

142

J. Hamilton Hastie

vs.

The Heirs at Law, personal representatives, Executors and Devises of James Abercrombie et al.

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, .....  
decree pro-confesso,

and in behalf of Defendant upon.....

*T. W. Richardson*

Register

No. 142.

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

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IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

---

J. Hamilton Hastie,

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vs.

The Heirs at Law, Personal  
Representatives, Executors  
and devisees of James  
Abercrombie et al.

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NOTE OF TESTIMONY.

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Filed in Open Court this 30th

day of April 1919.

*T. W. Richardson*

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Register

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THE STATE OF ALABAMA,  
BALDWIN COUNTY.

} CIRCUIT COURT, IN EQUITY.

No. 142 Section Speciation Term, 1919

J. Hamilton Hastie

Complainant.....

vs. The Heirs at Law Personal Representatives Executor & Devisees of James Abernethie,  
Wm Gladys B. White, Mrs Vera B. Scribner, and Miss Blanche Medler. Defendant...S

In this cause it appears to the Register.....that the order of publication here-

tofore made in this cause, was published for four consecutive weeks, commencing on the 12 day of

Dec, 1918, in the Baldwin Times

a newspaper published in Baldwin Co. Alabama, that a copy of said order was posted at the Court

House door in Baldwin County, on the 12<sup>th</sup> day of

Dec 1918, and

And it now further appearing to the Register W. R. Richardson, that the said

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-  
fore, 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.....

The Heirs at Law, Personal Representatives, Executor & Devisees  
of James Abernethie, Wm Gladys B. White, Mrs Vera B. Scribner,  
and Miss Blanche Medler

This 27 day of February, 1919.

W. R. Richardson

Register.

No. 142 Page \_\_\_\_\_

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY

*J. Hamilton Hartie*

vs.

*The heirs of J. A. -  
Hersomble et al.*

DECREE PRO CONFESSO ON  
PUBLICATION.

Issued 2/24 1919

*J. W. Richardson*  
Register.

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

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

Register.

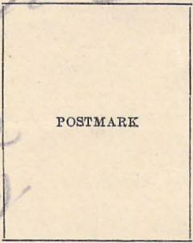
RECEIVED AND REGISTERED { Article No. 1107 17/2, 1918

From J. M. Packer

Addressed to Miss Blanche Misher

Return receipt desired  St Louis Mo

Delivery restricted { To addressee in person  Postmaster, per



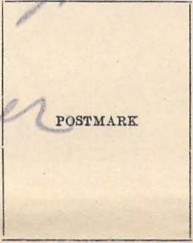
RECEIVED AND REGISTERED { Article No. 1107 17/2, 1918

From J. M. Packer

Addressed to Mrs. Nora B. Scribner

Return receipt desired  New York N.Y.

Delivery restricted { To addressee in person  Postmaster, per



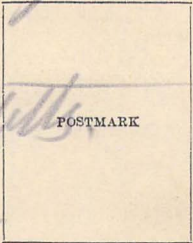
RECEIVED AND REGISTERED { Article No. 1107 17/2, 1918

From J. M. Packer

Addressed to Mrs. Gladys B. Mudgett

Return receipt desired  158 West 58th St

Delivery restricted { To addressee in person  Postmaster, per



Received of \_\_\_\_\_  
the sum of \_\_\_\_\_  
for \_\_\_\_\_

Pay to the order of \_\_\_\_\_  
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RECEIVED AND REGISTERED

1918

Received of \_\_\_\_\_

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RECEIVED AND REGISTERED

1918

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the sum of \_\_\_\_\_  
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RECEIVED AND REGISTERED

1918

Filed 12/12-18  
P. O. Register

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin County.

No. 142. Vacation Term, 1919

J. Hamilton Hastie

Complainants

vs.

The Heirs at Law, Personal Representatives, Executors, and devisees of James Abercrombie and Mrs. Gladys B Willetts, Mrs Vera B Scribner, and Miss Blanche Mislner.

Defendants

Motion is hereby made for a Decree Pro Confesso against The Heirs at Law, personal representatives, Executors and devisees of James Abercrombie and Mrs. Gladys B Willetts, Mrs. Vera B Scribner and Miss Blanche Mislner. Defendant

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 24th day of February 1919.

