

MISSOURI HORACE, ANNIE W. ROBERSON,  
VAN DORN WASHINGTON, HOVER W. WILLIAMS,  
HAMILTON WASHINGTON, NELLIE W. STEVENS,  
BERTHA W. MADISON, RUBEN WASHINGTON and  
LUCILLE JAMES,

COMPLAINANTS,

VS

SAM WALKER, EUGENE WASHINGTON,  
MARIANE WILLIAMS, BERTHA PARKER,  
SADIE PARKER, and WILLIE PARKER,

RESPONDENTS.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

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

Comes now Complainants and ammend the Bill of Complaint by substituting  
Sam Walker as Party Respondent in the place of Camilla Pope, Party Respondent,  
so that the Bill shall read as follows:

I

That Missouri Horace is a resident of Stockton, Alabama; that Annie W.  
Roberson is a resident of Stockton, Alabama; that Van Dorn Washington is a  
resident of Stockton, Alabama; that Hover W. Williams is a resident of Stockton,  
Alabama; that Hamilton Washington is a resident of Stockton, Alabama; that  
Nellie W. Stevens is a resident of Stockton, Alabama; that Bertha W. Madison is  
a resident of Cleveland, Ohio; that Ruben Washington is a resident of Chicago,  
Illinois; that Lucille James is a resident of Stockton, Alabama; and that all  
the Complainants are over the age of twenty-one years.

Sam Walker is a resident of Stockton, Alabama; that Eugene Washington  
is a resident of Pittsburg, Pennsylvania; that Mariane Williams is a resident  
of Detroit, Michigan; and that Eugene Washington's Address is 1921 Glendale  
Street, Pittsburg, Pennsylvania and that Mariane Williams address is 5286  
Linwood, Detroit 8, Michigan.

That the residence and address of Bertha Parker is unknown; and that the  
address and residence of Sadie Parker is unknown; and that the residence and  
address of Willie Parker is unknown; and that Complainants have made a diligent  
search and inquiry in and effort to learn their residence and address. That  
all the Respondents are over the age of twenty-one years.

II

That the Complainants and Respondents are tenants in common of the follow -  
ing described lands situated in Baldwin County, Alabama, to-wit:

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BOOK 022 PAGE 391

be required to plea, answer or demur to this bill of complaint as required by law and the rules of this Honorable Court.

And your Complainants further pray that upon final hearing of this cause your Honor will determine that Complainants and Respondents are the owner of the property described in the bill of complaint and will determine the various interests of each of the parties in and to said property.

And your Complainants further pray that upon such final hearing your Honor will direct that the said property be sold for division.

And the Complainants further pray that out of the proceeds of this sale, your Honor will direct the register to pay all proper charges against said property, including a reasonable attorney's fee to the solicitor for Complainants, and the costs of this proceeding, and will order the balance to be divided among the parties in this cause according to their respective interest in said property.

And your Complainants pray for such other, further, different and general relief as may be right and proper. And your Complainants will ever pray etc.

  
Solicitor for Complainants

3643

MISSOURI HORACE et al

VS

SAM WALKER et al

IN EQUITY

AMENDED COMPLAINT

FILED

OCT 16 1956

ALICE J. DUCK, Clerk  
*Stockton*

Received 17 day of Oct 1956  
rd on 23 day of Oct 1956  
served a copy of the within Amended  
n Sam Walker

y service on Sam Walker

TAYLOR WILKINS, Sheriff

By W. A. Tolbert D. S.  
Stockton

Sheriff claims 22 miles at

Ten Cents per mile Total \$ 2.20

TAYLOR WILKINS, Sheriff

BY Tolbert  
DEPUTY SHERIFF

Begin at the Northeast corner of the James Cochrane Grant, Section 37, Township 1 North, Range 2 East, thence run North 736.5 feet, thence East 437.6 feet, thence run South 22 degrees East 475 feet, thence run North 60 degrees East 536 feet to a corner in a branch, thence run Southeasterly along the meanders of the branch to a corner on the South line of Section 22, Township 1 North, Range 2 East, thence run West 1363.7 feet, thence run North 118 feet, thence run West 330 feet to a point of beginning, being 17 acres more or less.

