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

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Susan C. White, Bessie W. Moore, Clinton L. White, Mary Clyde White, Walter D. White, Beulah Fay White, all residents of Baldwin County, Alabam., and Hiram C. White whose post-office address is Paducah, Kentucky

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Addie S. Moore

against said Susan C. White, Bessie W. Moore, Clinton L. White, Mary Clyde White, Walter D. White, Beulah Fay White, Hiram E. White

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

WITNESS, M. A. Stone, Register of said Circuit Court, this 31 day of

October 1933

M. A. Stone Register

ADDIE S. MOORE,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA.
vs.	)	IN EQUITY.
SUSAN C. WHITE ET AL.,	)	
Defendants.	)	

Comes the complainant and, with leave of the court first had and obtained, amends the Third Count of the original complaint heretofore filed in this cause, so that the same shall read as follows:

"That on, to-wit, June 9, 1921, W. D. Stapleton, through whom your complainant holds title, and W. R. White, through whom the respondents hold title, purchased from one Harvey A. White, a widower, by Warranty Deed filed for record in the office of the Probate Judge of Baldwin County, Alabama, on July 5, 1921, and recorded therein in Deed Book 51 N.S., page 84, the following described land in Baldwin County, Alabama, to-wit:

The West half of the Northwest quarter and the West half of the Southwest quarter of Section one (1), Township three (3) South of Range three (3) East of St. Stephens Meridian in Alabama, containing 157.15 acres, except 10 acres in the Northeast corner of the Northwest quarter of the Northwest quarter of the above described lands formerly deeded to T. A. White;

That the said land was purchased by the said W. D. Stapleton and W. R. White, each paying one-half the purchase price thereof, on the date of the execution of said deed to the said Harvey A. White, each owning an undivided one-half interest therein, but for convenience the title to said land was taken in the name of W. R. White as grantee."

*Becke + Stace*

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Solicitors for Complainant.

ADDIE S. MOORE,

Complainant,

VS.

W. D. WHITE, et als,

Respondents.

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

Comes the Respondents in the above entitled cause and refile the Demurrers heretofore filed in the said cause, to the Bill of Complaint as last amended.

*J. T. Blackburn*  
Solicitor for Respondents.

ADDIE S. MOORE,  
Complainant,  
VS.  
SUSAN C. WHITE, et als,  
Respondents.

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

DEMURRERS.

Now come the Respondents in the above entitled cause and without waiving the benefit of the Demurrers heretofore filed, file the following additional Demurrers to the Complaint and to each and every count thereof, separately and severally:

1. It does not allege what was the consideration for the deed referred to in paragraph "Third" of the Bill of Complaint.
2. It does not allege when W. D. Stapleton paid the "one-half of the purchase price" alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.
3. It does not allege to whom W. D. Stapleton paid the "one-half of the purchase price" alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.
4. It does not allege how W. D. Stapleton paid the consideration or purchase price alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.
5. It does not allege where W. D. Stapleton paid the consideration or purchase price alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.
6. It does not allege when W. D. Stapleton and the Respondents sold timber wood and turpentine rights from or on the property described in the Bill of Complaint.
7. It does not allege when W. D. Stapleton paid one-half of the taxes on the land alleged to have been paid by him.
8. It does not allege to whom or by whom timber wood and

turpentine rights on the property described in the Bill of Complaint were sold.

9. It does not allege to whom the one-half of the taxes alleged to have been paid by W. D. Stapleton, were paid.

J. R. Blackburn  
Solicitor for Respondents.

ADDIE S. MOORE,  
Complainant,

VS.

SUSAN C. WHITE, et als,  
Respondents.

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

INTERROGATORIES TO BE PROPOUNDED TO  
THE COMPLAINANT UNDER SECTION 7764 OF THE 1923  
CODE OF ALABAMA.

1. What was the actual consideration claimed to have been paid by W. D. Stapleton to Harvey A. White for the alleged one-half of the consideration for the deed referred to in paragraph "Third" of the original Bill of Complaint, and explain when, where and to whom this money was paid, describing fully whether by cash, check or otherwise, and if by check attach the original or an exact copy of the cancelled check to your answers hereto?

