that notice be given of the filing of this Bill of Complaint to the aforesaid defendants, whose residences

and post office addresses are unknown by publication in some newspaper published in Baldwin County, Alabama, making them parties to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law.

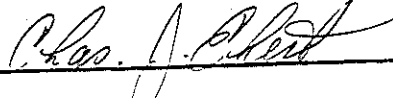
PRAYER FOR RELIEF

Complainant further prays that on the hearing of this cause that your Honor will establish Complainant's right of title to said land and will decree that the Complainant is the owner in fee simple of the land herein described and that no other person, firm or corporation has any title to, interest in, or lien or encumbrance upon said lands or any part thereof and especially that William De-Forrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, N. R. Clark, J. E. Webb, Sophia A. Warner if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and all other persons, firms or corporations claiming any interest in the above described land have no right, title or interest in or lien or encumbrance upon said lands, and that in said decree your Honor will cause a certified copy of the decree to be filed in the Probate office of Baldwin County, Alabama and to be recorded therein and that in said decree your Honor will direct in whose name it shall be indexed in the direct and indirect indexes of the records thereof in said probate court of Baldwin County, Alabama; and Complainant further prays for such other further, different and general relief as in equity may seem just and meet as Complainant will ever pray.


  
Solicitor for Complainant

STATE OF ALABAMA

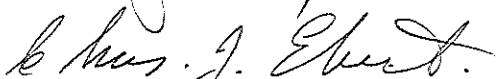
BALDWIN COUNTY

Before me, , a Notary Public in and for said county in said state, personally appeared Cecil G. Chason, who upon oath deposes and says that he is the agent of, and the attorney for the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant, all of the defendants named in the foregoing Bill of Complaint are over the age of twenty-one years and all are non-

residents of the State of Alabama, their places of residence and post office addresses being unknown to your affiant; that he has made a diligent inquiry to ascertain the same and has been unable to do so; that if any of the above named persons are dead, the names of their heirs, devisees or grantees are unknown and that all other matters and facts stated in the foregoing Bill of Complaint upon knowledge are true; that he is informed as to the facts stated upon information and belief and verily believes and so state that the same are true.



Sworn to and subscribed before me,  
a Notary Public, on this, the 13  
day of January, 1947.



Notary Public, Baldwin County,  
State of Alabama

C. V. HOOVER

Complainant

-vs-

Hoover's Subdivision lying in the Southwest quarter (SW<sub>1</sub>) of Section twenty-two (22), township nine (9) South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2) East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama, WILLIAM DeFORREST HOLLY, JACOB BAPTISTE, JOSEPH I. CLEMONS, P. F. ALBA, L. E. WARNER, N. R. CLARK, J. H. WEBB, SOPHIA A WARNER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land.

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

FINAL DECREE

This cause coming on to be heard was submitted upon behalf of the Complainant upon Bill of Complaint, Affidavit of non-residence of Defendants, Decree Pro Confesso on publication, and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the complainant is entitled to the relief prayed for in said Bill of Complaint.

It is therefore Ordered, Adjudged and Decreed that Complainant, C. V. Hoover, is the owner in fee simple of the following described lands in Baldwin County, State of Alabama, to-wit:-

Hoover's Subdivision lying in the Southwest quarter (SW $\frac{1}{4}$ ) of Section twenty-two (22), township nine (9), South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou, thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama.

and that no other person, firm or corporation has any title to, interest in, or lien or encumbrance upon said land, or any part thereof, and especially that William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, M. R. Clark, J. H. Webb, and Sophia A. Warner, if they be living and if dead, their unknown heirs and devisees of them and each of them, have no right, title to, or interest in, lien or encumbrance upon said land..

It is further ordered, Adjudged and Decreed that the Register shall, within thirty days from the rendition of this Decree, file a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, showing title out of the Defendants above named in the Direct Indexes to the records, and title into C. V. Hoover in the Indirect Indexes to the records, and that the expenses thereof shall be taxed in the costs of this cause.

It is further ordered that C. V. Hoover, the Complainant, pay the costs herein to be taxes for which execution may issue.

This the 17<sup>th</sup> day of April, 1947.

G. W. Hare  
Judge of Circuit Court  
Baldwin County, Alabama  
In Equity

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above styled cause, which said decree is on file and enrolled in my office. WITNESS my hand and seal this, the 21 day of April, 1947.

Register of the Circuit Court



C. V. HOOVER

Complainant

-vs-

Hoover's subdivision lying in the Southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of Section twenty-two (22), township nine (9) South, Range two (2), East, according to a plat thereof recorded in the offices of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 263.48 feet to an iron stake, being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou thence run Westerly along the Bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama, WILLIAM DeFORREST HOLLY, JACOB BAPTISTE, JOSEPH I. CLEMSON, E. F. ALBA, L. E. WARNER, R. R. CLARK, J. M. WEBB, SOPHIE A. WARNER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land.

Defendants.

It having been made to appear in the above styled cause from the affidavit of Cecil G. Chason, the collector of record for the Complainant in said cause, that the defendants above named, or their heirs or devisees are non-residents of the State of Alabama, their residences and post office addresses being unknown to Complainant.

