

The State of Alabama Baldwin County Circuit Court } Equity To Incontrol and You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defendant by Vertie & Frethe Complainant A copy of which Bill of Complaint is hereto attached. Witness by hand, this 2 22 day of day Register

VESTER E. FICK Complainant VS. FRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN, GEORGIA PORRAS, BESSIE LIBERIS, AGNES HOGANS, EDNA MAE EZELL, RUEBIN ARD, LEON COUCH and DONALD COUCH,

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

RESPONDENTS

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRDUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Humbly complaining comes your complainant, Vester E. Fick and respectfully represents ad shows unto your Honor as follows:

 That your Complainant is over the age of twentyone years and is a bona fide resident of Baldwin County, Alabama; that the respondents, Frank Ard, Leon Ard, Sidney Ard, Raymond Ard, Wilhelmina Godwin, Georgia Porras, Bessie Liberis, Agnes
 Hogans, Edna Mae Ezell and Ruebin Ard are each over the age of twenty-one years and all are residents of Escambia County, Florida; that the respondent Leon Couch is eighteen years of age and resides in Escambia County, Florida; that the respondent Donald Couch is sixteen years of age and resides in Escambia County, Florida.

2. That your complainant has been in actual, open, hostile, notorious, exclusive and continuous possession for more than ten years before the commencement of this action and has annually listed and paid in your complainant's name the taxes for more than ten years before commencing this action on the following described real property in Baldwin County, Alabama, to-wit:

The West Half (W_2^1) of the Southeast Quarter (SE4) of the Southwest Quarter, (SW4) of Section 24, Township seven (7) South, Range five (5) East.

3. That your complainant as one of six heirs to said property on June 2, 1937, redeemed said property in her name by paying back taxes on said property for the years 1932-33-34-35- and 36, since which time she has annually assessed and paid the taxes on said property in her name; that immediately upon redemption of said property your complainant claimed said property exclusively as her own and as against all other heirs; that she took immediate possession which has been actual, open, notorious, exclusive and continuous possession since said redemption.

4. That your complainant claims all right, interest and title in fee simple to said property as against the named respondents who claim or are reputed to claim some right, title or interest in the above described lands.

5. That no suit is pending to enforce or test the validity of such title or claim.

The premises considered, your oratrix prays that your Honor will take jurisdiction of the parties and subject matter above set out that the named respondents may be made defedants to this bill of complaint and proper process may issue from your Honor's Court requiring said respondents to plead answer or demur to this bill within the time required by law, and the rules of your Honor's Court. That said respondents be required to set forth and specify title, claim or interest in said lands and how the sam is derived and created. That your Honor will determine such title, claim or interest and will by decree vest title to the above described lands in your complainant, and if your complainant is mistaken as to the relief to which she is entitled your complainant prays for such other, further and different relief as to your Honor may seem meet and proper.

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STATE OF ALABAMA BALDWIN COUNTY

Before me, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, personally appeared, Arthur C. Epperson, who first being by me duly sworn, deposes and says, that he is informed and believes and upon such information and belief says that the allegations in the foregoing bill is correct and true.

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December, 1953.

Clerk of the Circuit Court



VESTER E. FICK / COMPLAINANT)	
vs.)	1
FRANK ARD, LEON ARD, SIDNEY ARD,) RAYMOND ARD, WILHEIMINA GODWIN,) GEORGIA PORPAS, BESSIE LIBERAS,) AGNES HOGANS, EDNA MAE EZELL, and RUBIN ARD.)))
PRSPONDENTS	Ł

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

NO. 3159

This cause coming on to be heard is submitted for final decree upon the complainant's bill of complaint, decree pro confesso on service by registered mail 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 her bill of complainat. It is therefore, ordered, adjudged and decreed by the Court:

1. That the complainant Vester E. Fick, is the owner of the real estate described in the original bill in this cause, and which real estate is situated in the County of Baldwin, State of Alabama; and more particularly described as follows:

The West Half (W2) of the Southeast Quarter (SE4) of South-west Quarter (SW4) of Section Twenty-four (24), Township Seven (7) South, Range Five (5) East.

2. That Frank Ard, Leon Ard, Sidney Ard, Raymond Ard, Wilhelmina Godwin, Georgia Porras, Bessie Liberas, Agnes Hogans, Edna Mae Ezell and Ruebin Ard, the respondents in this cause, have no right, title, or interest in to or upon said lands described above, or any part thereof.

That the Register within thirty days from this date, file a 3. certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said lands lie; and that the Probate Judge record and index said decrees as required by law.

4. That the complainant pay the costs of this suit to be taxed by the Register, for which let execution issue. DONE THIS 12 DAY OF JUNEY 1954.