2. What was the actual consideration paid by Addie S. Moore to W. D. Stapleton for the deed referred to in paragraph "Sixth" of the original Bill of Complaint, and explain fully whether this consideration was paid in cash, by check or otherwise and if by check attach the original check or an exact copy thereof to your answers hereto, also explain fully whether or not the consideration, if any, was paid by Addie S. Moore to W. D. Stapleton at the time the deed was made or prior thereto, and if prior thereto give the exact date.

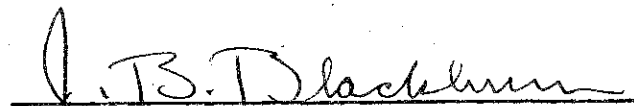
3. Who filed the deed from W. D. Stapleton and wife to Addie S. Moore, referred to in paragraph "Sixth" of the original Bill of Complaint, for record and who paid the recording charges and privilege tax thereon?

4. Please state whether or not the Complainant, Addie S. Moore personally attended to the employment of counsel for the commencement and prosecution of this suit.

5. Give a complete list of all taxes paid by W. D. Stapleton and the Complainant, Addie S. Moore, on the property described

in the original Bill of Complaint since August 31st, 1922, explaining fully the date each payment was made, the amount of each payment, to whom made and if any receipts were issued therefor, attach the original receipt or an exact copy thereof to your answers hereto.

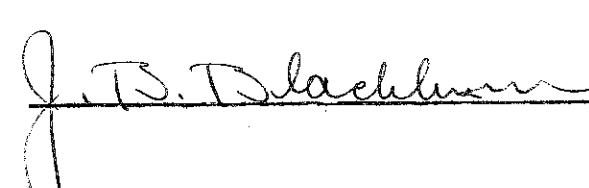
6. Explain when, where and to whom W. D. Stapleton and the respondents sold timber and turpentine or leased turpentine rights from or on the property described in the Bill of Complaint since August 31st, 1922, and there is any written evidence or any sale or lease, attach an exact copy thereof to your answers hereto, and explain fully the amount of the consideration for each sale or lease, if any there be, and explain fully how this consideration, if any was divided.

  
Solicitor for Respondents.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is Attorney for the Respondents in the above entitled cause and that the answers to the foregoing interrogatories, if well and truly made, will be material testimony for the Respondents in said cause.

  
Sworn to and subscribed before me on this the 3rd day of April, 1934.

  
Notary Public, Baldwin County, Alabama.

ADDIE S. MOORE,

Complainant,

VS.

SUSAN C. WHITE, BESSIE W.  
MOORE, CLINTON L. WHITE,  
MARY CLYDE WHITE, WALTER  
D. WHITE, BEULAH FAY WHITE  
and HIRAM E. WHITE,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DEMURRERS.

Come the Respondents in the above entitled cause and for demurrer to the Bill of Complaint and each and every count thereof separately and severally say:

1. There is no equity in the Bill.

*J. T. Blackburn*

Solicitor for Respondents.



**RECORDED**  
DECEMBERS.

ADDIE S. MOORE, Complainant,

VS.

SUSAN C. WHITE, et als, Respondents.

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

Filed on this the 29th day of  
November, 1955.

*John A. Stone*  
*Registrar*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BALDWIN COUNTY, ALABAMA



proper in the premises, the same to be made a common charge against the property.

Your complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive; and as in duty bound she will ever pray.

*Handwritten notes:*  
D. W. Hall  
C. W. Hall  
M. W. Hall  
B. W. Hall  
S. W. Hall  
T. W. Hall  
J. W. Hall  
K. W. Hall  
L. W. Hall  
M. W. Hall  
N. W. Hall  
O. W. Hall  
P. W. Hall  
Q. W. Hall  
R. W. Hall  
S. W. Hall  
T. W. Hall  
U. W. Hall  
V. W. Hall  
W. W. Hall  
X. W. Hall  
Y. W. Hall  
Z. W. Hall

Bebe & Hall  
Solicitors for Complainant.