BOOK 022 PAGE 399

That the Complainant Missouri Horace is the owner of an undivided 1/12 interest; that the Complainant Annie W. Roberson is the owner of an undivided 1/12 interest; that the Complainant Van Dorn Washington is the owner of an undivided 1/12 interest; that the Complainant Hover W. Williams is the owner of an undivided 1/12 interest; that the Complainant Hamilton Washington is the owner of an undivided 1/12 interest; that the Complainant Nellie W. Stevens is the owner of an undivided 1/12 interest; that the Respondent Sam Walker is the owner of an undivided 1/12 interest; that the Complainant Bertha W. Madison is the owner of an undivided 1/12 interest; that the Respondent Eugene Washington is the owner of an undivided 1/12 interest; that the Respondent Mariane Williams is the owner of an undivided 1/24 interest; that the Complainant Lucille James is the owner of an undivided 1/24 interest; that the Complainant Ruben Washington is the owner of an undivided 1/12 interest; that the Respondent Bertha Parker is the owner of an undivided 1/36 interest; that the Respondent Sadie Parker is the owner of an undivided 1/36 interest; and that the Respondent Willie Parker is the owner of an undivided 1/36 interest.

### III

That the premises above described cannot be equitably divided because of the number of parties involved, the limited extent of the property and the fact that a number of the parties are non-residents of this state.

### IV

That it has been necessary to employ Wilson Hayes, an attorney, to prosecute this, your petitioners' cause, and that he as such attorney is entitled to a reasonable attorney's fee for services beneficial to Complainants and Respondents.

### V

The premises considered, your Complainants pray that Sam Walker, Eugene Washington, Mariane Williams, Bertha Parker, Sadie Parker and Willie Parker be made parties Respondents to this bill of complaint and that, they

Begin at the Northeast corner of the James Cochrane Grant, Section 37, Township 1 North, Range 2 East, Thence run North 736.5 feet, Thence East 437.6 feet, Thence run South 22 degrees East 475 feet, Thence run North 60 degrees East 536 feet to a corner in a branch, Thence run Southeasterly along the meanders of the branch to a corner on the South line of Section 22, Township 1 North, Range 2 East, Thence run West 1363.7 feet, Thence run North 118 feet, Thence run West 330 feet to a point of beginning, being 17 acres more or less.

That the Complainant Missouri Lawrence is the owner of an undivided 1/12 interest; that the Complainant Annie M. Roberts is the owner of an undivided 1/12 interest; that the Complainant Van Born Washington is the owner of an undivided 1/12 interest; that the Complainant Rover W. Williams is the owner of an undivided 1/12 interest; that the Complainant Hamilton Washington is the owner of an undivided 1/12 interest; that the Complainant Nellie W. Stevens is the owner of an undivided 1/12 interest; that the Respondent Camilla W. Pope is the owner of an undivided 1/12 interest; that the Complainant Bertha W. Madison is the owner of an undivided 1/12 interest; that the Respondent Eugene Washington is the owner of an undivided 1/12 interest; that the Respondent Marlene Williams is the owner of an undivided 1/24 interest; that the Complainant ~~Marlene Williams~~ is the owner of an undivided 1/24 interest; that the Complainant Raven Washington is the owner of an undivided 1/12 interest; that the Respondent Bertha Parker is the owner of an undivided 1/32 interest; that the Respondent Sadie Parker is the owner of an undivided 1/32 interest; and that the Respondent Willie Parker is the owner of an undivided 1/32 interest.

### III

That the premises above described cannot be equitably divided because of the number of parties involved, the limited extent of the property and the fact that a number of the parties are non-residents of this state.

### IV

That it has been necessary to employ Wilson Hayes, an attorney, to prosecute this, your petitioners' cause, and that he as such attorney is entitled to a reasonable attorney's fee for services beneficial to Complainants and Respondents.

### V

The premises considered, your Complainants pray that Camilla W. Pope, Eugene Washington, Marlene Williams, Bertha Parker, Sadie Parker and Willie Parker be made parties Respondents to this bill of complaint and that, they

be required to plea, answer or demur to this bill of complaint as required by law and the rules of this Honorable Court.

And your Complainants further pray that upon final hearing of this cause your Honor will determine that Complainants and Respondents are the owner of the property described in the bill of complaint and will determine the various interests of each of the parties in and to said property.

And your Complainants further pray that upon such final hearing your Honor will direct that the said property be sold for division.

And the Complainants further pray that out of the proceeds of this sale, your Honor will direct the register to pay all proper charges against said property, including a reasonable attorney's fee to the solicitor for Complainants, and the costs of this proceeding, and will order the balance to be divided among the parties in this cause according to their respective interest in said property.

And your Complainants pray for such other, further, different and general relief as may be right and proper. And your Complainants will ever pray etc.