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	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3159 ************************************	
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VESTER E. FICK Complainant IN THE CIRCUIT COURT OF VS. AGNES HOGAN, EDNA MAE EZELL, RRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN, BALDWIN COUNTY, ALABAMA IN EQUITY GEORGIA PORRAS, BESSIE LIBERIS,) RUEBIN ARD, LEON COUCH, DONALD COUCH) STATE OF ALABAMA) AFFIDAVIT OF NONRESIDENCE & MINORITY BALDWIN COUNTY)

Personally appeared before me. Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, Arthur C. Epperson, solicitor of record for the complainant in the above entitled cause who being duly sworn, deposes and says that he is informed and verily believes that the follwoing respondents are non-residents and their residence and address is shown opposite of their names:

1. Frank Ard, Rt. 2, Box 16, Pensacola, Florida. 62. Leon Ard, Rt. 2, Box 616, Pensacola, florida. -3. Sidney Ard, Rt. 2, Box 369,, Pensacola, Florida. 64. Raymond Ard, Rt. 2, Box 620, Pensacola, Florida. 5. Wilhelmina Godwin, 1008 North Z Street, Pensacola, Florida. 6. Georgia Porras, 1324 West Chase Street, Pensacola, Florida. - &. Bessie Liberis, 8 North G Street, Pensacola, Florida. -8. Agnes Hogana, (Mrs. Don. L. Hogan) Saufley Fld. Rd. Pensacola, Fla. -9. Edna Mae Ezell, Rt. 2, Box 318, Pensacola, Florida. >10.Ruebin Ard, Rt. 2, Box 318, Pensacola, Florida. 4 ll. Leon Couch % Don Hogan, Saufley Field, Rd., Pensacola, Florida. 12. Donald Couch % Bessie Liberas, 8 North G. Street, Pensacola, Fla.

and that all of said respondents are over the age of twenty-one years, except, Leon Couch, who is a minor over the age of eighteen years, and Donald Couch, who is a minor over the age of sixteen years.

Athur C. Copercon Affiant

Sworn to and subscribed before me, this the walk day of December, 1953.

ck. Clark of the Circuit Alice J. Dack, Clerk of the Ci: Court, Baldwin County, Alabama.

3159. IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUÍTY ****** VESTER E. FICK COMPLATNANT VS. FRANK ARD, LEON, ARD, SIDNEY ARD, RAYMOND ARD, WILHEIMINA GODWIN, GEORGIA PORRAS, PESSIE LIBERIS, AGNES HOCAN, ÉDNA MAE EZELL, RUERIN ARD, LEON COUCH, AND DONALD COUCH. RESPONDENTS ***** AFFIDAVIT OF NONRESIDENCE DEC 29 1953 aller i stick, hogister ARTHUR C. EPPERSON ATTORNEY AT LAW FOLEY, ALABAMA

The State of Alabama Circuit Court Equity ł **Baldwin County** man (mis um 2. 360 ld Rd. la- File You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defend-Complainant..... Ca + e-e-Jean ant....., by.... A copy of which Bill of Complaint is hereto attached. glbb day of Dec Witness by hand, this ... acces Register

The State of Alabama } Circuit Court **Equity** Baldwin County ann r (То..... en Frild Ra -Jon A yo N Fla les -You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defendfuctor Complainant ant....., by Theeld 0 A copy of which Bill of Complaint is hereto attached. Witness by hand, this grand day of alle Register

ANSWER

VESTER E. FICK,

COMPLAINANT

VS:

FRANK ARD, ET AL.,

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

RESPONDENTS

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Come LEON ARD, SIDNEY ARD, RUEBIN ARD, and WILHELMINA GODWIN, by their attorney, Forest A. Christian, and demur to the said Bill of Complaint for the reason that there is no equity in the bill.

O/un 1th Respondents

Attorney for named herein

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VESTER E. FICK,

ANSWER

FRANK ARD , ET AL., RESPONDENTS IN THE CIRCUIT COURT OF

COMPLAINANT vs:

BALDWIN COUNTY, ALABAMA

IN EQUITY

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VESTER E. FICK Complainant

Vs.

FRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, ET AL.,

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY

No.

STATE OF ALABAMA) BALDWIN COUNTY

I, Dixie Peterson, Foley, Alabama, as register and commissioner have called and caused to come before me Vester E.

Fick, Neal J. Fell, Joesph R. Fell witnessess named in the requirement for Oral Examination, on the <u>25 th</u>day of June, 1954, at the Office of myself in Foley, Alabama, and having first sworn said Witnessess to speak the truth, the whole truth, and nothing but the truth, the said, Vester E. Fick, Neal J. Fell, Joseph R. Fell doth depose and say as follows:

My name is Vester E. Fick. I am sixty-four years of age and am a bona fide resident of Baldwin County, Alabama having lived here all of my life. Leon Ard, Frank Ard, Sidney Ard, Ray-mond Ard, Wilhelmina Godwin, Georgia Porras, Bessie Liberas, Agnes Hogans, Edna Mae Ezell, 'And Rubin Ard are all residents of Escambia County, Florida and all are over the age of twenty-

one years of age. I have been in actual, open, hostile, notorious, exclusive and continuous possession for more than ten years before com-mencing this suit and I have annually listed and paid in my name the taxes for more than ten years before commencing this

name the taxes for more than ten years before commencing this action and maintained my home claiming homestead exemption on the West Half of the Southeast Quarter of the Southwest Quarter of Section twenty-four, Township Seven outh, Pange Five Past, but The in Baldwin County, Alabama. The property was sold to the State of Alabama in 1932 and asking and giving all of the other heirs first chance to redeem the property. They all refused and said they didn't want the property. I told them all if I redeemed the property that I was claiming it for my own exclusive of any rights they might have. I had to pay back taxes for the years 1932, 1933, 1934, 1935, and 1936. I immediately upon redeeming the property took poss-ession and have lived and maintained my home there every since. I have every since redeeming the property annually assessed and paid the taxes in my name and held an actual, open, notorious, exclusive and continous possession and claimed said property exclusive and continuus possession and claimed said property exclusively as my own since I redeemed the property in 1937. There was no suit pending at the time I filed this suit to test the validity or title of my ownership of this property.

Vester & Hick

My name is Joseph R. Fell. I am over sixty years of age and have lived in Baldwin County, "labama all of my life. Vester E. Fick is my sister. In the year 1932 the West Half of the South-east Quarter of the Southwest Quarter of Section 24, Township Seven South, Range Five East in Baldwin County, Alabama which be-longed to my father was sold to the State of Alabama for taxes. My father was dead at that time. In 1937 there was all back My father was dead at that time. In 1937 there was all back taxes on the property for the years since it had been sold to the State of "labama, due. My sister, Vester E. Fick in that year

said that she would like to have the property and would redeem it from the State for herself if none of the rest of the children or heirs wanted it. The only heirs at that time were my brothers and sisters. Vester fick gave all of us who were heirs first opportunity to redeem the property in our names but none of us would do it. She then redeemed the property in her name and has regularly assessed and paid the taxes in her name since that time. Since 1936, Vester E. Fick has claimed the property as her own the property and had continous, actual, open, hostile, exclusive and notorious possession of the Broperty since 1937, or before. None of the heirs or their children, other than Vester E. Fick have ever claimed any right, title or interest to the property her right and ownership.

Joseph. R. Feel

MY NAME IS Neal J. Fell. I am over forty years of age and have lived in Baldwin Younty, Alabama, all of my life. Mrs. Vester E. Fick is my father's sister. Mrs. Fick redeemed the West Half of the Southeast Quarter of the Southwest Quarter of Section 24, Township Seven South, Range Five East, in Baldwin Younty, Ala. which had belonged to my fathers parents, in the year 1937from the State of Alabama by paying back taxes for the years 1932-1933, 1934, 1935 and 1936. Mrs. Fick before redeeming the property gave all of the heirs who were my uncles and aunts a chance to redeem it in their names before she redeemed it. She told them none of the others was to have any interest in it. They all agreed that it should be her property if she redeemed it as none of them would redeem it or help redeem it from the State. Mrs. Vester E. Fick has always lived on the place and had complete and exclusive since then always claimed the property as her own exclusive of any of my grandfather's and grandmother's heirs.

Neal, Fell

(SEAL)

I ^Dixie A. Peterson, as Register and ^Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same mentioned; that I have personal knowledge of samd witnesses identity; 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 said Oral Examination in an envelope to the Register of said Court.

Divie Q. Peterson

Given under my hand and seal, this 25th day of June, 1954.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

**

ORAL DEPOSITIONS

FILED JUN 28 1954 ALIGE J. DUCK, Register 1. . . .

VESTER E. FICK	N
	Complainant
vs. FRANK ARD, LECN ARD, RAYMOND ARD, ET AL	SIDNEY ARD,
	Respondent

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

No.....

DEMAND FOR ORAL EXAMINATION

 COMES the Complainant, by attorney, and represents to the Court as follows:

 1. That the following named witnesses reside within one hundred miles from

 BAY MINETTE
 , in the County of

 BALDWIN

 Alabama, the place of trial of said cause, to-wit :

	VESTER E.	FICK,	EPH	R.	FELL,	NEAL	J.	FELL	
<u></u>								-	
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2. That said Complainant requires an oral examination of said witnesses before a Commissioner

appointed by the Register of this Court.

Arthe eram Solicitor for Complainant

NOTE:

Complainant suggests the name of **Dixie A. Peterson** as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Mithur C. Jeperen Solicitor for Complainant.