*Handwritten notes:*  
C. W. Hall  
D. W. Hall  
E. W. Hall  
F. W. Hall  
G. W. Hall  
H. W. Hall  
I. W. Hall  
J. W. Hall  
K. W. Hall  
L. W. Hall  
M. W. Hall  
N. W. Hall  
O. W. Hall  
P. W. Hall  
Q. W. Hall  
R. W. Hall  
S. W. Hall  
T. W. Hall  
U. W. Hall  
V. W. Hall  
W. W. Hall  
X. W. Hall  
Y. W. Hall  
Z. W. Hall

The respondents and each of them are required to answer each and every allegation contained in the foregoing bill of complaint, paragraphs FIRST to NINTH inclusive, but not under oath, oath being hereby expressly waived.

Bebe & Hall  
Solicitors for Complainant.

proper in the process, the same to be made a correct charge against the property.

Your complaint prays for such other, further, different

or General relief as she may be in equity and good conscience en- titled to receive; and as in duty bound she will ever pray.

RECORDED

Copy

Addie J. Moore  
Complainant

vs

Walter D. White, et al  
Respondents

Office of Comptroller  
Public & State

each and every allegation contained in the foregoing bill of com- plaint, paragraphs FIRST to NINTH inclusive, are not under oath, and the same are not to be taken as admissions of any of the facts therein stated and each of them are required to answer the same to the extent of their knowledge and belief.

Walter D. White  
Respondent

This Oct 31, 1933  
W. M. D. J. Stone  
Register

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

Come your complainant, ANDIE S. MOORE, and humbly complain-  
ing against the respondents hereinafter set out, respectfully repre-  
sents and shows unto your Honor as follows:

FIRST:

That she is a bona fide resident of Baldwin County, Alabama,  
over twenty-one years of age.

SECOND:

That the respondents, SUSAN C. WHITE, BESSIE W. MOORE,  
CLINTON L. WHITE, MARY CLYDE WHITE, WALTER D. WHITE and BENJAMIN FAY  
WHITE, are residents of Baldwin County, Alabama, over twenty-one  
years of age; that the respondent, HIRAM E. WHITE, is over twenty-  
one years of age, a non-resident of the State of Alabama, his post-  
office address being Paducah, Kentucky.

THIRD:

That on, to-wit, June 9, 1921, W. D. Stapleton, through whom  
your complainant holds title, and W. R. White, through whom the respond-  
ents hold title, purchased from one Harvey A. White, a widower, by war-  
ranty deed filed for record in the office of the Probate Judge of Bald-  
win County, Alabama, on July 5, 1921, and recorded therein in Deed Book  
31 N.S., page 84, the following described lands in Baldwin County, Ala-  
bama, to-wit:

The West half of the Northwest quarter and the West half  
of the Southwest quarter of Section one (1), Township  
three (3) South of Range three (3) East of St. Stephens  
Meridian, in Alabama, containing 157.15 acres, except  
10 acres in the Northeast corner of the Northwest quar-  
ter of the Northwest quarter of the above described lands  
formerly deeded to T. A. White;

that the said land was purchased by the said W. D. Stapleton and  
W. R. White, each paying one-half the purchase price thereof, each  
owning an undivided half interest therein, but for convenience the  
title to said lands was taken in the name of W. R. White, as grantee.

FOURTH:

That the said W. D. Stapleton and W. R. White owned the said land as joint owners or tenants in common, each an undivided half interest therein, treating the property as joint property, selling wood and timber therefrom, and dividing the money, leasing the same for turpentine purposes and dividing the money, and together paying the taxes thereon, each paying one-half the amount; that said land was so owned and held by the said W. D. Stapleton and W. R. White jointly until on or about August 31, 1922, when the said W. R. White died intestate.

FIFTH:

That after the death of the said W. R. White the said property was owned and held by the said W. D. Stapleton, he having an undivided half interest, and respondents hereinabove named, as the widow and children of said W. R. White, owning the other undivided half interest; that the said W. D. Stapleton and the respondents have so owned and held the property jointly since the death of the said W. R. White, dividing the receipts for the sales of timber, wood and turpentine rights therefrom, and together paying the taxes thereon, the said W. D. Stapleton paying one-half thereof and the respondents the other half.

SIXTH:

That the said land was so owned and held by the said W. D. Stapleton and the respondents above named until January 3, 1933, when the said W. D. Stapleton, joined by his wife, Leila Stapleton, conveyed the said property to your complainant by warranty deed filed for record in the office of the Probate Judge of Baldwin County, Alabama, on January 3, 1933, and recorded therein in Deed Book 53 N.S., page 590.

