

JOHN T. CUMBE AND

MATTIE CUMBE,  
COMPLAINANTS

VS

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, AND  
PATRICIA ANN DAVIS,  
RESPONDENTS.

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 3582

APPOINTMENT OF GUARDIAN AD LITEM

In this cause, it appearing to the Register, Alice J. Duck, that WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS are <sup>RES</sup>minors, and,

In the said proceeding it being made to appear to the Register, Alice J. Duck, that the said WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS are interested in the result of said proceedings.

It is therefore ordered, by the Register that Ernest M. Bailey be and he is hereby appointed Guardian Ad Litem to represent the said WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS, upon hearing of the said proceedings.

Done the 29th. day of July, 1955.

\_\_\_\_\_  
Register

CONSENT TO ACT

I, Ernest M. Bailey, hereby consent to act as guardian ad litem for WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS, minors, upon hearing of the above cause.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1955.

\_\_\_\_\_  
Guardian Ad Litem

JOHN T. CUMBIE and  
MATTIE CUMBIE,

COMPLAINANTS

-vs-

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, and  
PATRICIA ANN DAVIS

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

TESTIMONY OF MATTIE CUMBIE

My name is Mattie Cumbie and I am the Complainant in this bill to quiet title against William Carroll Davis, Charles Ray Davis and Patricia Ann Davis, and my husband is Complainant with me. His name is John T. Cumbie. We are both over the age of twenty-one years and are now, and have been, bona fide residents of Baldwin County, Alabama, for seven years.

I do not know the Davis minor children.

My husband and I own a piece of property on Section Street. I do not know how to describe this land legally. I have in my hands the deed which is recorded in Deed Book 130, pages 89 and 90, of the Probate records of Baldwin County, Alabama, and this is the deed made to my husband and I by Willie Shelton Potter and wife, Wilma O. Potter, and, if you check the description in the deed, you will find that this property is incorrectly described, but we did not know that the description was incorrect when we got it. I thought that we had good title to this property, but I found out we did not when we applied for a loan with the Baldwin County Savings and Loan Association, and that agency informed me that our title was not good, and that the Davis' had a claim of record against the property. I employed Mr. Rickarby to see if he couldn't straighten this matter out and he secured deeds for me from the Potters correctly describing the land and from the Davis heirs who were not known correctly describing the land. I have been in possession of this land since I got the deed from the Potters, living on it, and paying taxes on it since 1948, and have never heard of any other claim to the land, except the Davis heirs when I applied for this loan. There is no suit pending to enforce or test the title to this land, or any claims or encumbrances thereon. I am informed that the Davis heirs are William Carroll Davis, Charles Ray Davis and Patricia Ann Davis.

Mrs. Mattie Cumbie, in response to CROSS-EXAMINATION OF MR. ERNEST M. BAILEY, GUARDIAN AD LITEM, testified as follows:

Q. Do I understand that the Davis' owned this land and sold it to the Potters and you bought from the Potters?

A. That is correct.

Q. Was any question raised about the title of the Potters after you bought the property?

A. No. The Potters made no claim to it, but I found out that the Potters did not sign a proper deed, and made a correction deed.

Q. Have any of the Davis' ever disputed your title to this property?

A. No.

Q. Have you paid taxes on that property since that time?

A. Yes.

Q. Did you buy this property in 1948?

A. I think it was, but the deed will show the exact date, which is the 5th of April, 1948.

Q. Do you have reason to believe that anybody else has paid taxes on this property since you bought it?

A. No.

No further cross-examination. The witness is excused.

Mrs Mattie Cumbie  
Witness

Subscribed and sworn to by MATTIE CUMBIE, Witness, on this the 19th day of August, 1955.

Geo Matthews  
Commissioner

THE STATE OF ALABAMA, }  
~~MONTGOMERY~~ COUNTY. }  
 BALDWIN

KNOW ALL MEN BY THESE PRESENTS:

BOOK 130 PAGE 89

THAT Willie Shelton Potter and wife, ~~Hazel Potter~~ Wilma O. Potter

for and in consideration of the sum of one dollar and other valuable considerations Donats, to them in hand paid by John T. Cumbie and wife, Mattie Cumbie the receipt whereof is hereby acknowledge, have GRANTED, BARGAINED, and SOLD, and by these presents do hereby GRANT, BARGAIN, SELL and CONVEY unto the said John T. Cumbie and wife, Mattie Cumbie

their heirs and assigns, the following described Real Estate, situated in the county of Baldwin and State of Alabama, to-wit:

From the Southeast corner of Fl. Section 18, Tn. 6 S., Range 2 E. according to the U. S. Photolithographic Map Approved May 19, 1845, thence run South 1499 feet to the North line of Section 18, Barron De Ferriet Grant, for a point of beginning; thence South 58 degrees, 45 minutes East 155 feet, thence South 33 degrees West 263.5 feet; thence South 58 degrees East 250 feet; thence South 33 degrees West 100 feet; thence North 58 degrees, 45 minutes west 339.3 feet; thence North 363.5 feet to the point of beginning, containing two and one half acres, more or less, and is in Section 18, Barron DeFerriet Grant, Fl. Tp. 6 South, Ragne 2 East, also conveying all improvments of whatsoever nature on the above tract. Subject however, to that certain mortgage of record in the probate office of Baldwin County, Alabama in Mortgage Book 113 at page 127-29 which mortgage is dated February 16, 1946, on which mortgage there is now owing a balance of \$1,920.86 which sum the grantees herein assume.