Brook McMillan

Solicitor

for complainant

THE STATE OF ALABAMA,

Baldwin ..... County.

CIRCUIT COURT, IN EQUITY.

J. Hamilton Hastie

Complainants.

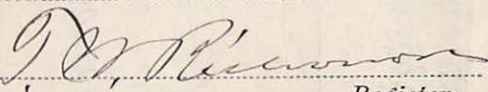
vs.

The Heirs at Law, Personal  
Representatives of James Abercrombie.

Defendants.

MOTION FOR DECREE PRO  
CONFESSO ON PUBLICATION.

Filed 2/24 1918.



Register.

Recorded in ..... Record,

Vol. .... Page .....

Register.



J. Hamilton Hastie,

Complainant

v

The Heirs at law, personal  
representatives, Executors, and  
Devises of James Abercrombie, and  
Mrs. Gladys B. Willetts, Mrs. Vera  
B. Scribner and Miss Blanche  
Meslier,

Respondents

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA.

IN EQUITY.

TO T. W. RICHEYSON, REGISTER IN CHANCERY.

Please deliver all papers in the foregoing cause to  
the Honorable A. E. Gamble, Judge for final decree.

Dated this April 29th, 1919.

*James H. Williams*

SOLICITORS FOR COMPLAINANT.

Remission of

penalties

COURT, ALBANY.  
CIRCUIT COURT OF ALBANY

IN SENATE.

THE STATE OF NEW YORK,  
IN SENATE,  
January 1, 1919.

Filed Apr 30th/1919.  
P. W. Williams  
Register

THE STATE OF NEW YORK,  
IN SENATE,  
January 1, 1919.

THE STATE OF NEW YORK,  
IN SENATE,  
January 1, 1919.

THE STATE OF NEW YORK,  
IN SENATE,  
January 1, 1919.

4 copies

J. HAMILTON HASTIE,  
Complainant,

v.

THE HEIRS AT LAW, PERSONAL  
REPRESENTATIVES, EXECUTORS,  
AND DEVISEES OF JAMES ABER-  
CROMBIE, AND MRS. GLADYS B.  
WILLETTS, MRS. VERA B. SCRIBNER  
AND MISS BLANCHE MESLIER,  
Respondents.

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The bill of complaint of J. Hamilton Hastie, complainant, against the heirs at law, personal representatives, executors, and devisees of James Abercrombie, <sup>against</sup> and Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner and Miss Blanche Meslier, respondents, respectfully shows unto your Honor:

FIRST.

Complainant is over the age of twenty-one year and resides in Stockton, Baldwin County, Alabama;

Complainant has made dilligent search to ascertain the names and residences of the heirs at law, personal representatives, executors and devisees of James Abercrombie, deceased, but is unable to ascertain the same; but complainant is informed and believes, and upon such information and belief states that they are non-residents of the state of Alabama and are over the age of twenty-one years; the respondent Mrs. Gladys B. Willetts is over the age of twenty-one years and resides at 158 West Fifty-eighth Street in the City of New York; the respondent Mrs. Vera B. Scribner is over the age of twenty-one years and resides in the city of New York, but her more particular address is to complainant unknown; the respondent Miss Blanche Meslier is over the age of twenty-one years and resides in St. Louis, Missouri.

SECOND.

The complainant owns and is in the peaceable possession of that certain land in Baldwin County, Alabama, known as the

Hastie homestead and particularly described as follows:

That certain piece, parcel or lot of land known as the Robert <sup>or Barclay Mill</sup> Gilerist tract, being section 43, township 1 south, range 2 east, and

That certain piece, parcel or lot of land commencing at a point at the northeast corner of the Robert Gilchrist tract, being section 43 in township 1 south, range 2 east, running thence north 38 degrees 45 minutes east 64 chains and 33 links to a point in section 11, township 1 south, range 2 east; thence south 33 degrees east 58 chains and 45 links to a point in section 13, township 1 south, range 2 east; thence south 52 chains and 20 links to a point in section 24, township 1 south, range 2 east; thence west 31 chains and 58 links to a point in section 23, township 1 south, range 2 east; thence south 15 degrees and 30 minutes west 20 chains; thence west 61 chains and 39 links to a point on the east line of said Robert Gilchrist tract; thence north 18 degrees east along the east line of said Robert Gilchrist tract 61 chains and 31 links to the place of beginning, it being the same property reserved as the homestead of Seclusa K. Hastie in deed from John F. Popp and Mary F. Popp, his wife, to A. W. Bryant and Peyton R. Tunstall, Jr., recorded in deed book S, pages 544-548 of the Baldwin County records. //