SEVENTH:

That the said property now belongs to your complainant, who owns an undivided half interest therein, and the respondents, who own



the other undivided half interest therein.

ALIAS:

That your complainant is advised and believes that said property can be equally divided between your complainant and the respondents as joint owners thereof.

ALIAS:

That your complainant has been called upon to employ counsel to prosecute this suit and effect a proper division of the said land between your complainant and the respondents as joint owners or tenants in common.

WHEREFORE, the premises considered, your complainant prays that your Honor will, by proper process, make the said Susan C. White, Bessie W. Moore, Clinton L. White, Mary Clyde White, Walter D. White, Beulah Fay White and Hiram E. White parties respondent to this bill of complaint, requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause your Honor will, by proper order and decree, establish the title of your complainant in and to an undivided one-half interest in the lands hereinabove described; that your Honor will further enter such orders and decrees as may be necessary and proper to effectuate a proper division of the said property between the complainant and the respondents, the joint owners of said property.

Your complainant further prays that in the event that she is not correctly advised, and that said property cannot be equitably divided between the complainant and the respondents, the owners thereof, then your Honor will enter such orders and decrees as may be necessary and proper to effect a sale of said property for division among the owners thereof.

Your complainant further prays that your Honor will give and grant to her such reasonable attorneys' fee as may be meet and



NOTION NO. REQUIRED ANSWERS TO  
INTERROGATORIES

ADRIAN S. MOORE,

Complainant,

vs.

SUSAN C. MAHER, et al,  
Respondents.

IN THE CIRCUIT COURT OF  
BARDWELL COUNTY, ALABAMA,  
IN HULLY, NO. 11

Filed on this 14th day of June  
1984.

*M. O. Stone*  
*Register*

D. BELACKBURN  
ATTORNEY AT LAW  
EANNINETTE, ALABAMA

*The books kept here of the  
Mahan Motor Inc May 19, 1984  
by Mahan*

ADDIE S. MOORE,

Complainant,

VS.

SUSAN C. WHITE, et als,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DEMURRERS.

Now come the Respondents in the above entitled cause and without waiving the benefit of the Demurrers heretofore filed, file the following additional Demurrers to the Complaint and to each and every count thereof, separately and severally:

1. It does not allege what was the consideration for the deed referred to in paragraph "Third" of the Bill of Complaint.

2. It does not allege when W. D. Stapleton paid the "one-half of the purchase price" alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.

3. It does not allege to whom W. D. Stapleton paid the "one-half of the purchase price" alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.

4. It does not allege how W. D. Stapleton paid the consideration or purchase price alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.

5. It does not allege where W. D. Stapleton paid the consideration or purchase price alleged to have been paid by him in paragraph "Third" of the Bill of Complaint.

6. It does not allege when W. D. Stapleton and the Respondents sold timber wood and turpentine rights from or on the property described in the Bill of Complaint.

7. It does not allege when W. D. Stapleton paid one-half of the taxes on the land alleged to have been paid by him.

8. It does not allege to whom or by whom timber wood and



turpentine rights on the property described in the Bill of Complaint were sold.

9. It does not allege to whom the one-half of the taxes alleged to have been paid by W. B. Stapleton, were paid.

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Solicitor for Respondents.

ADDIE S. MOORE,  
Complainant,  
VS.  
SUSAN C. WHITE, et al,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 1.

ANSWER AND CROSS BILL.

Now come the Respondents in the above entitled cause and for Answer to the Bill of Complaint in said cause as last amended, and for each and every count thereof separately and severally, says:

1. The Respondents admit the allegations of paragraph "First" of the Bill of Complaint as last amended.
2. The Respondents admit the allegations of paragraph "Second" of the Bill of Complaint as last amended.
3. The Respondents deny that W. D. Stapleton ever owned any interest in the lands described in paragraph "Third" of the Bill of Complaint as last amended; that he acquired any title to it by the deed from Harvey A. White, a Widower, to W. R. White, dated July 5th, 1921, and recorded in Deed Book 31 N. S. at page 84 in the Probate Records of Baldwin County, Alabama; that the said lands were purchased by the said W. D. Stapleton and W. R. White; that W. D. Stapleton paid any part of the purchase price therefor and that the title was taken in the name of W. R. White, as Grantee, for convenience.
4. The Respondents deny that W. D. Stapleton and W. R. White owned the lands described in the Bill of Complaint as last amended as joint owners or tenants in common and further deny that they used it as joint property and that W. D. Stapleton paid any taxes whatever on the said land prior to the death of the said W. R. White on August 31, 1922.