TO HAVE AND TO HOLD, the aforegranted premises to the said

John T. Cumbie and wife, Mattie Cumbie

their

heirs and assigns FORVER.

And we do covenant with the said John T. Cumbie and wife, Mattie Cumbie their heirs and assigns, that except we are lawfully seized in fee simple of the aforementioned premises; that they are free from all encumbrance; that we ha ve a good right to sell and convey the same to the said John T. Cumbie and wife, Mattie Cumbie, their heirs and assigns, and that

we

will WARRANT AND DEFEND the premises to the said

John T. Cumbie and wife, Mattie Cumbie, their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seal s this the 48 day of April

Willie S. Potter (L. S.)  
Wilma O. Potter (L. S.)  
 (L. S.)  
 (L. S.)  
 (L. S.)  
 (L. S.)  
 (L. S.)

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Stuart K. Byers, Jr.

THE STATE OF ALABAMA Baldwin COUNTY.

I, the undersigned authority a Notary Public for said county, in said State, hereby certify that Willie Shelton Potter and wife, ~~Hazel Potter~~ Wilma O. Potter

whose name s are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of this conveyance, they executed the same voluntarily, on the day the same bears date.

Given under my hand this the 5<sup>th</sup> day of April A. D. 1948

Notary Public, Baldwin County, Ala.  
 My commission expires January 29, 1951.  
 Bonded by Employers Liability Assurance Corporation

Notary Public

THE STATE OF ALABAMA Baldwin COUNTY.

I, the undersigned authority a Notary Public in and for said County and State, do hereby certify that on the 5<sup>th</sup> day of April, 1948, came before me the within named Wilma O. Potter known to me to be the wife of the within named WILLIE SHELTON POTTER, who being examined separate and apart from the husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of her husband.

In Witness Whereof, I have hereunto set my hand, this 5<sup>th</sup> day of April A. D. 1948

Notary Public, Baldwin County, Ala.  
 My commission expires January 29, 1951.  
 Bonded by Employers Liability Assurance Corporation

Notary Public

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

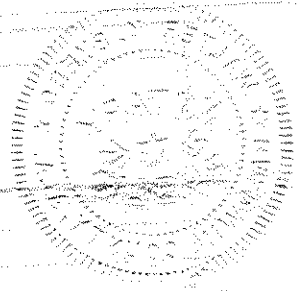
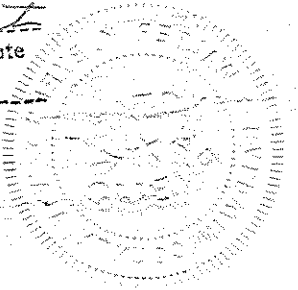
I hereby certify that the within Deed was filed in this office for record on the 5<sup>th</sup> day of April, 1948, at 12 o'clock M., and duly recorded in Deed Record Book Page and examined.

Judge of Probate.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed May 6, 1948 8 M  
Recorded Deed book 130 page 89-90  
and I certify that the following Privilege Tax  
has been paid.  
Deed Tax 1.00  
Mortgage Tax \_\_\_\_\_

W. P. Stuart  
Judge of Probate

By \_\_\_\_\_



WARRANTY DEED

FROM

4-14-48

Willie Shelton Potter

and

Hazel Potter

TO

John T. Gumble

and

Mattie Gumble

130 - 89-90

383

150  
Fred M. Wilson  
Baldwin

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: FLO MATTHEWS

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

MATTIE CUMBIE and LOTTIE DAVIS

a witnesses in behalf of COMPLAINANTS in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

JOHN T. CUMBIE and MATTIE CUMBIE

Complainant

and WILLIAM CARROLL DAVIS et al

Respondent

on oath, to be by you administered, upon Testimony to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 10th. day of August, 195 5.

Alice J. Duck Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

JOHN T. AND MATTIE CUMBIE

VS.