THE STATE OF ALABAMA.	CIRCUIT COURT
Baldwin County.	
DIXIE A. PETERSON, FOI	LEY. ALA.
O:DIATE A. PETERSON, FOI	
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KNOW YE: that we, having full fait	th 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
	VESTER E. FICK NEAL J. FELL and
JOSEPH R. FELL	
s witnesses in behalf of VESTER E.	FICK in a cause pending in our
Circuit Court in Baldwin County, of said	State, wherein
	VESTER E. FICK
	an parte and an
	, Complainant
FRANK ARD, LEON ARI	
GODWIN, GEORGIA PORRAS, BESSI	
and FRANK ARD, LEON ARI GODWIN, GEORGIA PORRAS, BESSI RUBIN ARD.	D, SIDNEY ARD, RAYMOND ARD, WILHEIMINA ARE
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GODWIN, GEORGIA PORRAS, BESSI RUBIN ARD.	D, SIDNEY ARD, RAYMOND ARD, WILHEIMINA KRE IE LIBERIS, AGNES HOGANS, EDNA MAE EZELL and Respondent
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GODWIN, GEORGIA PORRAS, BESSI RUBIN ARD. on oath, to be by you administered, upon to take and certify the deposition of the convenient speed, under your hand. Witness 25th day of June	D, SIDNEY ARD, RAYMOND ARD, WILHEIMINA KRE IE LIEERIS, AGNES HOGANS, EDNA MAE EZELL and Respondent THEM he witness.es and return the same to our Court, with all
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THE STATE OF ALABAMA Baldwin County			
CIRCUIT COURT			
VESTER E. FICK			
Complainant—			
VS. FRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, ET AL.			
Defendant—			
COMMISSION TO TAKE DEPOSITION			
COMMISSIONER			
DIXIE A. PETERSON			
WITNESSES:			
		nove - 1 for the Antonio (

VESTER E. FICK Complainant

VS

FRANK ARD, LEON ARD, SIDNEY) ARD, RAYMOND ARD, WILHELMINA) GODWIN, GEORGIA PORRAS, BESSIE) LIBERAS, AGNES HOGANS, EDNA) MAE EZELL and RUEBIN ARD.) Respondents) IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 3159

Comes the complainant, Vester E. Fick, in the above styled cause and shows unto the register that a summons directed to the respondents, Frank Ard, Leon rd, Sidney Ard, Raymond Ard, Wilhelmina Godwin, "eorgia Porras, Bessie Liberis, Agnes Hogans,Edna mae Ezell and Ruebin Ard together with a copy of the complaint in this cause was issued and forwarded by registered mail on the 31st day of December, 1953; directed to said respondents at their places of residence as shown by sworn affadavit made a part of the bill of complaint. The lettersor packages was postage prepaid and the same marked "for delivery only to the person to whom addressed", and return receipt requested and demanded. Said demanded return receipts bearing the signatures of Georgia Porras, Edna Mae Ezell, Leon Ard, Raymond Ard, Agnes Hogans and Frank Ard was duly received and filed for record in this cause January 2, 1954. Said Demanded receipts bearing the signatures of Sidney Ard, and Wilhelmina Godwin was duly received and filed for record January 6, 1954. Said demanded receipts bearing the names and signatures of Ruebin Ard and Bessie Liberis was duly received and filed for record in this cause January 11, 1954. The said respondents have to this date hereof failed to plead, answer or demur to the bill of complaint, all of which appears of record in this cause.

Wherefore, complainant Vester E. Fick moves that a decree pro confesso be entered against said respondents.

This the 26th day of May, 1954.

Attorney for Complainant

3159

IN THE CIRCUIT COURT OF OF BALDWIN COUNTY, ALABAMA

IN EQUITY

VESTER E. FICK Complainant

VS

FRANK ARD, LEON ARD, SIDNEY ARD, ET AL. Respondents.

FILED MY 37 1954

ALICE J. BUCK, Register

ARTHUR C. EPPERSON ATTORNEY AT LAW FOLEY, ALA.

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VESTER E. FICK Complainant VS FRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN, GEORGIA PORRAS, BESSIE) LIBERIS, AGNES HOGANS, EDNA MAE EZELL and RUEBIN ARD. Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 3159

In this cause it appears to the Register that a copy of the bill of complaint and summons was sent to each of the respondents, Frank Ard, Leon Ard, Sidney Ard, Raymond Ard, Wilhelmina Godwin, Georgia Porras, Bessie Liberas, Agnes Hogans, Edna Mae Ezell and Ruebin Ard at their addresses in Escambia County, Florida, by registered mail, postage prepaid, marked " for delivery only to the person to whom addressed", and return receipt demanded adressed totthe Register of this Court, andit further appearing that said return receipts are on file in this cause, and said Frank Ard, Leon Ard, Sidney Ard, Raymond Ard, Wilhelmina Godwin, Georgia Porras, Bessie Liberas, Agnes Hogans, Edna Mae Ezell and Ruebin Ard, respondents, having been duly served with process more than thirty days prior to this date, and having failed to plead, answer or demur to the bill of complaint in this cause, it is now, therefore, on motion of the complainant ordered and decreed by the register that the said bill of complaint in this cause be and it is hereby, in all things taken as confessed against the named respondents.

This the 27th day of May, 1954.

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IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

5, 7

*** VESTER E. FICK Complainant

VS FRANK ARD, LEON ARD, SIDNEY ARD. ET AL.