5. The Respondents admit that they are the widow and all of the children of W. R. White, deceased, but deny that W. D. Stapleton has ever owned any interest in the property described in the Bill of Complaint as last amended and further deny each and all other allegations of paragraph "Fifth" of the Bill of Complaint as last amended.

6. The Respondents deny that the said lands were owned and held by them and W. D. Stapleton until January 3, 1933, and deny that he has ever owned any interest in it but admit that on to-wit, January 3, 1933, the said W. D. Stapleton and his wife, Mrs. Leila Stapleton, made a Warranty Deed to the Complainant, Addie S. Moore, which is dated on to-wit, January 3, 1933 and recorded in Deed Book 53 N. S. at page 590 in the Probate Records of Baldwin County, Alabama.

7. The Respondents own the said property and deny that the Complainant owns any interest whatever in it.

8. The Respondents deny each and all other allegations in said Bill of Complaint as last amended which have not been specifically answered.

9. For further answer to the said Bill of Complaint as last amended the Respondents allege that they are in peaceable possession of the following described property in Baldwin County, Alabama:

The West half of the Northwest Quarter and the West Half of the Southwest Quarter of Section one (1), Township Three (3) South of Range Three (3) East of St. Stephens Meridian, in Alabama, containing 157.15 acres, except 10 acres in the Northeast Corner of the Northwest Quarter of the Northwest Quarter of the above described lands formerly deeded to T. A. White.;

being the lands described in the Bill of Complaint as last amended and claim to own the same in their own right and that Addie S. Moore claims or is reputed to claim some right, title or interest in or encumbrance on the said lands; that no suit other than this one is pending to enforce or test the validity of such title, claim or encumbrance and the Respondents herein now call upon the said

Addie S. Moore to set forth and specify her title, claim, interest or encumbrance in, to or upon the said lands or any part thereof and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS.

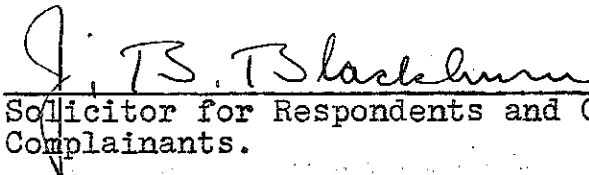
The said Susan C. White, Bessie W. Moore, Clinton I. White, Mary Clyde White, Walter D. White, Beulah Fay White and Hiram C. White, having now answered the Bill of Complaint as last amended pray that this their Answer may be taken and treated in all respects as a Cross Bill; that the said Addie S. Moore be made a party Respondent to this their Cross Bill and that she have due notice of same according to the practice of this honorable Court.

PRAYER FOR RELIEF.

These Respondents and Cross Complainants pray that this honorable Court will, when this cause comes on to be heard, make and enter a proper decree denying to the Complainant and Cross Respondent the relief prayed for by her and will enter a decree to the effect that these Respondents and Cross Complainants are the owners of the land involved in this suit and particularly described in the Bill of Complaint as last amended, forever quieting the Respondents and Cross Complainants' title to the said lands. If the Respondents and Cross Complainants are mistaken in the relief prayed for that the Court will grant unto them such other, further and general relief as they may be entitled to the premises considered.

  
Solicitor for Respondents and Cross  
Complainants.

FOOTNOTE: The said Addie S. Moore is required to answer each and every allegation of the above and foregoing Cross Bill but not under oath, her oath thereto being hereby expressly waived.

  
Solicitor for Respondents and Cross  
Complainants.



72 /  
ANSWER AND CROSS BILL

ADDER S. MOORE,

(Complainant)

vs.

SUSAN C. WHEAT, et al,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN HURRY, Nov. 1.

Filed on rails the 22 day of Oct  
Obers, 1964.