Complainant

WILLIAM CARROLL DAVIS et al

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FLO MATTHEWS

WITNESSES:

LOTTIE DAVIS

MATTIE CUMBIE

JOHN T. CUMBIE and  
MATTIE CUMBIE

COMPLAINANTS

-vs-

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS and  
PATRICIA ANN DAVIS

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

TESTIMONY OF LOTTIE DAVIS

Mrs. Lottie Davis, in response to direct examination by E. G. Rickarby, Jr., Solicitor for the Complainants, testified as follows:

My name is Lottie Davis and my husband was the late Jack Davis, and he died without making a will on December 10th, 1952. At that time, we were both residents of Baldwin County, Alabama. I have five children. the older children's names are James Aubrey Davis and Dorothy D. Hughes, who is married to Ralph Milton Hughes, and my minor children are William Carroll Davis, who is seventeen years of age, going on eighteen, Charles Ray Davis, thirteen years of age, going on fourteen, and Patricia Ann Davis, age three years.

I hand you deed which was recorded in Deed Book 103, pages 419 and 420, of the Probate Records of Baldwin County, Alabama, and which is the deed made by my husband, Jack Davis, and myself to Willie Shelton Potter and Hazel Potter, husband and wife. At the time this deed was made we owned the Cumbie lot, which is on the East side of South Section Street in Baldwin County, Alabama, and is the property now occupied by the Cumbies, and we sold this property to the Potters and they paid us TWENTY-TWO HUNDRED AND FIFTY DOLLARS (\$2,250.00) for it, and we went to Judge Perkins' office and he drew up the deed, and by that deed we intended to convey the house and lot now occupied by the Cumbies to the Potters and instructed Judge Perkins to draw up a deed to this effect. We thought this deed properly described the property, and the Potters thought it did, too, and they went into possession of the property now owned by the Cumbies and we stopped paying taxes on it and regarded them as the owners of the property until they sold it to the Cumbies. I do not know the exact time they sold to the Cumbies. The deed which I handed you, which is the Potter deed, shows that this property was sold on the 15th of February, 1946, to the Potters by my husband and I, which is the correct date of selling. My husband later died, and neither my

husband, during his lifetime, or I, before his death or after his death or any of the children, felt or now feel that we have any claim to the property. My two older children have executed a correction deed. Naturally, those who are minors could not.

Mrs. Lottie Davis, in response to CROSS-EXAMINATION OF MR. ERNEST M. BAILEY, GUARDIAN AD LITEM, testified as follows:

Q. Mrs. Davis, prior to selling this home to the Potters, did you live in it?

A. I did.

Q. When you and your husband went to Judge Perkins to draw up this deed it was your intention to sell your homestead to the Potters?

A. Yes.

Q. Did you receive consideration for the sale of this property to the Potters?

A. Yes. TWENTY-TWO HUNDRED AND FIFTY DOLLARS (\$2,250.00), as cited in

Q. Was that the same home that the Cumbies are living in today?

A. Yes.

Q. After the sale of the property to the Potters, did you or Mr. Davis pay the taxes on that property?

A. No.

Q. Was it your intention to relinquish all right and title to the property?

A. Yes.

Q. Since the date of this conveyance, neither you nor your husband have lived on the property now claimed by the Cumbies?

A. No.

Q. Was your husband JACK DAVIS or JOHN DAVIS?

A. He was JACK DAVIS.

Q. And he was the father of William, Charles and Patricia, the Respondents in this suit?

A. Yes.

No further cross-examination. The witness is excused.

Lottie Davis  
Witness

22<sup>nd</sup> day of August, 1955. Subscribed and sworn to by LOTTIE DAVIS, Witness, on this the

Ilo Matthews  
Commissioner

JOHN T. CUMBIE AND  
MATTIE CUMBIE

COMPLAINANTS

VS

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, AND  
PATRICIA ANN DAVIS,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

F I N A L D E C R E E

This cause coming on to be heard is submitted for final decree upon the pleadings and proof, in accordance with note of evidence; and upon consideration thereof the Court is of opinion that the complainants are entitled to the relief prayed for in their bill of complaint. It is, therefore, ordered, adjudged and decreed by the Court:

1. That the complainants, JOHN T. CUMBIE AND MATTIE CUMBIE, are the owners 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:

From the Southeast corner of Fractional Section 18, Township 6 South, Range 2 East, according to the U. S. Photolithographic Map approved May 19, 1945, thence run South 1499 feet to the North line of Section 18, Barron De Ferriet Grant, for a point of beginning; thence South 58 degrees, 45 minutes East 155 feet, thence South 263.5 feet, thence South 58 degrees East 250 feet, thence South 33 degrees West 100 feet, thence North 58 degrees, 45 minutes West 339.3 feet, thence North 363.5 feet to the point of beginning; containing two and one-half acres, more or less, and is in Fractional Section 18, Barron De Ferriet Grant, Township 6 South, Range 2 East.

2. That William Carroll Davis, Charles Ray Davis, and Patricia Ann Davis, Minors, the defendants in this cause, have no right, title or interest in, or encumbrances upon such lands above described, or any part thereof.

3. That the Register, within thirty days from this date, filed a certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said land lies; and that the Probate Judge record and index said decrees as required by Code Section 1113, Title 7 of the 1940 Code of Alabama.

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

Done this the 12<sup>th</sup> day of September, 1955.