NOTICE IS HEREBY GIVEN to William DeForrest Holly, Jacob Baptiste, Joseph I. Clemson, E. F. Alba, L. E. Warner, R. R. Clark, J. M. Webb, Sophie A. Warner, if they be living and if dead, then to the unknown devisees of them and each of them and to any and all persons, firms or corporations, claiming any interest in, title to, or lien or encumbrance upon said land herein described that on the

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

STATE OF ALABAMA, BALDWIN COUNTY  
Filed Jan. 15, 1947  
Recorded in Book 146, page 146-8  
Judge of Probate

15<sup>th</sup> day of January, 1947, C. V. Hoover, filed in the equity side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:-

Hoover's Subdivision lying in the Southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of Section twenty-two (22), township nine (9) South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.46 feet to an iron stake, being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou, thence run Westerly along the Bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.3 feet to the point of beginning, all being in Baldwin County, Alabama.

and against the defendants hereinabove named and all persons, firms or corporations claiming any interest in, lien or encumbrance upon said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 17<sup>th</sup> day of February, 1947 or a decree pro confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of quieting his title thereto and clearing up all doubts and disputes concerning the same; that title to said lands stands in the name of Complainant on the records of the office of the Judge of Probate of Baldwin County, Alabama; that Complainant acquired title to said lands by Warranty Deed from John Terry and Victorine Terry, husband and wife, dated November 26, 1945, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, pages 172-180; by Warranty Deed from E. W. Keithell, a single man, dated October 4, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 184-185; by Warranty Deed from Paul A. Frederick dated October 13, 1946 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 172-173 and by Quit Claim Deed from Esther Frederick, recorded in the office of the Judge of Probate

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of Baldwin County, Alabama in Deed Book 114, page 150; Complainant further alleges that no one has paid taxes on the lands above described for the last ten (10) years next preceding the filing of the Complaint except the Complainant and those persons above named through whom Complainant claims title, and that he is in quiet, peaceable and adverse possession of said land, claiming to own the same absolutely and in fee simple.

Witnessed by the said 15th day of January, 1929.

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

C. G. CHASON  
Solicitor for Complainant

1000 2000 3000

CECIL G. CHASON

ATTORNEY AT LAW

FOLEY, ALABAMA

8 May, 1947

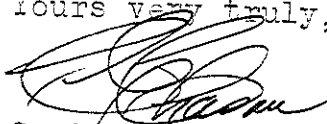
Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Dear Mrs. Duck:-

Enclosed herewith is check for \$22.00  
in payment of Court Cost in case #1607, C.  
V. Hoover vs Wm. DeForrest Holly, et al.

Commissioner's fee of \$10.00 has been  
paid and receipt is enclosed herewith. Pub-  
lisher's fee of \$59.60 has also been paid and  
he will forward receipted bill to you.

Yours very truly,



C. G. Chason

CGC:mm  
Encl: 2

*W. Lee Moore*  
W. Lee Moore

Mr. DeForest Holly, et al.

Received from C. V. Hoover \$10.00 as commis-  
sioner's fee in case #1807, C. V. Hoover vs

Foley, Alabama  
May 8, 1947

C. V. HOOVER

Complainant

-vs-

Hoover's Subdivision lying in the Southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of Section twenty-two (22), township nine (9) South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama, WILLIAM DeFORREST HOLLY, JACOB BAPTISTE, JOSEPH I. CLEMONS, P. T. ALBA, L. E. WARNER, N. R. CLARK, J. E. WEBB, SOPHIA A. WARNER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land.

Defendants.

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

Comes your Complainant, C. V. Hoover, and brings this his Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:-

Hoover's Subdivision lying in the Southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of Section twenty-two (22), township nine (9), South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou, thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

The Complainant further brings his Bill of Complaint against any and all persons, firms or corporations claiming any title to, interest in, or lien or encumbrance upon the above described lands or any part thereof and especially brings his Bill of Complaint against William DeForrest Holly, Jacob Baptiste, Joseph I. Simmons, E. F. Alba, L. E. Warner, M. R. Clark, J. B. Webb, Sophia A. Warner and any and all persons, firms or corporations claiming any interest in the above described lands and Complainant respectively shows unto your Honor as follows:

FIRST:

That he is in the actual, peaceable, adverse possession of the above described lands, claiming to own the same in fee simple and using the same in every way that it is susceptible to use.

SECOND:

That no suit is pending to test the complainant's title to, interest in, or right of possession of said land.

THIRD:

Complainant further shows unto your Honor that he claims the entire fee simple title in and to said land, having acquired the same by Warranty Deed from John Terry and Victorine Terry, his wife, for an undivided one-third (1/3) interest, dated November 26, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 114 NS, pages 179-180, by Warranty Deed from E. W. Walthall, unmarried, for an undivided one-third (1/3) interest, dated October 4, 1946, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114 NS, page 184-185, by Warranty Deed for an undivided one-third interest from Paul A. Frederick, dated October 18, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, NS pages 172-173; and Quit Claim Deed from Esther Frederick, conveying all of the property above described and recorded in the office of the Judge of Probate in Deed Book 114 NS, Page 150.

