

R. H. Oswell

Complainant

vs.

Eli Bassett & John
Bassett,

Respondents

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

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

and decree pro confesso on personal service
against the respondents and each of them

and in behalf of Defendant upon

Rahit L. L. L.

Register.

*Excluded may and
by leaving copies of
written*

Original.

BILL OF COMPLAINT.

R. H. OSWELL,

Plaintiff,

VS.

ELI BASSETT and JULIUS BASSETT,
Defendants.

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

Filed on this the 12th day of May,
1934.

Filed May 12, 1934
J. B. Blackburn

J. B. BLACKBURN
LAW OFFICES
BAY MINETTE, ALABAMA

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

Your Orator, R. H. Oswell, brings this his Bill of Complaint against Eli Bassett and Julius Bassett, and thereupon your Orator complains and shows unto the Court as follows:

1. Your Orator is over the age of twenty-one years and resides in Mobile County, Alabama; the Defendants are over the age of twenty-one years and reside in Baldwin County, Alabama.

2. Your Orator is the owner of the following described land in Baldwin County, Alabama, to-wit: That portion of Section 42, Township 1 South Range 2 East of St. Stephens Meridian, beginning at a point where the west line of the public road from Bay Minette intersects Hastie Lake, and running thence South 23 degrees East eight hundred (800) feet, thence south 14 1/2 degrees East 1450 feet, thence South 63 1/2 degrees West 2590 feet, more or less, to the East bank of said Hastie Lake, thence northeasterly along the East bank of said Hastie Lake to the place of beginning, containing 68 acres, more or less. ALSO the following described tract of land beginning at the intersection of the south line of Section 42 Township 1 South, Range 2 East and the east bank of Hastie Lake, running thence south 87 degrees East 240 feet, thence North 21 degrees East 1200 feet, thence North 88 1/2 degrees East 3680 feet more or less, to the West side of Bay Minette Public Road, thence along the west line of said public road north 5 degrees West 504 feet, thence North 32 degrees West 965 feet, thence North 77 1/2 degrees West 2660 feet, more or less to the east bank of Hastie Lake, said point being 300 feet South of the point on Hastie Lake as described in the first tract. The intention being to leave a frontage of 300 feet between the two parcels, running thence southwesterly along the East bank of Hastie Lake to place of beginning, containing 134 acres, more or less.

3. Your Orator claims to own the said land in his own right and is in the actual, quiet and peaceable possession of said land.

4. The Defendants, Eli Bassett and Julius Bassett claim or are reputed to claim, some right, title or interest in or encumbrance upon the said land; that no suit is pending to enforce or test the validity of such title, claim or encumbrance and your Orator brings this his Bill of Complaint against the said Defendants to settle the title to said land and clear up all doubts and disputes concerning the same; and your Orator here and now calls upon the said Defendants and each of them to set forth and specify their and his title, claim, interest or encumbrance to or upon the said land or any part thereof, and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS.

Your Orator prays that the said Eli Bassett and Julius Bassett be made parties defendant to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them and each of them.

PRAYER FOR RELIEF.

Your Orator further prays that upon a final hearing of this cause your Honor will grant and enter a Decree against the said Defendants, Eli Bassett and Julius Bassett, quieting title to the said land and adjudging and decreeing that your Complainant is the owner of the said land in his own right; that title to the said land is in your Orator forever quieting your Orator's title against the said Defendants, Eli Bassett and Julius Bassett, and adjudging and decreeing that the said Defendants are without right, title or interest in the saidland and have and hold no encumbrance upon same.

Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

H. E. Smith

J. B. T. Blackburn

Solicitors for Complainant.

FOOT NOTE: The Defendants and each of them are required to answer each and every paragraph of the foregoing Bill of Complaint numbered 1 to 4 both inclusive, but not under oath, the benefit whereof is hereby expressly waived.

H. E. Smith

J. B. T. Blackburn

Solicitors for Complainant.

R. H. OSWALD,
Complainant,

VS.

ELI Bissett, ET AL,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN CHANCERY

NO. 48.

And now comes Beebe & Hall, Attorneys, having heretofore filed an appearance and pleadings for the Respondents in the above styled cause and withdraw their appearance and all pleadings in this cause.

Beebe & Hall
Solicitors for Respondents.

R. H. OSWELL,
Complainant,
vs.
ELI BASSETT and
JULIUS BASSETT,
Respondents.

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

Come the respondents and demur to the Complainant's
bill of complaint in this cause, and for grounds thereof say:
The bill is without equity.