Hubert M. Hall  
Circuit Judge

E. M. Bailey  
Circuit Clerk

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FINAL DEGREE

JOHN T. CUMBLE AND  
MATTIE CUMBLE,

COMPLAINANTS

VO  
VO

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS AND  
PATRICIA ANN DAVIS,

## RESPONDENTS

IN THE CIRCUIT COURT  
OF BALDWIN COUNTY,  
ALABAMA  
IN EQUITY

FILED  
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1941-1942

[illegible][illegible]

1. *Phragmites australis* (Cav.) Trin. ex Steud.  
 2. *Scirpus americanus* (L.) Gaertn.  
 3. *Eleocharis acicularis* (L.) Rostk Schmidt  
 4. *Sagittaria arifolia* (L.) Link.  
 5. *Alisma plantago-foliosa* (L.) Rostk Schmidt  
 6. *Sparganium angustifolium* Michx.  
 7. *Najas* sp.  
 8. *Chara* sp.  
 9. *Utricularia* sp.  
 10. *Wolffia* sp.  
 11. *Salvinia* sp.  
 12. *Hydrocotyle* sp.  
 13. *Potamogeton* sp.  
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 16. *Cladophora* sp.  
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 201. *Hydrocotyle* sp.  
 202. *Potamogeton* sp.  
 203. *Elodea* sp.  
 204.

[illegible][illegible]
$$\begin{array}{l} \frac{d}{dt} \left( \frac{1}{2} \dot{\mathbf{q}}^T \mathbf{M}(\mathbf{q}) \dot{\mathbf{q}} \right) = \dot{\mathbf{q}}^T \mathbf{M}(\mathbf{q}) \ddot{\mathbf{q}} + \frac{1}{2} \dot{\mathbf{q}}^T \dot{\mathbf{M}}(\mathbf{q}) \dot{\mathbf{q}} \\ \mathbf{M}(\mathbf{q}) \ddot{\mathbf{q}} + \mathbf{C}(\mathbf{q}, \dot{\mathbf{q}}) \dot{\mathbf{q}} + \mathbf{G}(\mathbf{q}) = \mathbf{F}(\mathbf{q}, \dot{\mathbf{q}}, \ddot{\mathbf{q}}) \end{array}$$
$$\begin{array}{l} \text{Input: } n \in \mathbb{N} \\ \text{Output: } \text{List } L \\ \text{Algorithm: } L \leftarrow \text{List}() \\ \text{for } i \leftarrow 1 \text{ to } n \\ \quad \text{Add } i \text{ to } L \\ \text{return } L \end{array}$$

ELLIOTT G. RICKARBY

LAW OFFICES

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

September 28, 1955

Mrs. Alice Duck  
Clerk of the Circuit Court  
Bay Minette, Alabama

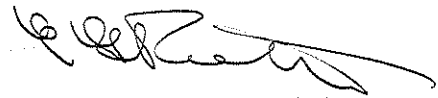
Dear Mrs. Duck:

Inre: John T. and Mattie Cumbie  
vs.  
William Carroll Davis, et al  
Our File: 3364

Jimmy Owens tells me that he can't find the answer  
of the Guardian Ad Litem in this case.

Mr. Bailey has, therefore, prepared a new answer,  
signed it, and I am enclosing it. Please mark it  
filed prior to the date of the decree, which was  
the 12th day of September, 1955.

Yours very truly,



EGR/fm  
Encl.

JOHN T. CUMBIE and  
MATTIE CUMBIE,

COMPLAINANTS

-vs-

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, and  
PATRICIA ANN DAVIS

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

NOTE OF EVIDENCE

This cause is submitted for final decree on Original Bill,  
Answer of Guardian Ad Litem, and depositions of MATTIE CUMBIE and LOTT  
DAVIS, witnesses for Complainants, and deed of WILLIE SHELTON POTTER and  
WILMA C. POTTER to JOHN T. CUMBIE and MATTIE CUMBIE, and deed of JACK  
DAVIS and wife to WILLIE SHELTON POTTER and HAZEL POTTER, his wife, and  
amended Bill of Complaint.

RICKARBY AND RICKARBY

BY

*E. G. Rickarby, Jr.*  
E. G. Rickarby, Jr.  
Solicitor for Complainant

*Seems accepted*

*Ernest M. Bailey*  
ERNEST M. BAILEY  
Attorney and Guardian Ad Litem

*Recd. f. records  
Register*



JOHN T. CUMBIE AND  
MATTIE CUMBIE

COMPLAINANTS

VS

WILLIAM CARROLL DAVIS,  
et al

RESPONDENTS

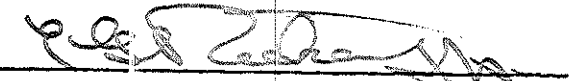
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

REQUEST FOR A COMMISSIONER

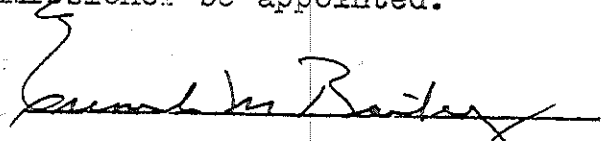
TO THE HONORABLE ALICE DUCK, REGISTER IN CHANCERY:

Comes the Complainants, by their solicitor in the above styled cause and shows to the court that the witnesses, MATTIE CUMBIE AND LOTTIE DAVIS are material witnesses in said cause and it is necessary that their testimony be taken in said cause, and that FLO MATTHEWS is a suitable person to act as such commissioner in said cause, she not being of counsel or kin to either of the parties in said cause.