*M. O. Blackburn*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BALDWIN COUNTY, ALABAMA

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

Comes your complainant, ADDIE S. MOORE, and humbly complain-  
ing against the respondents hereinafter set out, respectfully repre-  
sents and shows unto your Honor as follows:

FIRST:

That she is a bona fide resident of Baldwin County, Alabama,  
over twenty-one years of age.

SECOND:

That the respondents, SUSAN C. WHITE, BESSIE W. MOORE,  
CLINTON L. WHITE, MARY CLYDE WHITE, WALTER D. WHITE and BEULAH FAY  
WHITE, are residents of Baldwin County, Alabama, over twenty-one  
years of age; that the respondent, HIRAM E. WHITE, is over twenty-  
one years of age, a non-resident of the State of Alabama, his post-  
office address being Paducah, Kentucky.

THIRD:

That on, to-wit, June 9, 1921, W. D. Stapleton, through whom  
your complainant holds title, and W. R. White, through whom the respond-  
ents hold title, purchased from one Harvey A. White, a widower, by war-  
ranty deed filed for record in the office of the Probate Judge of Bald-  
win County, Alabama, on July 5, 1921, and recorded therein in Deed Book  
31 N.S., page 84, the following described lands in Baldwin County, Ala-  
bama, to-wit:

The West half of the Northwest quarter and the West half  
of the Southwest quarter of Section one (1), Township  
three (3) South of Range three (3) East of St. Stephens  
Meridian, in Alabama, containing 157.15 acres, except  
10 acres in the Northeast corner of the Northwest quar-  
ter of the Northwest quarter of the above described lands  
formerly deeded to T. A. White;

that the said land was purchased by the said W. D. Stapleton and  
W. R. White, each paying one-half the purchase price thereof, each  
owning an undivided half interest therein, but for convenience the  
title to said lands was taken in the name of W. R. White, as grantee.



FOURTH:

That the said W. D. Stapleton and W. R. White owned the said land as joint owners or tenants in common, each an undivided half interest therein, treating the property as joint property, selling wood and timber therefrom, and dividing the money, leasing the same for turpentine purposes and dividing the money, and together paying the taxes thereon, each paying one-half the amount; that said land was so owned and held by the said W. D. Stapleton and W. R. White jointly until on or about August 31, 1922, when the said W. R. White died intestate.

FIFTH:

That after the death of the said W. R. White the said property was owned and held by the said W. D. Stapleton, he having an undivided half interest, and respondents hereinabove named, as the widow and children of said W. R. White, owning the other undivided half interest; that the said W. D. Stapleton and the respondents have so owned and held the property jointly since the death of the said W. R. White, dividing the receipts for the sales of timber, wood and turpentine rights therefrom, and together paying the taxes thereon, the said W. D. Stapleton paying one-half thereof and the respondents the other half.

SIXTH:

That the said land was so owned and held by the said W. D. Stapleton and the respondents above named until January 3, 1933, when the said W. D. Stapleton, joined by his wife, Leila Stapleton, conveyed the said property to your complainant by warranty deed filed for record in the office of the Probate Judge of Baldwin County, Alabama, on January 3, 1933, and recorded therein in Deed Book 53 N.S., page 590.

SEVENTH:

That the said property now belongs to your complainant, who owns an undivided half interest therein, and the respondents, who own

the other undivided half interest therein.

EIGHTH:

That your complainant is advised and believes that said property can be equally divided between your complainant and the respondents as joint owners thereof.

NINTH:

That your complainant has been called upon to employ counsel to prosecute this suit and effect a proper division of the said land between your complainant and the respondents as joint owners or tenants in common.

WHEREFORE, the premises considered, your complainant prays that your Honor will, by proper process, make the said Susan C. White, Bessie W. Moore, Clinton L. White, Mary Clyde White, Walter D. White, Beulah Fay White and Hiram E. White parties respondent to this bill of complaint, requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause your Honor will, by proper order and decree, establish the title of your complainant in and to an undivided one-half interest in the lands hereinabove described; that your Honor will further enter such orders and decrees as may be necessary and proper to effectuate a proper division of the said property between the complainant and the respondents, the joint owners of said property.