FOURTH:

Complainant further shows unto your Honor as follows: Accord-

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FOURTH:

114 MS, page 150.

ed and recorded in the office of the Judge of Probate in Deed Book from Esther Frederick, conveying all of the property above described in Deed Book 114, MS pages 172-173; and Quit Claim Deed recorded in the office of the Judge of Probate of Baldwin County, third interest from Paul A. Frederick, dated October 18, 1946, and Book 114 MS, page 184-185, by Warranty Deed for an undivided one-office of the Judge of Probate of Baldwin County, Alabama in Deed one-third (1/3) interest, dated October 4, 1946, recorded in the Warranty Deed from E. W. Walcott, unmarried, for an undivided Baldwin County, Alabama, in Deed Book 114 MS, pages 179-180, by 26, 1946, and recorded in the office of the Judge of Probate of wife, for an undivided one-third (1/3) interest, dated November same by Warranty Deed from John Terry and Victorine Terry, his entire fee simple title in and to said land, having acquired the Complainant further shows unto your Honor that he claims the

THIRD:

interest in, or right of possession of said land. That no suit is pending to test the complainant's title to,

SECOND:

using the same in every way that it is susceptible to use. above described lands, claiming to own the same in fee simple and That he is in the actual, peaceable, adverse possession of the

FIRST:

unto your Honor as follows: In the above described lands and Complainant respectfully shows and any and all persons, firms or corporations claiming any interest against William DeForest Holly, Jacob Baptiste, Joseph I. Clemmons, E. B. Albe, L. E. Warner, M. R. Clark, J. H. Webb, Sophie A. Warner or any part thereof and especially brings his Bill of Complaint interest in, or lien or encumbrance upon the above described lands any and all persons, firms or corporations claiming any title to, The Complainant further brings his Bill of Complaint against



made from the records of Baldwin County, Alabama; that complainant section and inquiry has had an abstract of title to said real estate obtain any interest therein; that your complainant, in this investigation and all persons who are or may be interested in the same or who prior ownership of same, the possession of same, the whereabouts of diligent inquiry in the neighborhood of the said land as to the complainant further shows unto your honor that he has made a

FINDINGS:

described the property shown by this plat.

unto your honor that the various descriptions above referred to be 963.4 feet along the South line; and complainant further shows Alabama in Map Book 5, page 41; and that this property is shown to record in the office of the Judge of Probate of Baldwin County, Mayor on December 3, 1946; a plat of the latter survey being on number 510 and that an additional survey was made by the same surveyor on October 10, 1946, by H. E. Bell, civil engineer, Reg. Complainant shows unto your honor that a survey was made of this been shown to be 963 feet, more or less, along the South line and shown to be 853 feet, more or less, along the South line and it has deed dated June 25, 1894. In various conveyances this property was Range two (2), East in a tax deed dated April 30, 1896 and in a tax quarter (22) of Section twenty-two (22), township nine (9), South, crided as "lot number 2 or the South quarter (22) of the Southwest veyance of this property dated February 3, 1884. It was also described as two (22), township nine (9), South, Range two (2), East, in a conveyance of a creek known as Alligator Creek on Mobile Bay in Section twenty crided as follows, to-wit: "All of subdivision four (4), lying West description in the tract book entry. This property was also described as above described is designated as lot two (2), and was shown by this nine (9), South, Range two (2), East in Baldwin County, Alabama, same, that portion of the land in Section twenty-two (22), township five in the office of the Surveyor General of Public Lands in Alabama to survey prepared by deputy surveyors in 1881 and 1882 and on

Bill of Complaint to the aforesaid defendants, whose residences  
Honor will also order that notice be given of the filing of this  
authorizing the setting of title by proceedings in rem; that your  
Bill of Complaint as required by the laws of the State of Alabama,  
to be published of the proceedings instituted by the filing of the  
titles of this Honorable Court and that your Honor will cause notice  
demur to the same within the time required by law and the prac-  
tices of this Honorable Court, requiring them to plead, answer or  
above described land in the usual form and according to the prac-  
all persons, firms or corporations claiming any interest in the  
personal representatives of them and each of them and to any and  
be living and if they be dead, their unknown heirs, devisees or  
L. E. Warner, M. H. Clark, J. H. Webb, Sophie A. Warner, if they  
Deftest Holly, Jacob Baptiste, Joseph I. Clemmons, E. H. Albee,  
cess to be issued to the following named defendants, viz:- William  
Complaint prays that your Honor will cause the usual writ of pro-  
to the end and therefore, that equity may be had in the premises,

PRAYER FOR PROCESS

or created.  
land and how and by what instrument or otherwise the same is derived  
his, her, or its interest in, title to, or encumbrance upon said  
as defendants or any one else interested to set forth or specify  
The Complaint calls upon the several persons hereinabove named  
proceeding as hereinabove named.  
interest therein, except your Complaint and the defendants to the  
known to your Complaint to claim said lands, any part thereof or  
through and under whom Complaint claims title and that no one is  
your Complaint, John Terry, Paul A. Frederick, and E. W. Mitchell  
taxes on the lands above described for the last ten years except  
Complaint further shows unto your Honor that no one has paid

SIXTH:

he has been unable to do so.  
and post office addresses of the defendants named herein and that  
has used diligence in trying to ascertain the names and residences

and post office addresses are unknown by publication in some news-  
paper published in Baldwin County, Alabama, making them parties to  
this Bill of Complaint and requiring them to plead, answer or demur  
to the same within the time as required by law.