THEREFORE, complainants move that FLO MATTHEWS be appointed as commissioner to take the testimony of the above mentioned witnesses, as witnesses for the complainants in said cause.

  
Solicitor for Complainants

Service accepted and consent that commissioner be appointed.

  
Guardian Ad Litem

3382  
JOHN T. CUMBIE AND  
MATTIE CUMBIE

VS

WILLIAM CARROLL DAVIS,  
ET AL

REQUEST FOR A COMMISSIONER

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

FILED

AUG 10 1955

ALICE J. DUCK, Clerk

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

August 26, 1955

Mrs. Alice Duck  
Clerk of the Circuit Court  
Bay Minette, Alabama

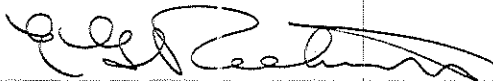
Dear Mrs. Duck:

Inre: John T. & Mattie Cumbie  
vs  
William Carroll Davis, et al  
Our File: 3364

With this we are handing you depositions, amendment  
to the bill and note of evidence, and copy of the  
decree.

Please have Judge Hall execute copy of decree and  
record, and oblige,

Yours very truly,



EGR/fm  
Encl.

ELLIOTT G. RICKARBY

LAW OFFICES

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

July 26, 1955

Mrs. Alice Duck  
Clerk of the Circuit Court  
Bay Minette, Alabama

Dear Mrs. Duck:

With this we are handing you original bill and lis pendens notice.

Please mark the original bill filed, date my lis pendens file it down in the Probate Court and ask Mrs. Glover to charge it to my account.

Appoint a guardian ad litem and ask him to give me a ring because I would like to get testimony taken in this case as soon as possible.

These people have made arrangement for a loan on their property, title was turned down on them, and they would like to pay debt and for making some improvements on this property, which they can't do until we get this decree through.

Thanks.

Yours very truly,

EGR/rl  
8-5-55



I, Flo Matthews, the Commissioner named in the attached commission issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in a case pending in the Equity side of said Court, wherein JOHN T. CUMBIE and MATTIE CUMBIE are Complainants and WILLIAM CARROLL DAVIS, CHARLES RAY DAVIS and PATRICIA ANN DAVIS are Respondents, under and by virtue of the power conferred upon me by said commission, I caused the witnesses named in the commission, namely, MATTIE CUMBIE and LOTTIE DAVIS, who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in the Bank Building in the City of Fairhope, Alabama, where the said witnesses, after being first duly sworn by me, upon examination by E. G. Rickarby, Jr., Esquire, Solicitor for Complainants, and Ernest M. Bailey, Guardian Ad Litem, testified as hereinbefore written.

That their testimony was by me reduced to writing as given by them, as near as might be in their identical language and, after being so reduced to writing, was read over by the said witnesses, who assented to and signed the same in my presence.

I further certify that I am not of counsel or of kin to either of the parties to the cause, or anywise interest in the results thereof.

IN WITNESS WHEREOF, I hereunto set my hand as Commissioner this the 22<sup>nd</sup> day of August, 1955.

Flo Matthews  
Commissioner

FILED

AUG 29 1955

ALICE J. GUCK, Register

JOHN T. CUMBIE AND  
MATTIE CUMBIE,

COMPLAINANTS

VS

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, AND  
PATRICIA ANN DAVIS

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

ORIGINAL BILL

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes the Complainants, JOHN T. CUMBIE and MATTIE CUMBIE, and  
show:

1. That Complainants are both over the age of twenty-one years  
and residents of Fairhope, Baldwin County, Alabama.

2. That the Respondents are minor children of LOTTIE DAVIS, a  
widow, and the late JOHN DAVIS, who died intestate 10 December 1952,  
and residents of Baldwin County, Alabama, residing with their mother  
in Silverhill, Alabama, and their ages are as follows:

|                       |        |
|-----------------------|--------|
| WILLIAM CARROLL DAVIS | Age 18 |
| CHARLES RAY DAVIS     | Age 13 |
| PATRICIA ANN DAVIS    | Age 3  |

3. That Complainants are the owners of, and are in possession  
of, the following described premises in Baldwin County, Alabama, to-wit:

From the Southeast corner of Fractional Section 18,  
Township 6 South, Range 2 East, according to the  
U. S. Photolithographic Map approved May 19, 1845,  
thence run South 1499 feet to the North line of  
Section 18, Barron De Ferriet Grant, for a point of  
beginning; thence South 58 degrees, 45 minutes East  
155 feet, thence South 263.5 feet, thence South 58  
degrees East 250 feet, thence South 33 degrees West  
100 feet, thence North 58 degrees, 45 minutes West  
339.3 feet, thence North 363.5 feet to the point of  
beginning; containing two and one-half acres, more  
or less, and is in Fractional Section 18, Barron De  
Ferriet Grant, Township 6 South, Range 2 East.