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ARTHUR C. EPPERSON ATTORNEY AT LAW FOLEY, ALABAMA

VESTER E. FICK Complainant

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FRANK ARD, LEON ARD, SIDNEY) ARD, RAYMOND ARD, WILHELMINA) GODWIN, GEORGIA PORRAS, BESSIE) LIBERIS, AGNES HOGANS, EDNA) MAE EZELL and RUEBIN ARD.) Respondents) IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 3159

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This the 27th day of May, 1954.

hic Juck

** **** VESTER E. FICK Complainant VS FRANK ARD, LEON ARD, SIDNEY ARD. ET AL. *** ***** DECREE PRO CONFESSO ****** ARTHUR C. EPPERSON ATTORNEY AT LAW FOLLY, ALAGAMA

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

VESTER E. FICK	
Complainant	IN THE CIRCUIT COURT OF
VS) BALDWIN COUNTY, ALABAMA
FRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN,) IN EQUITY
GEORGIA PORRAS, BESSIE LIBERIS, AGNES HOGANS, EDNA MAE EZELL,) NO. 3159
RUEIN ARD, LEON COUCH and DONALD COUCH. Respondents	and a second second The second se

Comes the complainant in the styled cause and amends her original bill of complaint so as to exclude Leon ^Couch and ^Donald Couch as parties respondents and makes the style of said cause as follows:

VESTER E. FICK Complainant

Vs.

FRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN, GEORGIA PORRAS, BESSIE LIBERIS, AGNES HOGANS, EDNA MAE EZELL, RUEBIN ARD Respondents.

and excludes the said Leon Couch and Donald Couch from paragraph one of the bill of complaint as parties respondents and from the prayer for pro-

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IRCUIT COURT OF COUNTY, ALABAMA IN EQUITY 9 ********* E. FICK COMPLAINANT ARD, LEON ARD, SIDNEY AYMOND ARD, ET AL.. ***** MENT OT ORIGINAL BILL **APLAINT** The All The 1954

ANSWER

VESTER E. FICK, COMPLAINANT

VS:

FRANK ARD, ET AL.,

RESPONDENTS

wije i Starie IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

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SR. Comes R. L. COUCH/as father and next friend of LINN COUCH (also known as LEON COUCH), a minor, and GORDON COUCH (also known as DONALD COUCH) a minor, and suggests that the Court appoint suitable guardians ad litem for these minors.

Attorney for R. L. Couch, Sr.



8581. NOTE OF TESTIMONY	Printed by the Baldwin Times, Bay Minette, Alabama.
VESTER E. FICK	
	THE STATE OF ALABAMA
vs. FRANK ARD, LEON ARD, SIDNEY ARD,	Baldwin County
PAYMOND ARD, ET AL.	IN EQUITY
	Circuit Court of Baldwin County
This cause is submitted in behalf of Complain affidavit thereto; affidatit of non re upon respondents by registered mail, ret confesso on service by registered mail, oral examination; Oral Depositions of co take depositions	sidence of respondents; Order of service urn receiment requested; decree pro- return receipt requested; demand for
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and in behalf of Defendant upon	۲
and in behalf of Defendant upon	

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No. 24 THE STATE OF ALABAMA **Baldwin County** IN EQUITY Circuit Court of Baldwin County VESTER E. FICK vś. FRANK ARD, LEON ARD, BIDNEY ARD, RAYMOND ARD, ET AL ... NOTE OF TESTIMONY 11 Filed in Open Court this day of 1945 4 Lihla Register. Printed by the Baldwin Mines

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VESTER E. FICE . Completent

vs.

FRANE ARD, LEON ARD, SIDNEY ARD, HAYMOND ARD, MILHELAIRA CODWIN, GEORGIA PORRAS, ESESIE LIBERIS, AGNES HOGANS, EDNA MAE EZELL, RUEEIE ARD, LEON COUCH and DONALD COUCH, Respondents IN THE CINCUIT COUPY OF

RALPHIN COURTY, ALARAMA

IN SQUITTY

TO THE HONORABLE AUGEBT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDSIN COUNTY, ALABAMA, SITTING IN EQUITY:

Humbly complaining comes your complainant, Vester 8. Fick and respectfully represents and shows unto your Honor as follows:

1. That your Completent is over the age of twentyone years and is a bona fide resident of Baldwin County, Alabame; that the rescondents, Frank ArG, Leon ArG, Sidney ArG, Reymond ArG, Wilhelmine Godwin, Georgia Porres, Bessie Liberis, Agnes Hogans, Edna Mae Erell and Ruebin Ard are each over the age of twenty-are years and all are residents of Escambia County, Floride; that the respondent, Leon Couch is eighteen years of are and resides in Escambia County, Florids; that the respondent Dorald Couch is sixteen years of age and resides in Escambia County, Floride.

2. That your complainant has been is actual, open, hostile, notorious, evaluative and continuous prosession for more than ten years before the commencement of this action and has annually listed and prid is your complainant's name the taxes for more than ten years before commencing this action on the following described real property in Ealdwin County, Alabama, to-wit:

> The West Half (Fg) of the Moutheast Quarter (SEA) of the Southwest Quarter, (SEA) of Section Twentyfour (24), Township seven (7) South, Range five (5) East.