#### THIRD.

That complainant's title to said real property is denied or disputed or is reputed to be denied or disputed by the respondents herein who claim or are reputed to claim some right, title or interest in or to or lien upon the said real property and no suit is pending to enforce the validity of such right, title or interest.

#### FOURTH.

Complainant calls upon said respondents above named, and upon each and all of them, to set forth and specify their title, claim, interest, lien or encumbrance in, to or upon said real property, and how and by what instrument the same is derived and created.

## PRAYER FOR PROCESS.

Complainant prays that by the state's writ of subpoena or by process of publication, as may be appropriate, the said heirs at law, personal representatives, executors, and devisees of James Abercrombie, and the said Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner and Miss Blanche Maslier be made respondents to this bill of complaint and be commanded to demur to, plead to or answer this bill of complaint within the time allowed by law.

## PRAYER FOR RELIEF.

Complainant prays that upon a hearing of this cause your Honor will order and decree that the respondents above named, ~~and none of them~~, have <sup>no</sup> ~~any~~ right, title, interest, estate or claim in or to, or lien or encumbrance upon, said real property above described, or any part thereof; and complainant prays for such further or other or different relief as complainant may be entitled to, and to your Honor may seem meet.

*Francis W. Miller*  
-----  
Solicitors for Complainant.

Foot Note:

Respondents are required to answer each and all of the allegations of each paragraph of the foregoing bill of complaint from first to fourth, both inclusive, but not under oath, answer under oath being hereby expressly waived.

*Francis W. Miller*  
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Solicitors for Complainant.

STATE OF ALABAMA, \*  
\*  
BALDWIN COUNTY. \*  
\*

Before me, *W. H. McMillan*, a Notary Public in and  
for said County in said State, personally appeared J. Hamilton  
Hastie, who is known to me and who, being first duly sworn, says  
that the allegations of the foregoing bill of complaint are true.

*J. Hamilton Hastie*  
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Sworn to and subscribed before me  
this *6* day of December, 1918.

*W. H. McMillan*  
-----  
Notary Public, Mobile County, Ala.



120 142

STATE OF ALABAMA,  
MONTGOMERY COUNTY.

I, the undersigned, a Notary Public in and for said County, do hereby certify that the allegations of the foregoing bill of complaint are true.

Filed Dec 12th 1918  
D. W. Richmond  
Register

this day of December 1918.  
Sworn to and signed before me

Notary Public, Montgomery County, Ala.



STATE OF ALABAMA, \*  
\*  
MOBILE COUNTY. \*  
\*

Before me, Grace A. Smith, a Notary Public in and for said County in said State, personally appeared B. F. McMillan, Jr., who is known to me and who, being sworn, says that the respondents in the case of J. Hamilton Hastie v. Heirs at law, personal representatives, executors and devisees of James Abercrombie, Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner and Miss Blanche Mislner are non-residents of the State of Alabama, and upwards of twenty-one years of age and are beyond the draft age and are not engaged in the military or naval service of the United States and that complainant makes a motion for a decree pro confesso against the said respondents in the case of J. Hamilton Hastie against the said parties pending on the equity side of the Circuit Court of Baldwin County, Alabama, and numbered 142, be entered.

*B. F. McMillan, Jr.*  
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Sworn to and subscribed before  
me this 74th day of February, 1919.

*Grace A. Smith*  
-----

Notary Public, Mobile County, Ala.



Hashie  
vs  
Abercrombie et  
al

affidavit

Filed 2/24/1919  
D. H. Ricman  
Register

Examiners

# THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE NO. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

ABNER J. SMITH, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

### Chancery Notice.

J. Hamilton Hastie, Complainant, vs. The Heirs at Law, Personal Representatives Executors, and Devises of James Abercrombie, and Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner and Miss Blanche Meslier. Respondents. No. 142. Circuit Court of Baldwin County, Alabama, In Equity.