4. That Complainants are informed and believe, and upon such  
information and belief aver that the Respondents, WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, and PATRICIA ANN DAVIS, are reputed to claim some  
right, title or interest in, or encumbrance upon, the aforesaid real  
estate.

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

6. That your Complainants call upon the aforementioned Defendants

to set forth and specify their title, claim, interest or encumbrance, and how and by what instrument or right the same is derived or created.

Wherefore Complainants pray that proper notice be given to said Respondents and that a suitable person be appointed as guardian ad litem to represent the interest of said minor parties and required to plead, answer or demur as required by law.

That, upon a final hearing of this cause, this Court will adjudge and decree whether these Respondents have any right, title or interest in, or encumbrance upon, the real estate hereinabove described, or any part thereof, and to clear up all doubts or disputes concerning the same.

FILED

7-29 1955

ALICE J. DICK, Register

RICKARBY AND RICKARBY

BY

  
E. G. RICKARBY, JR.  
Solicitor for Complainants

3582

JOHN F. CUMBLE AND  
MAITIE CUMBLE,

Complainants

-VS-

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, AND  
PATRICIA ANN DAVIS,

Respondents

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA  
IN EQUITY

## SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

No. 3582

Circuit Court, Baldwin County

August

TERM, 19 55

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon WILLIAM CARROLL DAVISCHARLES RAY DAVIS

AND

PATRICIA ANN DAVIS

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in  
 the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against PATRICIA ANN DAVIS  
 AND WILLIAM CARROLL DAVIS, CHARLES RAY DAVIS, Defendant

by

JOHN. T. CUMBIE AND MATTIE CUMBIE

Plaintiff

Witness my hand this

(29th)

day of

August July

19 55.

Alice J. Duck

Clerk

RECORDED

No. 3582

Page

The State of Alabama

Baldwin County

CIRCUIT COURT

JOHN T. CUMBIE AND

MATTIE CUMBIE

Plaintiffs

vs.

WILLIAM CARROLL DAVIS

CHARLES RAY DAVIS, AND PATRICIA ANN DAVIS

Defendants

Summons and Complaint

Filed 7-29

19 55

Alice J. Duck

Clerk

E. G. Rickarby

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

Aug. 3 19 55

Myker W. Sikes Sheriff

I have executed this summons

this 4 August 19 55

by leaving a copy with

William Cornell Davis  
Charles Ray Davis  
Patricia Ann Davis

Taylor Williams Sheriff

Collier Steadman Deputy Sheriff

|                        |   |                         |
|------------------------|---|-------------------------|
| JOHN T. CUMBIE AND     | ) | IN THE CIRCUIT COURT    |
| MATTIE CUMBIE,         | ) |                         |
| COMPLAINANTS           | ) | OF                      |
|                        | ) |                         |
|                        | ) | BALDWIN COUNTY, ALABAMA |
| VS                     | ) |                         |
|                        | ) |                         |
| WILLIAM CARROLL DAVIS, | ) | IN EQUITY               |
| CHARLES RAY DAVIS, AND | ) |                         |
| PATRICIA ANN DAVIS,    | ) |                         |
| RESPONDENTS.           | ) | NO. 3582                |

APPOINTMENT OF GUARDIAN AD LITEM

In this cause, it appearing to the Register, Alice J. Duck, that WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS are minors, and,

In the said proceeding it being made to appear to the Register, Alice J. Duck, that the said WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS are interested in the result of said proceedings.

It is therefore ordered, by the Register that Ernest M. Bailey be and he is hereby appointed Guardian Ad Litem to represent the said WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS, upon hearing of the said proceedings.

Done the 29th. day of July, 1955.

*Alice J. Duck*  
Register

CONSENT TO ACT

I, Ernest M. Bailey, hereby consent to act as guardian ad litem for WILLIAM CARROLL DAVIS; CHARLES RAY DAVIS; and PATRICIA ANN DAVIS, minors, upon hearing of the above cause.

Witness my hand this 30<sup>th</sup> day of July, 1955.