3. That your complainant, as one of air heirs to said property on June 2, 1937, redeemed said property in her name by paying back takes on said property for the years 1932-33-34-35 and 34, since which time she has annually assessed and said the takes on said property in her name; that immediately unon redemption of said property your complainant claimed said property evaluatively as her own and as against all other heirs; that she took immediate possession which has been actual, o en, notorious, evaluative and continuous possession since said redemption.

4. That your compleinent claims ell right, interest and title in fee simple to said property as egainet the paned respondents who claim or are reputed to claim some right, title or interest in the above described lands.

5. That no suit is pending to enforce or test the velicity of such title or claim.

The premises considered, your pretrix prove that your Sonor will take jurisdiction of the parties and subject metter above set out, that the named respondence may be made defendents

to this bill of complaint and proper process may leave from your Honor's Court requiring said respondents to plead answer or demur to this bill within the time required by law, and the rules of That said respondents be required to set your Semar's Court. forth and epecify title, claim or interest in said lands and bow the same is derived and orested. That your Hanor will determine such title, claim or intersat and will by decree yest title to the above described leads in your complainent, and if your comthe above assoridge lands in your constants, and it your com-pleinent is mistaked, as to the relief to which she is entitled your completent prove Edg when a set and proper. relief as the your flogor may green meet and proper. arelter

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relief as the your Hosor here of and proper. that he is informed Bit belgsvee and unog such information and belief pays that the ellegations to the foregoing bill is correct and true.

Arthur C. Gpeum

Sworn to and subscribed before me this the 29th day of December, 1953.

Here performe

THE CIRCUT COURT

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IN THE CIRCUIT COURT OF



ALICE J. DUCK, Circuit Clerk

Kaldwin County

BAY MINETTE, ALA.

REGISTERED FOR DELIVERY ONLY TO PERSON TO WHOM ADDRESSED

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RETURN RECEIPT REQUESTED




VESTER E. FICK COMPLAINANT

vs.

FRANK ARD, LEON AND, SIDNEY ARD,) RAYMOND ARD, WILHEIMINA GODWIN,) GEORGIA PORRAS, BESSIE LIEERIS,) AGNES HOGANS, EDNA MAE EZELL, and) RUEIN ARD.) RESPONDENTS) IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY NO. 3159 90

This cause coming on to be heard is submitted for final decree upon the complainants bill of complaint, decree pro confesso on service by registered mail 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 her bill of complainat. It is therefore, ordered, adjudged and decreed by the Court:

1. That the complainant Vester E. Fick, is the owner of the real estate described in the original bill in this cause, and which real estate is situated in the County of Baldwin, State of Alabama; and more particularly described as follows:

The West Half (W2) of the Southeast Quarter (SE2) of Southwest Quarter (SW2) of Section Twenty-four (24), Township Seven (7) South, Range Five (5) East.

2. That Frank Ard, Leon Ard, Sidney Ard, Raymond Ard, Wilhelmina Godwin, Georgia Porras, Bessie Liberas, Agnes Hogans, Edna Mae Ezell ad Ruchin Ard, the respondents in this cause, have no right, title, or interest in to or upon said lands described above, or any part thereof.

3. That the Register within thirty days from this date, file a certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said lands lie; and that the Probate Judge record and index said decrees as required by law.

4. That the complainant pay the costs of this suit to be taxed by the Reister, for which let execution issue.

DONE THIS 1st DAY OF July, 1954.

I, Alice J. 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 above stated cause, which said decree is on Staten 1 encoded in my office. WITNESS MY HAND AND SEAL THIS THE <u>May</u> of <u>Judy</u>, 19,524

ter of Growit Court, in Equity

STATE OF ALABAMA, BAI DWIN COUNTY
Filed 0 - 2 SY 2 Y
Recorded_ Deed 211 page 363
mecos de mastraet
Judge of Probate
E-

Hubert M. Hall

CIRCUIT JUDGE

VESTER E. FICK Complainant

AGNES HOGAN, EDNA MAE ÉZELL, RRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN,

GEORGIA PORRAS, BESSIE LIBERIS,)

IN THE CIRCUIT COUFT OF

BALDWIN COUNTY, ALABAMA

IN LOUITY

STATE OF ALABAMA)

BALDVIN COUNTY

vs.

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AFFIDAVIT OF NONRESIDENCE & MINORITY

Personally appeared before me. Alice J. Duck, Clerk of the Gircuit Court of Baldwin County, Alabama, Arthur C. Epperson, solicitor of record for the complainant in the above entitled cause who being duly sworn, deposes and says that he is informed and verily believes that the follwoing respondents are non-residents and their residence and address is shown opposite gratheir names:

5 > E A 1. Frank Ard, ht. 2, tozeble, Benset lorida. 水水水水水水水水 $\lesssim 65$ S 2. Leon Ard, Rt. 2, Box 66, * Pensadol E, Eflorida. AMASIA E E O E COREL 3. Sidney Ard, Bt. 2, Box 369, Pensecola Floridad 4. Raymond Ard, Rt. 2; Bor 620, 2 mas 2015 * * * -larida. 05. Wilhelmina Godwin, 1008 Worth 2 Straf, ^니 Pensacol뒿 Florade 6. Georgia Porras, 132 West Thas street Pensacola, __lorsdaŏ 2 &. Efssie Liberis, 8 North G Street, Phistoola, Florida, a d g 46 8. Aanes Hogens, (Mrst Don. 1. Hoden Ssaulie Fld. Id. Pensacola, Fle.