PRAYER FOR RELIEF

Complainant further prays that on the hearing of this cause  
that your Honor will establish complainant's right of title to said  
land and will decree that the complainant is the owner in fee  
simple of the land herein described and that no other person, firm  
or corporation has any title to, interest in, or lien or encumbrance  
upon said lands or any part thereof and especially that William De-  
Horrest Holly, Jacob Baptiste, Joseph I. Clemmons, B. E. Albee, L.  
E. Werner, M. R. Clark, J. H. Webb, Sophie A. Werner if they be liv-  
ing and if they be dead, their unknown heirs, devisees, or personal  
representatives of them and each of them and all other persons,  
firms or corporations claiming any interest in the above described  
land have no right, title or interest in or lien or encumbrance  
upon said lands, and that in said decree your Honor will cause a  
certified copy of the decree to be filed in the Probate office of  
Baldwin County, Alabama and to be recorded therein and that in said  
decree your Honor will direct in whose name it shall be indexed  
in the direct and indirect indexes of the records thereof in said  
Probate court of Baldwin County, Alabama; and complainant further  
prays for such other further, different and general relief as in  
equity may seem just and meet as complainant will ever pray.

Solicitor for Complainant

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, Chas. J. Clark, a Notary Public in and

for said county in said state, personally appeared Cecil C. Chason,  
who upon oath deposes and says that he is the agent of, and the  
attorney for the complainant in the above styled cause and is

therefore duly authorized to make this oath; that in the belief

of the affiant, all of the defendants named in the foregoing Bill

of Complaint are over the age of twenty-one years and all are non-



BILL OF COMPLAINT

C. V. HOOVER

Complainant

-VS-

WILLIAM DEFORREST HOLLY, et al

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed on this, the 15<sup>th</sup> day of January, 1947.

*Alice J. Muck* Register

TESTIMONY OF R. E. BELL

My name is R. E. Bell. I am over the age of twenty-one years and a resident of Baldwin County, Alabama. I am a civil engineer and a licensed surveyor, registration number 510. I have made a full and complete survey of the property described as follows:-

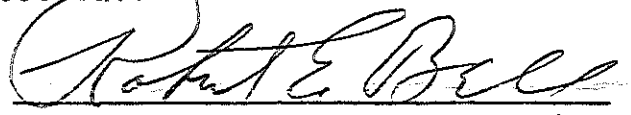
Hoover's Subdivision lying in the Southwest quarter (SW $\frac{1}{4}$ ) of Section twenty-two (22), township nine (9), South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41. (This plat having been made by me)

This property is also described as follows:-

Begin at the Southwest corner of Section twenty-two (22) township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou, thence run westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama

I have made an examination of the descriptions as set out in the abstract of title to this property and find therein several descriptions, all of which I believe to refer to this particular piece of property. This land was described in the tract book entry as Lot two (2) of Section twenty-two (22), township nine (9) South, Range two (2), East, in Baldwin County, Alabama. It was also described as being all of subdivision four (4) lying West of a creek known as Alligator Creek on Mobile Bay in Section 22, township 9, South, Range 2, East. In another conveyance it was set out as being Lot #2 or the South quarter (S $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section twenty-two (22), township 9, South, Range two (2), East.

All of the above descriptions cover the entire tract of land in which we are interested. In many of the conveyances in the abstract of title this property was shown to be 853 feet, more or less, along the South line and it has also been shown as being 963 feet, more or less, along the South line. In the survey I made of this property on October 10, 1946, and in a additional survey which I made for the purpose of plating the property into blocks, this last survey being made on December 6, 1946, I found the property to be 963.4 feet along the South line; being more particularly described as above set out.

  
Civil Engineer. Reg #510

**THE STATE OF ALABAMA,**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

C. V. HOOVER

Complainant

VS.

WILLIAM DEFORREST HOLLY, et al  
Respondent

I, Mildred Moore

as Register and Commissioner in chancery

have called and caused to come before me R. E. Bell and J. R. Hansen

(Testimony of J. R. Hansen taken March 22, 1947)

(Testimony of R. E. Bell taken April 17, 1947)

witnesses named in the Requirement for Oral Examination, on the \_\_\_\_\_ day of \_\_\_\_\_

194\_\_\_\_, at the office of C. G. Chason

in Foley

\_\_\_\_\_, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said R. E. Bell and J. R. Hansen doth depose and say as follows:

TESTIMONY OF J. R. HANSEN:

My name is J. R. Hansen. I am over the age of twenty-one years and a resident of Shellbanks, Baldwin County, Alabama, having resided therein for over forty (40) years. During this entire time I have been familiar with the real estate described as follows:-

Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou, thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama.