*Ernest M. Bailey*  
Guardian Ad Litem

3567

FILED

AUG 2 1955

[illegible]

Figure 1. The effect of the initial concentration of the monomer on the polymerization of  $\alpha$ -methylstyrene initiated by  $\text{BuLi}$  in THF at  $-78^\circ\text{C}$ . The concentration of the initiator was  $1.0 \times 10^{-2}$  mole/l. The polymerization was terminated by the addition of methanol. The polymerization was carried out in a 100-ml. three-necked round-bottomed flask equipped with a magnetic stirrer, a thermometer, and a nitrogen inlet. The monomer was added to the flask containing the initiator solution, and the mixture was stirred for 10 min. The polymerization was terminated by the addition of methanol. The polymer was isolated by precipitation into methanol. The polymer was dried in a vacuum oven at  $40^\circ\text{C}$  for 24 h. The polymer was then weighed and the yield was calculated. The polymerization was carried out in a 100-ml. three-necked round-bottomed flask equipped with a magnetic stirrer, a thermometer, and a nitrogen inlet. The monomer was added to the flask containing the initiator solution, and the mixture was stirred for 10 min. The polymerization was terminated by the addition of methanol. The polymer was isolated by precipitation into methanol. The polymer was dried in a vacuum oven at  $40^\circ\text{C}$  for 24 h. The polymer was then weighed and the yield was calculated.




$\begin{aligned} & \text{Let } \mathcal{A} = \{A_1, A_2, \dots, A_n\} \text{ be a family of } n \text{ sets. Define } f(\mathcal{A}) \text{ as the number of elements in } \bigcap_{i=1}^n A_i. \\ & \text{Then, } f(\mathcal{A}) = \sum_{i=1}^n |A_i| - \sum_{1 \leq i < j \leq n} |A_i \cap A_j| + \sum_{1 \leq i < j < k \leq n} |A_i \cap A_j \cap A_k| - \dots + (-1)^{n+1} |A_1 \cap A_2 \cap \dots \cap A_n|. \end{aligned}$

JOHN T. CUMBIE and  
MATTIE CUMBIE,

COMPLAINANTS

VS

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, and  
PATRICIA ANN DAVIS,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

ANSWER OF GUARDIAN AD LITEM

Comes ERNEST M. BAILEY, Guardian Ad Litem, heretofore  
appointed in this cause by the Register, and files this answer for and  
on behalf of WILLIAM CARROLL DAVIS, CHARLES RAY DAVIS, and PATRICIA ANN  
DAVIS, minor defendants in said cause, and says respondents deny each  
and every allegation of the foregoing bill of complaint, paragraphs  
one through six, and demand strict proof of same.

*Ernest M. Bailey*  
Ernest M. Bailey, Guardian Ad Litem  
For William Carroll Davis,  
Charles Ray Davis and  
Patricia Ann Davis

*Service accepted  
Aug 17, 1955.  
E. S. Teague  
for complaint.*

RECORDED

JOHN T. CUMBER and  
MATTIE CUMBER,

COMPLAINANTS

VS.

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, and  
PATRICIA ANN DAVIS,

RESPONDENTS

ANSWER OF GUARDIAN AD LITEM

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

Filed 8-22-05  
Reice French  
Register

*9-15-05  
9-15-05  
9-15-05  
9-15-05  
9-15-05*

## DEED WITH WARRANTY

Sold by Bidgood Stationery Co., Mobile, Ala.

This Indenture, Made the 15th day of February 1946, between

Jack Davis and Lottie Davis, husband and wife

parties

of the first part, and

Willie Shelton Potter and Hazel

Potter, husband and wife, parties

of the second part: Witnesseth, that the parties

of the first part in consideration of Two Thousand Two Hundred Fifty

\$2250.00

DOLLARS,

hereby acknowledged to have been paid the part of the first part by the parties of the second part,

do grant, bargain, sell and convey unto said parties of the second part, their heirs

and assigns, all the real property in Baldwin County, Alabama described as follows:

From the Southeast corner of Fl. Sec. 18, T.6.S.R.2.E., according to the U.S. Photolithographic Map Approved May 19, 1845, thence run South 1499 feet to the North line of Section 18, Barron De Ferriet Grant, for a point beginning; thence South 58Deg.45Min. East 155 feet; thence South 33 Deg. West 363.5 feet; thence South 58Deg. East 250 feet; thence South 33Deg. West 100 feet; thence North 58Deg. 45Min. west 339.3 feet; thence North 363.5 feet to the point of Beginning, containing 2 1/4 acres more or less, and is in Section 18, Barron De Ferriet Grant, Fl. T.6.S.R.2.East, also conveying all improvements of whatsoever nature on above described tract.



STATE OF ALABAMA, BALDWIN COUNTY

Filed 2/21/46 8a M

Recorded Dec 103 419-20

and I certify that the following Private Tax has

been paid.

Dead Tax 2.50

Mortgage Tax

Judge of Probate

By [Signature]

Together with all the rights and appurtenances to said described premises in anywise belonging: To have and to hold the same forever.

