

MRS. CLARISSEE WEEKS,
et al,

Complainant,

VS.

HAROLD SAYE,

Respondent.

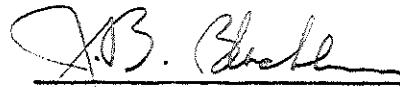
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3277

DEMURRER

Now comes the Respondent and demurs to the Bill of Complaint heretofore filed in said cause and as grounds therefor assigns the following:

1. There is no equity in the Bill of Complaint.



Solicitor for Respondent.

3277

Wemmer

FILED

JUL 28 1954

WILLIAM L. BUCK, Registrar

MRS. CLARISSA WEEKS, STANLEY	IN THE CIRCUIT COURT OF
WEEKS, RUDOLPH WEEKS, MRS.	
LAURA ESLAVA, ARTHUR WEEKS,	
RALPH WEEKS, MERCEDES R. COOKE,	
WALTER WEEKS, CORNELIUS S. WEEKS,	
WILLIAM G. WEEKS, CLAUDE LAUREN-	BALDWIN COUNTY, ALABAMA,
DINE, EDWARD WEEKS, CATHERINE	
WEEKS, BERNADETTE LAURENDINE,	
OSCAR WEEKS AND FRANK LAURENT,	
COMPLAINANTS	IN EQUITY
VS	
HAROLD SAYE	
DEFENDANT	

Comes the defendant in the above styled cause and answering complainants' bill of complaint says:

One: He admits the allegations of paragraph one.

Two: He admits the allegations of paragraph two.

Three: He admits the allegations of paragraph three.

Four: He admits the allegations of paragraph four.

Five: Answering the allegations of paragraph five the defendant says that he holds a tax title to the said lands having purchased the same from the State of Alabama under a tax sale of June 12, 1950, for and at the sum of \$9.73; that subsequent thereto he has paid taxes for the years 1950, 1951, 1952, 1953 and 1955, in the sum totaling \$15.02; that the total amount of the purchase price, taxes and interest to date is \$31.18.

And now having fully answered this defendant prays he may go hence with his reasonable cost in this behalf expended.

FILED

MAY 16 1956

ALICE I. DUCK, Register

J. B. Blackburn
Solicitor for defendant

MRS. CLARISSA WALKER,
ET AL,
Complainants,

IN THE CIRCUIT COURT OF
DADE COUNTY, ALABAMA.

HAROLD SAYS,
Defendant.

Case #3277

This cause coming on to be heard is submitted for decree upon the Defendant's demurrer, filed July 28, 1954, to the original Bill of Complaint, and the same being considered by the Court, the Court is of the opinion that the demurrer is not well taken;

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the demurrer of the Defendant, filed July 28, 1954, to the Bill of Complaint be and the same is hereby overruled;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant shall have thirty (30) days in which to answer the Bill of Complaint.

Done this the 17 day of August, 1954.

Hubert M. Hall
Judge.

Case # 3277

RECORDED

Mr. Clarissa Weeks, et al,
Complainants
vs
Harold Sage,
Defendant

Decree

Filed 8-17-54
Alice J. Smith
R-m

MRS. CLARISSA WEEKS, STANLEY WEEKS, RUDOLPH WEEKS, MRS. LAURA ESLAVA, ARTHUR WEEKS, RALPH WEEKS, MERCEDES R. COOKE, WALTER WEEKS, CORNELIUS S. WEEKS, WILLIAM G. WEEKS, CLAUDE LAURENDINE, EDWARD WEEKS, CATHERINE WEEKS, BERNADETTE LAURENDINE, OSCAR WEEKS, and FRANK LAURENT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

COMPLAINANTS,

VS

HAROLD SAYE,

DEFENDANT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the complainants in this cause have on this date filed in the Circuit Court of Baldwin County, Alabama, Equity side, against the defendant, a suit to quiet complainants' title to the property hereinafter described, and to clear up all doubts and disputes concerning same.

The complainants allege in their said bill of complaint that they claim to own and are in actual, peaceable possession of the property described in the said suit, namely:

Lot #1 of the William Weeks Division of Nicholas Weeks Grant, Section 43, Township 7 South, Range 3 East, according to the plat recorded in the office of the Judge of Probate of Baldwin County, Alabama, Book X, page 109.

and that no suit is pending to enforce or test the title to the said lands.

The said complainants pray for a decree quieting their title to the said property against the said defendant, and for their general relief.

All persons are cautioned against purchasing the said property, except subject to the rights of the said complainants in this suit.

Dated this the 17 day of June, 1954.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 6/17/54 10:15 AM

Recorded Lib. Bond book 7 page 73

W. R. Stuart
Judge of Probate

BEEBE & SWEARINGEN

By: J. B. Swearingen
Solicitor for complainants.