John Terry has been in possession of this property as long as I can remember and had an orange orchard on this same tract of land for a number of years. The Terry old home place is located on this property and the Terry family lived in this house for a number of years. During the period of time that I have been familiar with this property I have known of no disputes as to Terry's ownership thereof and he was in actual, peaceable, open, notorious, possession of this property until the time it was sold to C. V. Hoover.

None of the following named persons, William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, N. R. Clark, J. H. Webb, Sophia A. Warner, have ever had possession of this property to the best of my knowledge and belief. An interest in the above described property was conveyed by John Terry to P. A. Frederick and E. W. Walthall.

This property is a part of the property also known as Lot 2 of Section 22, Township 9 South, Range 2 East and lies immediately West of Alligator Creek on Mobile Bay.

J. R. Hansen

ORAL EXAMINATION.

I, Mildred Moore, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witnesss and read over to them and they signed the same in the presence of myself \_\_\_\_\_ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesss or had proom made before me of the identity of said witnesss; 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 17th day of April, 1947.

Mildred Moore  
(L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY.	
C. V. HOOVER	
vs.	Complainant
WILLIAM DEFORREST HOLLY, et al	
Respondent.	
Oral Deposition	
Filed <u>4-17</u> , 194 <u>7</u>	Recorded in _____
<u>Mildred Moore</u> Register.	
Vol. _____	Page _____
_____, Register.	



THE STATE OF ALABAMA, }  
BALDWIN COUNTY

## Circuit Court

To Mildred Moore

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine R. E. Bell and J. R. Hansen

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein C. V. Hoover

is Complainant—  
and William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons  
P. F. Alba, L. E. Warner, E. R. Clark, J. H. Webb, Sophia A. Warner  
and Hoover's Subdivision

are Respondent S

on oath, to be by you administered, upon \_\_\_\_\_  
to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 20th day of March, 19 47

Alice J. Hall  
Register

Commissioner's Fee, \$ 5.00

Witness' Fees, \$ \_\_\_\_\_

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

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

C. V. Hoover

Complainant  
VS.

William Leforrest Holly, et  
al

Defendants

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Mildred Moore

WITNESSES:

R. E. Bell

J. R. Hansen

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

C. V. HOOVER

vs.

WILLIAM DEFOREST HOLLY, et al

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

Affidavit of non-residence of Defendants, order of registrar of ser-

vice by publication, affidavit as to publication, notice of lis

pendens, motion for decree pro confesso on service by publication,

Decree pro confesso on service by publication, commission to take

deposition, and testimony of R. E. Bell and J. R. Hansen

and in behalf of Defendant upon

Register

Solicitor for Complainant

No. ....

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

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

C. V. HOOVER

vs.

WILLIAM DeFORREST HOLLY, et al

**NOTE OF TESTIMONY**

Filed in Open Court this 17

day of

April, 1947

Wm. J. Webb  
Register.

Printed By The Baldwin Times

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

CIRCUIT COURT, IN EQUITY

No. \_\_\_\_\_, Term, 19\_\_\_\_

C. V. HOOVER

Complainant

Vs.

HOOVER'S SUBDIVISION, WILLIAM DEFORREST HOLLY, et al

Defendant

In this cause it appears to the Register \_\_\_\_\_ that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 16 day of January, 1947, in the Foley Onlooker, a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 15 day of January, 1947 and \_\_\_\_\_

And it now further appearing to the Register Alice J. Duck, that the said HOOVER'S SUBDIVISION, WILLIAM DEFORREST HOLLY, et al

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register \_\_\_\_\_ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Hoover's Subdivision, William De Forrest Holly, et al

This 17th day of April, 1947

Alice J. Duck Register.

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

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT, IN EQUITY

C. V. HOOVER

Vs.

HOOVER'S SUBDIVISION,

WILLIAM DEFOREST HOLLY, ET AL

Decree Pro Confesso of Publication

Issued 17th April, 19 47

Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

The Baldwin Times, Bay Minette, Ala.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. \_\_\_\_\_, Term, 19\_\_\_\_

C. V. HOOVER

Complainant

Vs.

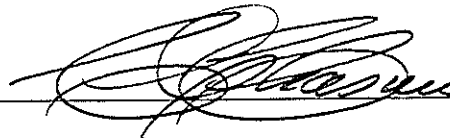
Hoover's Subdivision, William DeForrest Holly, et al Defendant S

Motion is hereby made for a Decree Pro-Confesso against William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, N. R. Clark J. E. Webb, Sophia A. Warner Defendant S

in the annexed stated cause. on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 21 day of March 19 47

746 Code

 Solicitor.

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

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

C. V. HOOVER

Complainant \_\_\_\_\_

Vs.

WILLIAM DEFORREST HOLLY,

et al

Defendant \_\_\_\_\_

Motion for Decree Pro Confesso  
on Publication

Filed 3-22-1947

*Wm. J. Venable*  
Register.

Recorded in \_\_\_\_\_ Record \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

Moore Printing Co., Bay Minette, Ala.