In this cause it being made to appear to the Register of this Court, by the affidavit of J. H. Hastie, Complainant, that the Defendants The Heirs at law, personal representatives, executors and devisees of James Abercrombie and Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner and Miss Blanche Meslier are non residents of the State of Alabama, and that in belief of said affiant the defendant's are over the age of 21 years; and that he has made diligent inquiry and search to obtain the residences of the Defendants and after doing so is unable to ascertain their names and residences more specifically than is set forth in the Bill of Complaint, filed in this cause on the 12th day of December, 1918. It is therefore ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Ala., once a week for four consecutive weeks requiring the said Heirs at Law, personal representatives executors and devisees, of James Abercrombie and Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner and Miss Blanche Meslier to answer or demur to the Bill of Complaint in this cause by the 11th day of January, 1919, or after thirty days therefrom a decree pro confesso may be taken against them.

This 12th day of December, 1918.

T. W. Richerson,  
Register.

Brooks and McMillan,  
Atty's for Complainant.

43-4t

### Chancery Notice.

J. Hamilton Hastie, Complainant, vs. The Heirs at Law, Personal Representatives Executors, and Devises of James Abercrombie, and Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner and Miss Blanche Meslier. Respondents. No. 142. Circuit Court of Baldwin County, Alabama, In Equity.

Was published in said Newspaper for 4 consecutive weeks  
issues:

|             |                     |      |    |     |    |
|-------------|---------------------|------|----|-----|----|
| Publication | December 12th, 1918 | Vol. | 29 | No. | 43 |
|             | December 19th, 1918 | Vol. | 29 | No. | 44 |
|             | December 26th, 1918 | Vol. | 29 | No. | 45 |
|             | January 2nd, 1919   | Vol. | 29 | No. | 46 |

“ “ fourth “

Subscribed and sworn to before the undersigned

this 4th day of January 1919.

T. W. Richerson  
Clerk Circuit Court.

Abner J. Smith  
Publisher.

Filed 1/4-1918  
D. W. McInnis  
Register

J. Hamilton Hastie,  
Complainant.

vs

The Heirs at Law,  
Personal Representatives,  
Executors, and Devisees, of  
of James Abercrombie, and  
Mrs. Gladys B Willetts,  
Mrs. Vera B Scribner and  
Miss Blanche Meslier.  
Respondents.

Circuit Court of Baldwin  
County, Alabama, in Equity.

In this cause it being made to appear to the Register of this Court, by the affidavit of J. H. Hastie, Complainant that the Defendants The Heirs at law, personal representatives executors and devisees of James Abercrombie and Mrs. Gladys B Willetts, Mrs. Vera B Scribner and Miss Blanche Meslier are non residents of the State of Alabama, ~~and that in belief of said~~ and that in belief of said affiant the defendant's are over the age of 21 years; and that he has made diligent inquiry and search to obtain the residences of the Defendants and after doing is unable to ascertain their names and residences more specifically than is set forth in the Bill of Complaint, filed in this cause on the 12th, day of December 1918, it is therefore ordered that publication be made in the Baldwin Times a newspaper published in Bay Minette, Baldwin County, Ala., once a week for four consecutive weeks requiring the said Heirs at Law, personal representatives executors and devisees, of James Abercrombie and Mrs. Gladys B Willetts, Mrs. Vera B Scribner and Miss Blanche Meslier to answer or demur to the Bill of Complaint in this cause by the 11th, day of January 1919, or after thirty days therefrom a decree proconfesso may be taken against them.

This 12th, day of December 1918.

T. W. Richerson, Register.

Brooks and Mc Millan.

Atty's for Complainant.

Filed 12/12-18  
T. W. Keim  
Register

J. HAMILTON HASTIE,  
Complainant,

v.

THE HEIRS AT LAW, PERSONAL  
REPRESENTATIVES, EXECUTORS,  
AND DEVISEES OF JAMES ABER-  
CROMBIE, AND MRS. GLADYS B.  
WILLETTS, MRS. VERA B. SCRIBNER  
AND MISS BLANCHE MESLIER,  
Respondents.