Your complainant further prays that in the event that she is not correctly advised, and that said property cannot be equitably divided between the complainant and the respondents, the owners thereof, then your Honor will enter such orders and decrees as may be necessary and proper to effect a sale of said property for division among the owners thereof.

Your complainant further prays that your Honor will give and grant to her such reasonable attorneys' fee as may be meet and



proper in the premises, the same to be made a common charge against the property.

Your complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive; and as in duty bound she will ever pray.

*Bebe & Hall*

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Solicitors for Complainant.

FOOT NOTE:

The respondents and each of them are required to answer each and every allegation contained in the foregoing bill of complaint, paragraphs FIRST to NINTH inclusive, but not under oath, oath being hereby expressly waived.

*Bebe & Hall*

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Solicitors for Complainant.

ADDIE S. MOORE,  
Complainant,

-VS-

SUSAN C. WHITE, et als,  
Respondents.

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

Comes the complainant and for the answers to the interrogatories heretofore propounded by the respondents, says:

1. For answer to paragraph one, she says: the actual consideration paid by W.D. Stapleton, et al, to Harvey A. White, for the land in question, was \$10.00 per acre; that the said consideration was paid in the exchange of property; that this information is given her by W.D. Stapleton, from whom she purchased the said land.

2. For answer to paragraph two, she says: The actual consideration passing from her to the said W.D. Stapleton was \$125.00 in cash. It was understood that she was getting only the one undivided one-half interest owned by the said W.D. Stapleton to the land in question.

3. For answer to paragraph three, she says: That if she remembers correctly, she filed the original deed from W.D. Stapleton to her for record in the office of the Probate Judge of Baldwin County, Alabama; that she paid the recording charges and privilege tax thereon.

4. For answer to paragraph four, she says: That the said W.D. Stapleton, at her request, discussed the matter of bringing the suit with council, and that she herself later saw and discussed the matter with the council and made final arrangements.

5. For answer to paragraph five, she says: That she has no personal knowledge of the matter of taxes, but is advised by the said W.D. Stapleton that Mr. W.R. White, during his lifetime, and after his death, W.D. White, annually assessed the property and paid the taxes thereon, and carried

the receipt to W.D. Stapleton, who in turn, gave his check for one-half the taxes paid; that this procedure was followed until the last year or two.

6. For answer to paragraph six, she says: She is advised by W.D. Stapleton that the said W.D. Stapleton and W.R. White from time to time sold wood from the said land and that after the death of the said W.R. White, the said W.D. Stapleton and W.D. White sold wood and timber; that on, or about, April 30th, 1925, they sold some wood, and a part of the proceedings of the said sale, to-wit, \$9.20 was turned over to the said W.D. Stapleton, and deposited in the Baldwin County Bank; that on July 25th, 1925, the said W.D. Stapleton and W.D. White, as administrator of the estate of W.R. White, sold the merchantable timber located on said land to Buck & Buck of Bay Minette, Alabama, for a total of \$700.00. \$200.00 cash, and \$250.00 to be paid within thirty days, and \$250.00 to be paid within sixty days; that the amount paid for said timber, so she is advised, was equally divided between the said W.D. Stapleton and the said W.D. White.

Addie S. Moore

Sworn to and subscribed before me  
this the 19th day of June, 1934.

Pearl Eskine  
Notary Public, Baldwin County,  
Alabama.

ADDIE S. MOORE,  
Complainant,

-VS-

SUSAN C. WHITE, et als,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

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the receipt to W.D. Stapleton, who in turn, gave his check for one-half the taxes paid; that this procedure was followed until the last year or two.

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Addie S. Moore

Sworn to and subscribed before me  
this the 19th day of June, 1934.

Pearl Erskine  
Notary Public, Baldwin County,  
Alabama.

MOTION TO REQUIRE ANSWERS TO INTERROGATORIES.

ADDIE S. MOORE,  
Complainant,  
VS.  
SUSAN C. WHITE, et al,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 1.

Come the Respondents in the above entitled cause by their Attorney, and respectfully show unto the Court and your Honor that they propounded Interrogatories to the Complainant, a true copy of which is hereto attached, marked Exhibit "A" and made a part hereof, of which Beebe & Hall, Solicitors for Complainant, accepted service on the 4th day of April; that the Complainant files answers to the said Interrogatories in said cause on February 9, 1934, a true copy of which is hereto attached, marked Exhibit "B" and made a part hereof, which said Answers are not full and complete answers to the Interrogatories and are evasive.