FOLEY, ALA. March 7 1947

HOWELL PUBLISHING CO.

Alice F. Duval

Baymirette, Ala.

# HIGH QUALITY JOB PRINTING

[illegible]

or lien or encumbrance upon said land herein described that on the persons, firms or corporations, claiming any interest in, title to, to the unknown devisees of them and each of them and to any and all J. H. Webb, Sophia A. Warner, if they be living and if dead, then wife, Joseph I. Clemmons, P. E. Albee, L. E. Warner, M. H. Clark, NOTICE IS HEREBY GIVEN to William DeForest Holly, Jacob Baptiste, Jacob Baptiste, Joseph I. Clemmons, P. E. Albee, L. E. Warner, M. H. Clark, J. H. Webb, Sophia A. Warner, if they be living and if dead, then their residences and post office addresses being unknown to complainant.

It having been made to appear in the above styled cause from the affidavit of Cecil G. Chason, the collector of record for the complainant in said cause, that the defendants above named, or their heirs or devisees are non-residents of the State of Alabama, their residences and post office addresses being unknown to complainant.

Defendants.  
in or title to the above described land, or corporations, claiming any interest in, title to, to the unknown devisees of them and each of them and any and all persons, firms, or personal unknown heirs, devisees, or personal be living and if they be dead, their J. H. Webb, Sophia A. Warner, if they P. E. Albee, L. E. Warner, M. H. Clark, Jacob Baptiste, Joseph I. Clemmons, Alabama, William DeForest Holly, claiming, all being in Baldwin County, South 44.6 feet to the point of beginning, thence due or less, to a point directly North of with its measurements 976.23 feet, more or less, thence run westerly along the bay near the mouth of Alligator Bayou North 611.7 feet to Mobile Bay, at or of the Olney subdivision, thence due from stake, being the southwest corner of the Olney subdivision, thence due thence run East 963.46 feet to an 200 feet for a point of beginning, Range two (2), East, thence run East two (2), township nine (9), South, Southwest corner of Section twenty-tribed as follows: Begin at the three (3), page 41, also being described as follows: Alabama in Map Book offices of the Judge of Probate of ing to a plat thereof recorded in the South, Range two (2), East, according to a plat thereof recorded in the South, Range two (2), township nine (9) Southwest quarter (SW 1/4) of Section Hoover's subdivision lying in the

-42-

Complainant

C. A. HOOVER

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

15<sup>th</sup> day of January, 1947, C. V. Hoover, filed in the equity side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:-

Hoover's Subdivision lying in the Southwest quarter (SW<sub>1/4</sub>) of Section twenty-two (22), township nine (9) South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: Begin at the Southwest corner of Section twenty-two (22), township nine (9), South, Range two (2), East, thence run East 200 feet for a point of beginning, thence run East 963.48 feet to an iron stake, being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou, thence run Westerly along the bay with its meanderings 976.23 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama.

and against the defendants hereinabove named and all persons, firms or corporations claiming any interest in, lien or encumbrance upon said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 17<sup>th</sup> day of February, 1947 or a decree pro confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of quieting his title thereto and clearing up all doubts and disputes concerning the same; that title to said lands stands in the name of Complainant on the records of the office of the Judge of Probate of Baldwin County, Alabama; that Complainant acquired title to said lands by Warranty Deed from John Terry and Victorine Terry, husband and wife, dated November 26, 1946, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, pages 179-180; by Warranty Deed from E. W. Walthall, a single man, dated October 4, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 184-185; by Warranty Deed from Paul A. Frederick dated October 13, 1946 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 172-173 and by Quit Claim Deed from Esther Frederick, recorded in the office of the Judge of Probate

OF Baldwin County, Alabama in Deed Book 114, page 150; Complainant further alleges that no one has paid taxes on the lands above described for the last ten (10) years next preceding the filing of the Complaint except the Complainant and those persons above named through whom Complainant claims title, and that he is in quiet, peaceable and adverse possession of said land, claiming to own the same absolutely and in fee simple.

WITNESS my hand this 15 day of January, 1947.

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

C. G. CHASON  
Solicitor for Complainant

# THE FOLEY ONLOOK

## AFFIDAVIT OF PUBLICATION

being the Southwest corner of the Olney subdivision, thence due North 611.7 feet to Mobile Bay, at or near the mouth of Alligator Bayou thence run Westerly along the bay with its meanderings 976.28 feet, more or less, to a point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama, WILLIAM DeFORREST HOLLY, JACOB BAPTISTE, JOSEPH J. CLEMMONS, P. F. ALBA, L. E. WARNER, N. R. CLARK, J. H. WEBB, SOPHIA A. WARNER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land.

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

It having been made to appear in the above styled cause from the affidavit of Cecil G. Chason, the solicitor of record for the Complainant in said cause, that the defendants above named, or their heirs or devisees are non-residents of the State of Alabama, their residences and post office addresses being unknown to Complainant.