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The bill of complaint of J. Hamilton Hastie, complainant,  
against the heirs at law, personal representatives, executors,  
and devisees of James Abercrombie, and Mrs Gladys B. Willetts,  
Mrs. Vera B. Scribner and Miss Blanche Meslier, respondents,  
respectfully shows unto your honor:

FIRST.

Complainant is over the age of twenty-one year and resides in  
Stockton, Baldwin county, Alabama;

Complainant has made diligent search to ascertain the names  
and residences of the heirs at law, personal representatives, executors  
and devisees of James Abercrombie, deceased, but is unable to as-  
certain the same; but complainant is informed and believes, and upon  
such information and beliefs states that they are non-residents of  
the State of Alabama and are over the age of twenty-one years:  
the respondent Mrs. Gladys B. Willetts is over the age of twenty-one  
years and resides at 159 West Fifty-eighth Street in the City of New  
York; and respondent Mrs. Vera B. Scribner is over the age of twenty-  
one years and resides in the City of New York, but her more particular  
address is to complainant unknown; the respondent Miss Blanche Mes-  
lier is over the age of twenty-one years and resides in St. Louis, Miss-  
ouri.

SECOND.

The complainant owns and is in the peaceable possession of that  
certain land in Baldwin County, Alabama, known as the Hastie homestead  
and particularly described as follows:

That certain piece, parcel or lot of land known as the Robert  
or Barlow Mill  
Gilchrist tract, being Section 43, township 1 south, range 2 east, and

That certain piece, parcel of lot of land commencing at a point at the north east corner of the Robert Gilchrist tract, being section 43 in township 1 south, range 2 east, running thence north 38 degrees 45 minutes east 64 chains and 33 links to a point in section 11, township 1 south, range 2 east; thence south 52 degrees east 58 chains and 45 links to a point in section 13, township 1 south, range 2 east; thence south 52 chains and 20 links to a point in section 24 township 1 south range 2 east; thence west 31 chains and 58 links to a point in section 23, township 1 south, range 2 east; thence south 15 degrees and 30 minutes west 20 chains; thence west 61 chains and 39 links to a point on the east line of said Robert Gilchrist tract; thence north 18 degrees east along the east line of said Robert Gilchrist tract 61 chains and 31 links to the place of beginning, it being the same property reserved as a homestead of geclusa K. Hastie in deed from John F. Popp and Mary F. Popp, his wife, to A. W. Bryant and Peyton R. Tunstall Jr., recorded in deed book S, pages 544-548 of the Baldwin County records.

### THIRD.

That complainant's title to said real property is denied or disputed or is reputed to be denied or disputed by the respondent's herein who claim or are reputed to claim some right, title or interest in or to of lien upon the said real property and no suit is pending to enforce the validity of such right, title or interest.

### Fourth

Complainant calls upon said respondents above named and upon each and all of them, to set forth and specify their title, claim, interest, lien or encumbrance in, to or upon <sup>said</sup> real property, and how and by what instrument the same is derived and created.

### PRAYER FOR PROCESS.

complainant prays that by the state's writ of subpoena or by process of publication, as may be appropriate, the said heirs at law personal representatives, executors, and devisees of James Abercrombie, and the said Mrs. Gladys B. Willetts, Mrs Vera B. Scribner, and Miss Blanche Meslier, be made respondents to this bill of complaint and be commanded to demur to, plead to or answer this bill of complaint within

the time allowed by law.

PRAYER FOR RELIEF.

Complainant prays that upon a hearing of this cause your Honor will order and decree that the respondents above named, and none of them have any right, title, interest, estate or claim in or to, or lien or encumbrance upon, said real property above described, or any part thereof; and complainant prays for such further or other or different relief as complainant may be entitled to, and to your Honor may seem meet.

---Brooks & McMillan ---  
Solicitors for Complainant.

Foot Note:

Respondents are required to answer each and all of the allegations of each paragraph of the foregoing bill of complaint from first to fourth, both inclusive, but not under oath, to answer under oath being hereby expressly waived.

\_\_\_\_\_  
Solicitors for Complainant.