9. Edna Mas Ezell, Rt. 2, Box 318, Pensacola, "loride.

10. Ruebin Ard, Rt. 2, Box 318, Pensacole, Florida.

11. Leon Couch % Don Bogen, Saufley Field, Rd., Pensacola, Florida.

12. Donald Couch % Bessie Liberis, 8 North G. Street, Pensacola, Fla.

and that all of said respondents are over the are of twenty-one years, except, Leon Couch, who is a minor over the age of sighteen years, and Donald Couch, who is a minor over the age of sixteen years.

than C. Epper Affient

Sworn to and subscribed before me, this the _____ day of December, 1953.

Alice J. Duck, Clerk of the Circuit Court, Baldwin C unty, Alabama.

3159 IN THE CIRCUIT COURT OF 20 BALDWIN COUNTY, ALABAMA 10 IN EQUITY i.... ***** VESTER E. FICK COMPLAINANT 0 VS. L I FRANK ARD, LEON, ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA 1.1 4 2.1 GODWIN, GEORGIA PORRAS, BESSIE \bigcirc 14 LIBERIS, AGNES HOGAN, ÉDNA MAE . e. EZELL, RUEBIN ARD, LEON COUCH, - 0 Č., 1.00 AND DONALD COUCH. $(0, 1, \dots, 0)$ ()..... $\rightarrow 0$ 121 hrs. 12 ÷) – RESPONDENTS of S (: ≥ -1 3.14 5 14 0 **** i. 5 a 19 21 14 C_{2} 12 - C AFFIDAVIT OF NONRESIDENCE <u>(</u>5 3 ***** ्र ि) (D 6 Í T 🖓 SUC. 142 \odot - 65 1953 20 - 10 $\{.\}^{N}$ (0)da. 1071[°] í a jan, -i - j5.73C) ÷. . i., ۸. 2 a 64 °2 € ઝારે છે ß з V. 7. ε δ. J (i) · · £1 \sim ----12 7 13 .4 1.2 \odot (----') (1, 2, 5)ARTHUR C. EPPERSON ATTORNEY AT LAW

FOLEY, ALABAMA



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VESTER E. FICE Commissions .

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IN THE CIPCELY COURT OF BALDWIN COURTY, ALABAMA IS FEDITY

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TO THE ROROPABLE RELEVENT M. SALL, JUDGE OF THE CIRCUT COUPY OF RAIDE'S COUPY ALABAMA, SITTING IN SQUITT:

Mumbly completeins once your completent. Tester S. Figh and respectfully represents at shows unto your Show as follows:

1. That your Compleisant is over the even of twentyone years and is a bone fide resident of Deldeit County, Alabama, that the respondents. Trank Ard, Leon Ard, Sidney Ard, Haymond Ard, Milashnine Codain, Georgio Dorres, Steele Liberis, Acuss Hogans, Stan Mae Easil and Husbin Ard are task over the set of twentr-one years and all are residence of Seeanbin County, Florids: that the respondent Leon County is minimum of the and resident in Secondia County, Florida, that the respondent Robild County is an analy state for the set of the respondent Robild County is an analy for the set of the task of the respondent Robild County is an analy years of all are resident to Example County, Florida.

2. Thet your completeent has been in actual, over, hostile, notorious, exclusive and continuous proceeded for more that the years before the commencent of this aption and has an unity listed and poid in your completeent's more the terms for more that the years before questoolor this solion as the following described real presents is Beldeth Constr. Alabers, to-wit:

> The Pest Salt (24) of the Southeast Quarter (26)) of the Southeast Quarter, (22) of Section 24. Township seven (7) South, Benze five (5) Sect.

3. Thet your completents as one of six beits to set property of fund 2. 1937 redected only property in her date by paying both these on and property for the years 1932-31-31-35- and 36, since which they also deal property for the years 1932-31-35- and 36, since it her one is that the decaying associated and the trade on said property it her once; that incodicably upon referention of soid and ers and be sompleichet also and property exclusively as her and as an her still other drive; that she took incode property solar and as an her still other drive; that she took incode possession which her best southed, open, outerious, solutive and continuous possession since said referation.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

VESTER E. FICK

Complainant

VS.

FRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN, GEORGIA PORRAS, BESSIE LIBERIS, AGNES HOGANS, EDNA MAE EZELL, RUEBIN ARD, LEON COUCH and DONALD COUDH, Respondents

er Bar Korz



FOLEY, ALA.

bill of excelsing and preser process say issue from your Honor's Court recuiring said respondents to plead ensur or Sentr to this bill within the time required by lev, and the rules of your Sonor' Court. That sold rempondents be required to set forth and specify title, claim or interest in sold lends and how the set is derived and created. That your donor will determine such title, claim or interest and will by dearse yest title to the chart described lend your Monorta 主要注意的 in your complainent, and if your compleinent is sistable as to the relief to which she is actibled your compleinent wrays for such other, further and different relief as to your Honor may seen

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VESTER E. FICK COMPLAINANT

vs.