And Jack Davis and Lottie Davis

them and their heirs, the said described premises and appurtenances, will forever Warrant and De-

fend unto the said parties of the second part, their heirs and assigns, against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, The said parties of the first part has hereunto set their hand and seal the day and year above written.

Signed, sealed and delivered in the presence of

Jack Davis (SEAL)  
Lottie Davis (SEAL)

BOOK 18 PAGE 420  
State of Alabama,

Baldwin County I, G. E. Perkins  
a Notary Public in and for said State and County, do hereby certify that

Jack Davis and Lottie Davis, husband and wife  
whose names are signed to the foregoing conveyance, and who are known to me, acknowledged  
before me, on this day that being informed of the contents of the conveyance they executed the  
same voluntarily on the day the same bears date.

Given under my hand (if before a foreign notary add "notarial seal") this 15th. day  
of February 1946

*G. E. Perkins*  
Notary Public

State of Alabama,

Baldwin County I, G. E. Perkins  
a Notary Public

in and for said State and County, do hereby certify  
that on the 15th. day of February 1946, came before me the within named  
Lottie Davis  
Jack Davis

known to me to be the wife of the within named  
the husband, touching her signature to the within conveyance, acknowledged that she signed the  
same of her own free will and accord and without fear, constraint or threats on the part of the  
husband.

Given under my hand (if before a foreign notary add "notarial seal") this 15th. day  
of February 1946

*G. E. Perkins*

2-15-46  
To Jack Davis wife L. S.  
Walter Shelton Potter 79  
DEED WITH WARRANTY  
103-419-20

STATE OF ALABAMA,  
County. Probate Court  
Filed in my office for record, this 19 N. S.,  
and recorded in Deed Book No. 19  
Pages.

Judge of Probate.  
Bridges 208 9-45 S-29972  
B. P. Bridges

JOHN T. GUMBIE and  
MATTIE GUMBIE,

COMPLAINANTS

VS

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, and  
PATRICIA ANN DAVIS

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

AMENDMENT TO ORIGINAL BILL

Comes the Complainants in the above styled cause and moves the Court that they be allowed to amend the original bill by changing paragraph two of the original bill, to read as follows:

"2. That the Respondents are the minor children of LOTTIE DAVIS, a widow, and the late JACK DAVIS, WHO died intestate 10 December 1952, and residents of Baldwin County, Alabama, residing with their mother in Silverhill, Alabama, and their ages are as follows:

|                       |         |
|-----------------------|---------|
| WILLIAM CARROLL DAVIS | Age 18  |
| CHARLES RAY DAVIS     | Age 13  |
| PATRICIA ANN DAVIS    | Age 3 " |

BY

E. G. Rickarby, Jr.  
Solicitor for Complainant

Service accepted this the 23<sup>rd</sup> day of August, 1955.

Samuel M. Bailey  
Guardian Ad Litem

# ALLIANCE REGISTER

JOHN T. CUMBIE AND  
MATTIE CUMBIE

COMPLAINANTS

VS

WILLIAM CARROLL DAVIS,  
CHARLES RAY DAVIS, AND  
PATRICIA ANN DAVIS,

RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

STATE OF ALABAMA BALDWIN COUNTY  
Filed 10-13-55 10 A.M.  
Recorded Sub book 228 page 64  
Judge of Probate MD Attie

FINAL DECREE

This cause coming on to be heard is submitted for final decree upon the pleadings and proof, in accordance with note of evidence; and upon consideration thereof the Court is of opinion that the complainants are entitled to the relief prayed for in their bill of complaint. It is, therefore, ordered, adjudged and decreed by the Court:

1. That the complainants, JOHN T. CUMBIE AND MATTIE CUMBIE, are the owners 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:

From the Southeast corner of Fractional Section 18, Township 6 South, Range 2 East, according to the U. S. Photolithographic Map approved May 19, 1945, thence run South 1499 feet to the North line of Section 18, Barron De Ferriet Grant, for a point of beginning; thence South 58 degrees, 45 minutes East 155 feet, thence South 263.5 feet, thence South 58 degrees East 250 feet, thence South 33 degrees West 100 feet, thence North 58 degrees, 45 minutes West 339.3 feet, thence North 363.5 feet to the point of beginning; containing two and one-half acres, more or less, and is in Fractional Section 18, Barron De Ferriet Grant, Township 6 South, Range 2 East.

2. That William Carroll Davis, Charles Ray Davis, and Patricia Ann Davis, Minors, the defendants in this cause, have no right, title or interest in, or encumbrances upon such lands above described, or any part thereof.

3. That the Register, within thirty days from this date, filed a certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said land lies; and that the Probate Judge record and index said decrees as required by Code Section 1113, Title 7 of the 1940 Code of Alabama.

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

Done this the 12th day of September, 1955.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the original decree rendered in the above stated cause, which said decree is on file in my office.

WITNESSES MY HAND AND SEAL THIS 12th day of September, 1955.

Hubert M. Hall  
Circuit Judge