WHEREFORE, the Respondents move the Court to require the Complainant to make full answers to the Interrogatories as required by law and upon their failure to do so will fix such penalties as are provided on failure to answer interrogatories by Section 7770 of the 1923 Code of Alabama, and that such other orders may be made and decrees rendered as may be requisite and proper in the premises.


  
Solicitor for Respondents.

EXHIBIT "A"

ADDIE S. MOORE,  
Complainant,  
VS.  
SUSAN C. WHITE, et als,  
Respondents.

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

INTERROGATORIES TO BE PROPOUNDED TO  
THE COMPLAINANT UNDER SECTION 7764 OF THE 1923  
CODE OF ALABAMA.

1. What was the actual consideration claimed to have been paid by W. D. Stapleton to Harvey A. White for the alleged one-half of the consideration for the deed referred to in paragraph "Third" of the original Bill of Complaint, and explain when, where and to whom this money was paid, describing fully whether by cash, check or otherwise, and if by check attach the original or an exact copy of the cancelled check to your answers hereto?

2. What was the actual consideration paid by Addie S. Moore to W. D. Stapleton for the deed referred to in paragraph "Sixth" of the original Bill of Complaint, and explain fully whether this consideration was paid in cash, by check or otherwise and if by check attach the original check or an exact copy thereof to your answers hereto, also explain fully whether or not the consideration, if any, was paid by Addie S. Moore to W. D. Stapleton at the time the deed was made or prior thereto, and if prior thereto give the exact date.

3. Who filed the deed from W. D. Stapleton and wife to Addie S. Moore, referred to in paragraph "Sixth" of the original Bill of Complaint, for record and who paid the recording charges and privilege tax thereon?

4. Please state whether or not the Complainant, Addie S. Moore personally attended to the employment of counsel for the commencement and prosecution of this suit.

5. Give a complete list of all taxes paid by W. D. Stapleton and the Complainant, Addie S. Moore, on the property in the original Bill of Complaint since August 31st, 1922, explaining fully the date each payment was made, the amount of each payment, to whom made and if any receipts were issued therefor, attach the original receipt or an exact copy thereof to your answers hereto.

6. Explain when, where and to whom W. D. Stapleton and the respondents sold timber and turpentine or leased turpentine rights from or on the property described in the Bill of Complaint since August 31st, 1922, and there is any written evidence or any sale or lease, attach an exact copy thereof to your answers hereto, and explain fully the amount of the consideration for each sale or lease, if any there be, and explain fully how this consideration, if any was divided.

J. B. Blackburn,

Solicitor for Respondents.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is Attorney for the Respondents in the above entitled cause and that the answers to the foregoing interrogatories, if well and truly made, will be material testimony for the Respondents in said cause.

J. B. Blackburn,

Sworn to and subscribed before me on this the 2nd day of April, 1934.

Ora Sirmon

Notary Public, Baldwin County, Alabama.



EXHIBIT "B"

ADDIE S. MOORE,  
Complainant,

-VS-

SUSAN C. WHITE, et als,  
Respondents.

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

Comes the complainant and for the answers to the interrogatories heretofore propounded by the respondents, says:

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who in turn, gave his check for one-half the taxes paid; that this procedure was followed until the last year or two.

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Addie S. Moore

Sworn to and subscribed before me  
this the 19th day of June, 1934.

Pearl Erskine  
Notary Public, Baldwin County,  
Alabama.

~~PP~~

Equity

Arthur S. Moore

vs

James C. White, et al

Answer to

Interrogatories

Filed July 14 1934

H. G. Stokes  
~~Proctor~~

BEEBE & HALL

Solicitors for Complainant

✓



**Record**  
DEPARTMENT

ADDIE S. MOORE, Complainant,

VS.

SUSAN C. WHITE, et als,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed on this the 29th day of  
November, 1955.

*Wm. A. Stone*  
*Deputy*

W. B. BLACKBURN

ATTORNEY AT LAW  
BALDWIN COUNTY, ALABAMA