NOTICE IS HEREBY GIVEN to William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, N. R. Clark, J. H. Webb, Sophia A. Warner, if they be living and if dead, then to the unknown devisees of them and each of them and to any and all persons, firms or corporations, claiming any interest in, title to, or lien or encumbrance upon said land herein described that on the 15th day of January, 1947, C. V. Hoover, filed in the equity side of the Circuit Court of Baldwin County, Alabama this Bill of Com-

rectly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama.

and against the defendants hereinabove named and all persons, firms or corporations claiming any interest in, lien or encumbrance upon said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 17th day of February, 1947 or a decree pro confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of quieting his title thereto and clearing up all doubts and disputes concerning the same; that title to said lands stands in the name of Complainant on the records of the office of the Judge of Probate of Baldwin County, Alabama; that Complainant acquired title to said lands by Warranty Deed from John Terry and Victorine Terry, husband and wife, dated November 26, 1946, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, pages 179-180; by Warranty Deed from E. W. Walthall, a single man, dated October 4, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 184-185; by Warranty Deed from Paul A. Frederick dated October 18, 1946 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 172-173 and by Quit Claim Deed from Esther Frederick, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 150; Complainant further alleges that no one has paid taxes on the lands above described for the last ten (10) years next preceding the filing of the Complaint except the Complainant and those persons above named through whom Complainant claims title, and that he is in quiet, peaceable and adverse

*James Howell*  
of The Onlooker, published at  
only swear that a copy of the above notice,  
ched, was published once each week in the  
edition of said newspaper, and not in any  
for Four consecutive weeks, com-  
sue dated Jan. 16, 1947, and  
ue dated Feb. 6, 1947.

sworn to before me this 8 day  
, 1947.

*[Signature]*  
Notary Public  
Commission Expires Jan. 10, 1947

# AFFIDAVIT OF PUBLICATION

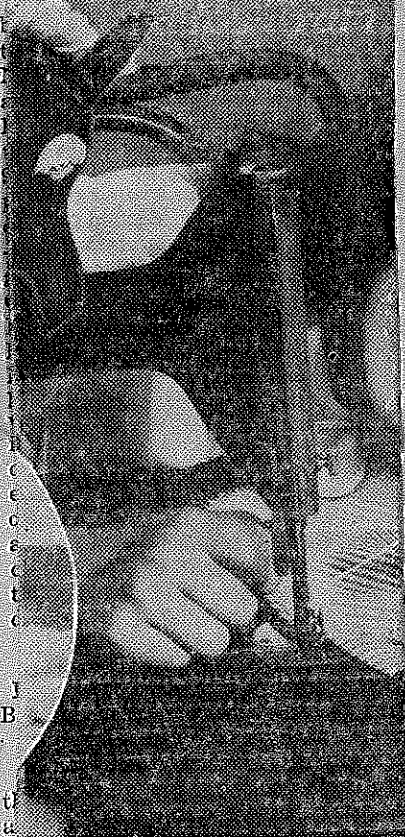
I, Trancey Howell

publisher of The Onlooker, published at  
Foley, Ala., do solemnly swear that a copy of the above notice,  
as per clipping attached, was published once each week in the  
regular and entire edition of said newspaper, and not in any  
supplement thereof, for Four consecutive weeks, com-  
mencing with the issue dated Jan. 16, 1947, and  
ending with the issue dated Feb. 16, 1947.

Subscribed and sworn to before me this 8 day  
of July, 1947.

Notary Public

E FOLEY ONLOOKER



Belle Graham, 12, is head of a design  
in Los Angeles, she now lives with her father  
and mother.

## Vegetables To Be Planted Are Given

AUBURN, Feb. 5.—Recommend-  
ed varieties of the early spring  
vegetables were listed this week  
by J. C. Ford, API extension gard-  
ener. He says there are other good  
varieties, but here are some of the  
best:

Irish potatoes, Sebago, Irish  
Cobbler, Bliss Triumph; mustard,  
Southern Giant Curled; lettuce, Im-  
perial 847 for heading, Grand  
Rapids for non-heading; onions,  
Bermuda, Prize Taker, Yellow  
Danvers.

Beets, Crosby's Egyptian; car-  
rots, Chatenay, Emperor; cab-  
bage, Charleston, Wakefield; rad-  
ish, Scarlet Globe, Icicle; Spinach,  
Bloomside; English peas, Thomas  
Laxton (dwarf), Telephone (vine-  
less); broccoli, Green Sprouting;  
cavendish, Green Curled, Batavian.

## STATE C. OF C. ASKS FOR LABOR CHANGE

Southwest corner of Section  
twenty-two (22), township  
nine (9), South, Range two  
(2), East, thence run East 200  
feet for a point of beginning,  
thence run East 963.48 feet to



# AFEEPAVIT OF PUBLICATION

I, Trancey Howell

publisher of The Onlooker, published at  
Foley, Ala., do solemnly swear that a copy of the above notice,  
as per clipping attached, was published once each week in the  
regular and entire edition of said newspaper, and not in any  
supplement thereof, for Four consecutive weeks, com-  
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Notary Public

E FOLEY ONLOOKER



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Southern Giant Curled; lettuce, Im-  
perial 847 for heading, Grand  
Rapids for non-heading; onions,  
Bermuda, Prize Taker, Yellow  
Danvers.