Lis Pendens Notice

Mrs. Clarissa Weeks, Stanley
Weeks, Rudolph Weeks, Mrs.
Laura Calawa, Arthur Weeks,
Ralph Weeks, Mercedes R. Cooke,
Walter Weeks, Cornelius S. Weeks,
William L. Weeks, Claude
Laurentine, Edward Weeks,
Catherine Weeks, Bernadette
Laurentine, Oscar Weeks and
Frank Laurent,

Complainants

vs

Harold Fox, Defendant

3

4-73

FILED

JUN 17 1954

ALICE J. DUCK, Register

R-50

Alice J. Duck

MRS. CLARISSA WEEKS, STANLEY
WEEKS, RUDOLPH WEEKS, MRS.
LAURA ESLAVA, ARTHUR WEEKS,
RALPH WEEKS, MERCEDES R. COOKE,
WALTER WEEKS, CORNELIUS S. WEEKS,
WILLIAM G. WEEKS, CLAUDE LAUREN-
DINE, EDWARD WEEKS, CATHERINE
WEEKS, BERNADETTE LAURENDINE,
OSCAR WEEKS AND FRANK LAURENT,

COMPLAINANTS

VS

HAROLD SAYE

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

This cause coming on to be heard is submitted upon the original bill of complaint, answer of defendant and agreement of the parties and the same being considered by the court, the court is of the opinion that the complainants are entitled to the relief prayed for;

NOW THEREFORE IT IS ORDERED, ADJUDGED AND DECREED that the defendant, Harold Saye, has no right, title to, interest in, claim, or demand, lien or encumbrance upon the following described land situated in Baldwin County, Alabama, to-wit:

Lot #1 of the William Weeks Division of Nicholas Weeks Grant, Section 43, Township 7 South, Range 3 East, according to the plat recorded in the office of the Judge of Probate of Baldwin County, Alabama, Book X, page 109;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the said lands and each and every part and parcel thereof be and the same is hereby quieted in the complainants, Mrs. Clarissa Weeks, Stanley Weeks, Rudolph Weeks, Mrs. Laura Eslava, Mercedes R. Cooke, Walter Weeks, Cornelius S. Weeks, William G. Weeks, Claude Laurendine, Edward Weeks, Catherine Weeks, Bernadette Laurendine Oscar Weeks and Frank Laurent, as against the said defendant, Harold Saye.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the register be and she is hereby ordered and directed to file and cause to

be recorded in the Probate Office of Baldwin County, Alabama, a certified copy of this decree and the cost of such recording to tax as a part of the cost in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainants pay the court cost in this proceeding, for which let execution issue.

Done this the 16th day of May, 1956.

Hubert W. Lee
Judge

RECORDED

Filed
5-16-54
Arling H. French
Rey

MRS. CLARISSA WEEKS, STANLEY
WEEKS, RUDOLPH WEEKS, MRS.
LAURA ESLAVA, ARTHUR WEEKS,
RALPH WEEKS, MERCEDES R. COOKE,
WALTER WEEKS, CORNELIUS S. WEEKS,
WILLIAM G WEEKS, CLAUDE LAUREN^d
DINE, EDWARD WEEKS, CATHERINE
WEEKS, BERNADETTE LAURENDINE,
OSCAR WEEKS AND FRANK LAURENT,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

COMPLAINANTS

VS

IN EQUITY

HAROLD SAYE,

DEFENDANTS

It is agreed by and between the parties to this cause that the complainants have and recover judgment against the defendant to the property described in the caption and that the complainants pay to the defendant the sum of \$31.18, being the amount of taxes and interest paid by him under tax title to the land described in the complaint, the said sum of money has been paid to the defendant, receipt of which is acknowledged.

WITNESS this the 16 day of May, 1956.

BEEBE & SWEARINGEN

BY W. B. Beebe
Solicitor for complainants

FILED

MAY 16 1956

ALICE J. DUCK, Register

J. B. T. Blalock
Solicitor for defendant

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WE COMMAND YOU, that you summon Harold Saye to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 Mrs. Clarissa Weeks, Stanley Weeks, Rudolph Weeks, Mrs. Laura Eslava, Arthur Weeks, Ralph Weeks, Mercedes R. Cooke, Walter Weeks, Cornelius S. Weeks, William G. Weeks, Claude Laurendine, Edward Weeks, Catherine Weeks, Bernadette Laurendine, Oscar Weeks and Frank Laurent against the said Harold Saye, and further to do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said Court immediately upon the execution thereof.

WITNESS, Alice J. Duck, Register of the said Circuit Court, this the 17th day of June, 1954.