State of Alabama, )  
                          ))  
Baldwin County,  )

Before me, W. H. McMillan, a Notary Public in and for said County, in said State, personally appeared J. Hamilton Hastie, who is known to me and who, being first duly sworn, says that the allegations of the foregoing bill of complaint are true.

Sworn to and subscribed before me this 6th day of December 1918.

\_\_\_\_\_  
Notary Public, Mobile, Co. Ala.



BALDWIN

J. HAMILTON HASTIE,

Complainant

Circuit Court, ~~Mobile~~ CountyIn Equity at ~~Mobile~~ Alabama

BAY MINETTE

No. 142

vs.

THE HEIRS AT LAW, PERSONAL REPRESENTATIVES, EXECUTORS, AND DEVISEES OF JAMES ABERCROMBIE, AND MRS. GLADYS B. WILLETTS, MRS. VERA B. SCRIBNER, AND MISS BLANCHE MESLIER, DEFENDANTS.

This cause coming on to be heard was submitted for decree on the pleadings and decree pro confesso, as noted, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to relief.

It is therefore ordered and decreed that the defendants The heirs at law, personal representatives, executors, and devisees of James Abercrombie, and Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner, and Miss Blanche Meslier. *and wishes*

*of them*

have no estate or interest in, or incumbrance on the following

described lands, or any part thereof, viz.: that certain land in Baldwin County, Alabama, known as the Hastie homestead and particularly described as follows:

That certain piece, parcel or lot of land known as the Robert Gilcrist or Barlow<sup>will</sup> tract, being section 43, township 1 south, range 2 east, and

That certain piece, parcel or lot of land commencing at a point at the northeast corner of the Robert Gilcrist tract, being section 43 in township 1 south, range 2 east, running thence north 38 degrees 45 minutes east 64 chains and 33 links to a point in section 11, township 1 south, range 2 east; thence south 52 degrees east 58 chains and 45 links to a point in section 13, township 1 south, range 2 east; thence south 52 chains and 20 links to a point in section 24, township 1 south range 2 east; thence west 31 chains and 58 links to a point in section 23, township 1 south, range 2 east; thence south 15 degrees and 30 minutes west 20 chains; thence west 61 chains and 39 links to a point on the east line of said Robert Gilcrist tract; thence north 18 degrees east along the east line of said Robert Gilcrist tract 61 chains and 31 links to the place of beginning, it being the same property reserved as the homestead of Secluzza K. Hastie in deed from John F. Popp and Mary F. Popp, his wife, to A. W. Bryant and Peyton R. Tunstall, Jr., recorded in deed book S, pages 544-548 of the Baldwin County records.

It is further ordered that the Register of this Court, within thirty days from the rendition of this decree, file a certified copy of this decree in the office of the Probate Judge of Baldwin County, for record therein, and that the cost thereof be taxed in the costs of the cause.

This decree is subject to the provisions of Sections 3170 and 3171 of the Code of Alabama of 1907, and the Complainant            hereby directed to send a certified copy hereof to each of the Defendants not personally served with process, if their residences can be ascertained.

It is further ordered that the Complainant pay the costs of this cause, for which execution may issue.

In term time, May 3rd 1919

*W. G. Gandy*  
Judge

No. 142.

**BALDWIN**  
Circuit Court, Mobile County  
In Equity at Mobile, Ala.  
**BAY MINETTE**

J. Hamilton Hastie,

vs.

Heirs at Law, Personal  
representatives, Executors  
and devisees of James Abercromb  
-ie et al.

DECREE QUIETING TITLE

*Filed*  
*May 3rd* Term, 1919  
*W. G. Gandy* Register

Ent. Min. Page

*Recorded on Minutes*

J. HAMILTON HASTIE,  
Complainant,

v.

THE HEIRS AT LAW, PERSONAL  
REPRESENTATIVES, EXECUTORS,  
AND DEVISEES OF JAMES ABER-  
CROMBIE, AND MRS. GLADYS B.  
WILLETTS, MRS. VERA B. SCRIBNER  
AND MISS BLANCHE MESLIER,  
Respondents.

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The bill of complaint of J. Hamilton Hastie, complainant,  
against the heirs at law, personal representatives, executors,  
and devisees of James Abercrombie, <sup>against</sup> and Mrs Gladys B. Willetts,  
Mrs. Vera B. Scribner and Miss Blanche Meslier, respondents,  
respectfully shows unto your honor:

FIRST.