FRANK ARD, LEON ARD, SIDNEY ARD,) RAYMOND ARD, WILPELMINA GODWIN,) GEORGIA PORRAS, BESSIE LIFERIS,) AGNES HOGANS, EDNA MAE EZELL, and) RUBIN ARD. IN THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA IN EQUITY

NO. 3159

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This cause coming on to be heard is submitted for final decree upon the complainant's bill of complaint, decree pro confesso on service by registered mail 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 her bill of complainat. It is therefore, ordered, adjudged and decreed by the Court: .

1. That the complainant Vester E. Fick, is the owner of the real estate described in the original bill in this cause, and which real estate is situated in the County of Baldwin, State of Alabama; and more particularly described as follows:

The West Half (W2) of the Southeast Quarter (SE2) of Southwest Quarter (SW2) of Section Twenty-four (24), Township Seven (7) South, Range Five (5) East.

2. That Frank Ard, Leon Ard, Sidney Ard, Raymond Ard, Wilhelmina Godwin, Georgia Porras, Bessie Liberas, Agnes Hogans, Edna Mae Ezell an Ruchin Ard, the respondents in this cause, have no right, title, or interest in to or upon said lands described above, or any part thereof.

3. That the Register within thirty days from this date, file a certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said lands lie; and that the Probate Judge record and index said decrees as required by law.

4. That the compleinant pay the costs of this suit to be taxed by the Relister, for which let execution issue.

DONE THIS _____ DAY OF July, 1954.

I. Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decrea rendered by the judge of the Circuit Court in above stated cause, which said decrea is on Report encoded in my office. WITNESS MY HAND AND SEAL THIS THE May of July, 19 54

Hubert M. Hall CIRCUIT JUDGE

STATE OF ALABAMA, BALDWIN COUNTY Filed 8-25-54 2P.M Recorded Acco boy 3111 page 363

VESTER E. FICK

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Complainent VS. AGNES HOGAN, EDNA MAE EZELL, RRANK ARD, LEON ARD, SIDNEY ARD, RAYMOND ARD, WILHELMINA GODWIN, BALDWIN COUNTY, ALARAMA IN LOUITY GEORGIA PORRAS, BESSIE LIBERIS,) STATE OF ALABAMA) AFFIDAVIT OF NONRESIDENCE & MINORITY BALDWIN COUNTY 1000 Personally appeared before me. Alice J. Duck, Clerk of the Gircuit Court of Baldwin County, Alabama, Arthur C. Epperson, solicitor of record for the complainant in the above entitled cause who being duly sworn, deposes and says that he is informed and verily believes that the follwoing respondents are non-residents and their residence and address is shown opposite of their names: 1. Frank Ard, ht. 2, por 516, Pense of Florida C n S 2. Leon Ard, Rt. 2, Box 416, * Passacolg, # lorida. НO COREL 3. Sidney Ard, Rt. 2, Dom 369, Densepola F Florida 24. Raymond Ard, Rt. 2; Box 620, gensagoles flaride. CIBORIA 5. Wilhelmine Godwin, 1008 Morth 2 Street, Pensecole, Floride, 26. Georgia Porras, 132 West Thas Street Pensecold, Fortdad 38. Béssie Liberis, 8 North G Street, Pelsecola, Florida ක 🛱 🗆 8. Agnes Hogans, (Mrs. Don. 1. Hokai) Stufley Ild. Ad. Pensacole, Fla. 9. Edna Mae Ezell, Rt. 2. Box 318, Pensacola, "lorida. 10. Ruebin Ard, Rt. 2, Box 318, Pensecole, Plorida.

11. Leon Couch % Don Bogan, Saufley Field, Rd., Pensacola, Florida.

12. Donald Couch % Bessie Liberns, 8 North G. Street, Pensacola, Fla.

and that all of said respondents are over the age of twenty-one years, except, Leon Couch, who is a minor over the age of sighteen years, and Donald Couch, who is a minor over the age of sixteen years.

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Alice J. Duck, Clerk of the Circuit Court, Beldwin C unty, Alabama.

Sworn to and subscribed before me, this the _____ day of December, 1953.

IN THE CIRCUIT COURT OF

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		IN THE CIRCUIT COURT OF	
		BALDWIN COUNTY, ALABAMA	
		IN EQUITY	

		VESTER E. FICK COMPLAINANT	
		\mathbf{VS}_{\bullet}	
		FRANK ARD, LEON, ARD, STONEY	
		GODWIN, GEORGIA PORRAS, BESSIE LIBERIS, AGNES HOGAN, EDNA MAE	ning Constanting and
		AND DONALD COUCH. RESPONDENTS	

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ANTHUR C. EPPERSON ATTORNEY AT LAW

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Received of which app	d from the Postmaster the Registered or Insured Article, the number pears on the face of this Card.
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