Beebe & Hall
Solicitors for Respondents.

R. H. OSWELL,
Complainant,
VS.
ELI BASSETT AND JULIUS
BASSETT,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 48.

MOTION FOR DECREE PRO CONFESSO ON PERSONAL
SERVICE.

Motion is hereby made for a Decree Pro Confesso
against Eli Bassett and Julius Bassett on the ground that more
than thirty days have elapsed since they were served with summons
in said cause and that they have failed to plead, answer or demur
to the Bill of Complaint in this cause to the date hereof.

Dated this 28th day of January, 1935.

H. E. Smith

J. T. Blackburn

Solicitors for Complainant.

R. H. OSWELL,
Complainant,
VS.
ELI BASSETT AND JULIUS
BASSETT,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 48.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it being made to appear to the Register that a summons was served upon the Respondent, Eli Bassett on the 21st day of May, 1934, and that a summons was served upon Julius Bassett on the 21st day of May, 1934, requiring them and each of them to appear and plead, answer or demur to the Bill of Complaint in this cause within thirty days from the service of said summons, and the said Respondents having failed to plead, answer or demur to the said Bill of Complaint to date hereof: It is now, therefore, on motion of the Complainant, ordered and decreed that the said Bill of Complaint in this cause be, and it hereby is in all things, taken as confessed against the said Eli Bassett and Julius Bassett, Respondents aforesaid.

Witness my hand this 28th day of January, 1935.

Robert S. Deek

Register.

R. H. OSWELL,
Complainant,
VS.
ELI BASSETT AND
JULIUS BASSETT,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. _____

FINAL DECREE.

17th This cause coming on to be heard on this the
17th day of February, 1935, and being submitted for final de-
cree on the Bill of Complaint, Decrees Pro Confesso on Personal
Service against the Respondents and the 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 his Bill of Complaint in this cause.

IT IS THEREFORE Ordered, Adjudged and Decreed by
the Court that the Complainant, R. H. Oswell is, as against the
said Respondents, Eli Bassett and Julius Bassett, and each of them
the owner in his own right of the lands described in the Bill of
Complaint in this cause situate, lying and being in the County of
Baldwin and State of Alabama, and more particularly described as
follows, to-wit: That portion of Section 42, Township 1 South
Range 2 East of St. Stephens Meridian, beginning at a point where
the west line of the public road from Bay Minette intersects Hastie
Lake, and running thence South 23 degrees East eight hundred (800)
feet, thence south $14\frac{1}{2}$ degrees East 1450 feet, thence South $63\frac{1}{2}$
degrees West 2590 feet, more or less, to the East bank of said
Hastie Lake, thence northeasterly along the East bank of said
Hastie Lake to the place of beginning, containing 68 acres, more or
less. ALSO the following described tract of land beginning at the
intersection of the south line of Section 42 Township 1 South Range
2 East and the east bank of Hastie Lake, running thence south 87
degrees East 240 feet, thence North 21 degrees East 1200 feet,
thence North $88\frac{1}{2}$ degrees East 3680 feet more or less, to the west

side of Bay Minette Public Road, thence along the west line of said public road north 5 degrees West 504 feet, thence North 32 degrees West 965 feet, thence North 77½ degrees West 2660 feet, more or less to the east bank of Hastie Lake, said point being 300 feet South of the point on Hastie Lake as described in the first tract. The intention being to leave a frontage of 300 feet between the two parcels, running thence southwesterly along the east bank of Hastie Lake to place of beginning, containing 134 acres, more or less; and that the said Respondents and each of them are without right, title, claim or interest in or to said lands or any part thereof, and have and hold no encumbrance upon the same or any part thereof, but that the fee simple title in and to said lands is as against the said Respondents and each of them in the said Complaint.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court shall, within thirty days from the rendition of this Decree, file a certified copy hereof in the office of the Probate Judge of Baldwin County, Alabama for record therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all costs in this cause be taxes against the Complainant, for which let execution issue.

Done this 16 day of February, 1935.



Judge of the Circuit Court of Baldwin County, Alabama, in Equity.

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Bay Minette, Ala., Mar 2 1935

Howe R. Edwards, Clerk

IN ACCOUNT WITH
G. W. ROBERTSON
JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

Deed Rec. Mort. from *To George R. Howell vs Bassitts* to *1.00*

Paid
3/5/35
G. W. Robertson Judge
by J. H. [unclear]