Beets, Crosby's Egyptian; car-  
rots, Chatenay, Imperator; cab-  
bage, Charleston, Wakefield; rad-  
ish, Scarlet Globe, Icicle; Spinach,  
Sloomsdale; English peas, Thomas  
Laxton (dwarf), Telephone (vin-  
in); broccoli, Green Sprouting;  
candive, Green Curled, Batavian.

## STATE C. OF C. ASKS FOR LABOR CHANGE

Southwest corner of Section  
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feet for a point of beginning,  
thence run East 963.48 feet to

point directly North of the point of beginning, thence due South 444.6 feet to the point of beginning, all being in Baldwin County, Alabama, WILLIAM DeFORREST HOLLY, JACOB BAPTISTE, JOSEPH J. CLEMMONS, P. F. ALBA, L. E. WARNER, N. R. CLARK, J. H. WEBB, SOPHIA A. WARNER, if they be living and if they be dead, their unknown heirs, devisees, or personal representatives of them and each of them and any and all persons, firms, or corporations, claiming any interest in or title to the above described land.

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

It having been made to appear in the above styled cause from the affidavit of Cecil G. Chason, the solicitor of record for the Complainant in said cause, that the defendants above named, or their heirs or devisees are non-residents of the State of Alabama, their residences and post office addresses being unknown to Complainant.

NOTICE IS HEREBY GIVEN to William DeForrest Holly, Jacob Baptiste, Joseph I. Clemmons, P. F. Alba, L. E. Warner, N. R. Clark, J. H. Webb, Sophia A. Warner, if they be living and if dead, then to the unknown devisees of them and each of them and to any and all persons, firms or corporations, claiming any interest in, title to, or lien or encumbrance upon said land herein described that on the 15th day of January, 1947, C. V. Hoover, filed in the equity side of the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against the following described lands in Baldwin County, Alabama, viz:-

Hoover's Subdivision lying in the Southwest quarter (SW $\frac{1}{4}$ ) of Section twenty-two (22), township nine (9) South, Range two (2), East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book three (3), page 41, also being described as follows: 'Begin at Southwest corner of Section twenty-two (22), township

above named and all persons, firms or corporations claiming any interest in, lien or encumbrance upon said land, and you are hereby notified to appear and plead, answer or demur within thirty (30) days of the 17th day of February, 1947 or a decree pro confesso will be rendered against you; that said Bill of Complaint was and is filed for the purpose of quieting his title thereto and clearing up all doubts and disputes concerning the same; that title to said lands stands in the name of Complainant on the records of the office of the Judge of Probate of Baldwin County, Alabama; that Complainant acquired title to said lands by Warranty Deed from John Terry and Victorine Terry, husband and wife, dated November 26, 1946, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, pages 179-180; by Warranty Deed from E. W. Walthall, a single man, dated October 4, 1946, and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 184-185; by Warranty Deed from Paul A. Frederick dated October 18, 1946 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 172-173 and by Quit Claim Deed from Esther Frederick, recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 114, page 150; Complainant further alleges that no one has paid taxes on the lands above described for the last ten (10) years next preceding the filing of the Complaint except the Complainant and those persons above named through whom Complainant claims title, and that he is in quiet, peaceable and adverse possession of said land, claiming to own the same absolutely and in fee simple.

WITNESS my hand this 15th day of January, 1947.

ALICE J. DUCK,  
As Register of the Circuit  
Court of Baldwin County,  
Alabama.

C. G. CHASON,  
Solicitor for Complainant.

16-23-30-6

ched, was published once each week in the edition of said newspaper, and not in any for Four consecutive weeks, com-  
sue dated Jan. 16, 1947, and  
ue dated Feb. 16, 1947.

sworn to before me this 8 day  
1947.

Notary Public



# W. R. STUART

PROBATE JUDGE

No. 5754

Bay Minette, Ala.,

April

194

Received of

Mrs. Luck

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	C. M. Nepper - Camp								
	William B. Jones Nepper								
	Ind.					1.35		1.35	

FOR RECORD

5317 MARSHALL & BRUCE-NASHVILLE

TOTAL \$

Judge of Probate.

# W. R. STUART

PROBATE JUDGE

No. 4645

Bay Minette, Ala.,

1-15

1947

Received of Mrs. Alice J. Stuart

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	<u>CV 3 acres camp</u>								
	<u>1/2</u>								
	<u>Warner Sutter</u>					<u>140</u>		<u>140</u>	

FOR RECORD

TOTAL \$

W. R. Stuart

Judge of Probate.

# W. R. STUART

PROBATE JUDGE

No. 5754

Bay Minette, Ala.,

April

, 194

Received of

Mrs. Luck

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	<u>C. N. Hoover - Camp</u>								
	<u>William B. Daniel, Nelly</u>								
	<u>John</u>					<u>1.35</u>		<u>1.35</u>	

FOR RECORD

5317 MARSHALL & BRUCE-NASHVILLE

TOTAL \$

Judge of Probate.