Complainant is over the age of twenty-one year and resides in  
Stockton, Baldwin county, Alabama;

Complainant has made diligent search to ascertain the names  
and residences of the heirs at law, personal representatives, executors  
and devisees of James Abercrombie, deceased, but is unable to as-  
certain the same; but complainant is informed and believes, and upon  
such information and beliefs states that they are non-residents of  
the state of Alabama and are over the age of twenty-one years:  
the respondent Mrs. Gladys B. Willetts is over the age of twenty-one  
years and resides at 150 West Fifty-eighth Street in the City of New  
York; and respondent Mrs. Vera B. Scribner is over the age of twenty-  
one years and resides in the City of New York, but her more particular  
address is to complainant unknown; the respondent Miss Blanche Mes-  
lier is over the age of twenty-one years and resides in St. Louis, Miss-  
ouri.

SECOND.

The complainant owns and is in the peaceable possession of that  
certain land in Baldwin County, Alabama, known as the Hastie homestead  
and particularly described as follows:

That certain piece, parcel or lot of land known as the Robert  
or Barlow Mill  
Gilchrist tract, being Section 43, township 1 south, range 2 east, and

That certain piece, parcel of lot of land commencing at a point at the north east corner of the Robert Gilchrist tract, being section 43 in township 1 south, range 2 east, running thence north 38 degrees 45 minutes east 64 chains and 33 links to a point in section 11, township 1 south, range 2 east; thence south 52 degrees east 58 chains and 45 links to a point in section 13, township 1 south, range 2 east; thence south 52 chains and 20 links to a point in section 24 township 1 south range 2 east; thence west 31 chains and 58 links to a point in section 23, township 1 south, range 2 east; thence south 15 degrees and 30 minutes west 20 chains; thence west 61 chains and 39 links to a point on the east line of said Robert Gilchrist tract; thence north 18 degrees east along the east line of said Robert Gilchrist tract 61 chains and 31 links to the place of beginning, it being the same property reserved as a homestead of geclusa K. Hastie in deed from John F. Popp and Mary F. Popp, his wife, to A. W. Bryant and Peyton R. Tunstall Jr., recorded in deed book S, pages 544-548 of the Baldwin County records.

### THIRD.

That complainant's title to said real property is denied or disputed or is reputed to be denied or disputed by the respondent's herein who claim or are reputed to claim some right, title or interest in or to of lien upon the said real property and no suit is pending to enforce the validity of such right, title or interest.

### Fourth

Complainant calls upon said respondents above named and upon each and all of them, to set forth and specify their title, claim, interest, lien or encumbrance in, to or upon real <sup>said</sup> property, and how and by what instrument the same is derived and created.

### PRAYER FOR PROCESS.

Complainant prays that by the state's writ of subpoena or by process of publication, as may be appropriate, the said heirs at law personal representatives, executors, and devisees of James Abercrombie, and the said Mrs. Gladys B. Willetts, Mrs. Vera B. Scribner, and Miss Blanche Meslier, be made respondents to this bill of complaint and be commanded to demur to, plead to or answer this bill of complaint within

the time allowed by law.

PRAYER FOR RELIEF.

Complainant prays that upon a hearing of this cause your Honor will order and decree that the respondents above named, and none of them have any right, title, interest, estate or claim in or to, or lien or encumbrance upon, said real property above described, or any part thereof; and complainant prays for such further or other or different relief as complainant may be entitled to, and to your Honor may seem meet.

Brooks & McMillan

Solicitors for Complainant.

Foot Note:

Respondents are required to answer each and all of the allegations of each paragraph of the foregoing bill of complaint from first to fourth, both inclusive, but not under oath, to answer under oath being hereby expressly waived.

Brooks & McMillan

Solicitors for Complainant.

State of Alabama, )  
Baldwin County, )

Before me, W. H. McMillan, a Notary Public in and for said County, in said State, personally appeared J. Hamilton Hastie, who is known to me and who, being first duly sworn, says that the allegations of the foregoing bill of complaint are true.

Sworn to and subscribed before me this 6th day of December 1918.

Notary Public, Mobile, Co. Ala.