Alice J. Duck
Register

MRS. CLARISSA WEEKS, STANLEY WEEKS, RUDOLPH WEEKS, MRS. LAURA ESLAVA, ARTHUR WEEKS, RALPH WEEKS, MERCEDES R. COOKE, WALTER WEEKS, CORNELIUS S. WEEKS, WILLIAM G. WEEKS, CLAUDE LAURENDINE, EDWARD WEEKS, CATHERINE WEEKS, BERNADETTE LAURENDINE, OSCAR WEEKS and FRANK LAURENT,

COMPLAINANTS,

VS

HAROLD SAYE,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Comes Mrs. Clarissa Weeks, Stanley Weeks, Rudolph Weeks, Mrs. Laura Eslava, Arthur Weeks, Ralph Weeks, Mercedes R. Weeks, Walter Weeks, Cornelius S. Weeks, William G. Weeks, Claude Laurendine, Edward Weeks, Catherine Weeks, Bernadette Laurendine, Oscar Weeks and Frank Laurent, complainants, and humbly complaining against Harold Saye, defendant, respectfully shows unto your Honor:

FIRST: That your complainants are each over the age

of twenty-one years and residents of Baldwin County, Alabama; that the defendant is over the age of twenty-one years; and his place of residence is Baldwin County, Alabama.

SECOND: That the complainants are the owners of and in the peaceable possession of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

Lot #1 of the William Weeks Division of Nicholas Weeks Grant, Section 43, Township 7 South, Range 3 East, according to the plat recorded in the office of the Judge of Probate of Baldwin County, Alabama, Book X, page 109.

THIRD: That the said Harold Saye claims or is reputed to claim some right, title, claim or interest in, lien or encumbrance upon the above described lands, or some part or parcel thereof, and the complainants call upon him to set forth and specify his right, title, claim, interest in, lien or encumbrance upon the said lands, or any part or parcel thereof, and to show how and by what instrument or instruments the same is derived or created.

FOURTH: That there is no suit pending to enforce or test the validity of the complainants' title to the said lands, or to enforce or test the validity of the defendant's right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof.

FIFTH: That complainants further allege that the above described lands were sold for 1949 taxes under an assessment to Owner Unknown #5 and purchased by the State of Alabama on June 12, 1950, and sold by the State of Alabama to Harold Saye on May 4, 1954, his tax deed being unrecorded; and the complainants are informed and believe and allege upon such information and belief that the defendant in this cause claims the said lands or some part or parcel thereof, or some interest therein, by virtue of the aforesaid tax sale, and tax deed; complainants were, at the time of the aforesaid sale of the same for taxes, and are now, the owners of the same; that they were in possession of the same at the time of said

sale and have been in possession of the same continuously from the date of the said sale to this date; and complainants further allege that the aforesaid tax sale was void; that the claim of the defendant on the said lands is barred by the statute of limitations; that the complainants under the laws of the State of Alabama are entitled to redeem the said lands from the aforesaid tax sale in the event this Honorable Court finds any taxes due thereon.

WHEREFORE, your complainants pray this Honorable Court take jurisdiction of the cause made by this bill of complaint and make the said Harold Saye party defendant hereto, and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainants further pray that upon a final hearing of this cause this Honorable Court will make and enter an order and decree adjudging and decreeing that the said defendant, Harold Saye, has no right, title, claim, interest in, lien or encumbrance upon the said lands, or any part or parcel thereof, and that the title to the said lands be quieted and established in these complainants as against the said defendant; and that the said defendant be forever enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof.

Complainants further pray that if they shall be mistaken in the relief prayed for, that this Honorable Court will ascertain the amount of taxes and costs for which the said lands were sold, and interest thereon, and the taxes and interest thereon subsequent to the said sale, and that these complainants be permitted to redeem the said lands from the aforesaid tax sale; and these complainants pray for such other, further or different relief as in equity they shall be entitled to receive in the premises.

BEEBE & SWEARINGEN

By

J. B. Swearingen
Solicitors for Complainants

703277

Complaint

Mrs. Clorissa Neeks, Stanley
Neeks, Rudolph Neeks, Mrs.
Laura Calava, Arthur Neeks,
Ralph Neeks, Mercedes K. Cooke,
Walter Neeks, Cornelius A. Neeks,
William E. Neeks, Claude
Laurendine, Edward Neeks,
Catherine Neeks, Bernadette
Laurendine, Oscar Neeks
and Frank Laurent,

Complainants

vs.

Harold Fay,

Defendant

FILED

JUN 17 1954

ALICE J. DUCK, Register

Received 18th day of June 1954
and on 25th day of June 1954
I served a copy of the writ
on Harold Fay

For the Clerk of the Court

Heif

Judge of Probate.