W. C. Hay  
SOLICITOR FOR COMPLAINANTS

MISSOURI HORACE, ANNIE W. ROBERSON,  
VAN DORN WASHINGTON, HOVER W. WILLIAMS,  
HAMILTON WASHINGTON, NELLIE W. STEVENS,  
BERTHA W. MADISON, RUBEN WASHINGTON and  
LUCILLE JAMES,

COMPLAINANTS,

VS

CAMILLA W. POPE, EUGENE WASHINGTON,  
MARIANE WILLIAMS, BERTHA PARKER,  
SADIE PARKER, and WILLIE PARKER,

RESPONDENTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER \_\_\_\_\_

AFFIDAVIT

Before me, Wilson Hayes, Notary Public, in and for said County and  
State, on this day personally appeared Missouri Horace, who is known to me,  
and who, being first sworn, deposed and said:

I have made diligent search and inquiry in an attempt to learn the  
whereabouts of Bertha Parker, Sadie Parker and Willie Parker. I have been  
unable to learn their residence and post office address, or location. And  
the above named defendants are all over the age of 21 years.

Missouri Horace

Sworn and subscribed before me this 31<sup>st</sup> day of October, 1955.

Wilson Hayes

WILSON HAYES  
NOTARY PUBLIC  
BALDWIN COUNTY, ALABAMA

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3643

Oct.

TERM, 19 55

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Camilla W. Pope, Eugene Washington, Mariens  
Williams, Bertha Parker, Sadie Parker, and Willie Parker

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 Camilla W. Pope,

Eugene Washington, Mariens Williams, Bertha Parker, Sadie Parker, & Willie Parker  
Defendant....

by Richard Horace, Annie M. Roberson, Van Born Washington, Cover S. Williams,  
Hamilton Washington, Nellie M. Stevens, Martha M. Madison, Robert Washington, &  
Willie Jones, Plaintiff....

Witness my hand this 31 day of Oct. 19 55

Alice J. Smith, Clerk



SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1643

Oct.

TERM, 1955

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Camilla W. Pope, Eugene Washington, Mariane Williams, Bertha Parker, Sadie Parker, and Willie Parker

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 Camilla W. Pope,

Eugene Washington, Mariane Williams, Bertha Parker, Sadie Parker, & Willie Parker, Defendant....

by Missouri Horace, Annie W. Roberson, Van Dorn Washington, Rorer W. Williams, Hamilton Washington, Nellie W. Stevens, Bertha W. Madison,uben Washington, & Lucille James., Plaintiff....

Witness my hand this 31 day of Oct. 1955.

Archie J. Duke, Clerk

## THE STATE OF ALABAMA

BALDWIN COUNTY

## CIRCUIT COURT

MISSOURI HORACE, et al

Plaintiffs

vs.

CAMILLA POPE, et al

Defendants

## SUMMONS and COMPLAINT

Filed Oct. 31, 1955

Det. Alvin J. Duck, Clerk

Wilson Hayes

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at \_\_\_\_\_

RECEIVED IN OFFICE

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Sheriff

I have executed this summons

this \_\_\_\_\_, 19\_\_\_\_

by leaving a copy with \_\_\_\_\_

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Deputy Sheriff

Begin at the Northeast corner of the James Cochrane Grant, Section 37, Township 1 North, Range 2 East, Thence run North 736.5 feet, Thence East 437.6 feet, Thence run South 22 degrees East 475 feet, Thence run North 60 degrees East 536 feet to a corner in a branch, Thence run Southeasterly along the meanders of the branch to a corner on the South line of Section 22, Township 1 North, Range 2 East, Thence run West 1361.7 feet, Thence run North 118 feet, Thence run West 330 feet to a point of beginning, being 17 acres more or less.

That the Complainant Missouri Horace is the owner of an undivided  $1/12$  interest; that the Complainant Annie W. Robertson is the owner of an undivided  $1/12$  interest; that the Complainant Van Dorn Washington is the owner of an undivided  $1/12$  interest; that the Complainant Haver W. Williams is the owner of an undivided  $1/12$  interest; that the Complainant Hamilton Washington is the owner of an undivided  $1/12$  interest; that the Complainant Nellie W. Stevens is the owner of an undivided  $1/12$  interest; that the Respondent Camilla W. Pope is the owner of an undivided  $1/12$  interest; that the Complainant Bertha W. Madison is the owner of an undivided  $1/12$  interest; that the Respondent Eugene Washington is the owner of an undivided  $1/12$  interest; that the Respondent Mariane Williams is the owner of an undivided  $1/24$  interest; that the Complainant Lucille Jones is the owner of an undivided  $1/24$  interest; that the Complainant Huben Washington is the owner of an undivided  $1/12$  interest; that the Respondent Bertha Parker is the owner of an undivided  $1/36$  interest; that the Respondent Sadie Parker is the owner of an undivided  $1/36$  interest; and that the Respondent Willie Parker is the owner of an undivided  $1/36$  interest.

### III

That the premises above described cannot be equitably divided because of the number of parties involved, the limited extent of the property and the fact that a number of the parties are non-residents of this state.

### IV

That it has been necessary to employ Wilson Hayes, an attorney, to prosecute this, your petitioners' cause, and that he as such attorney is entitled to a reasonable attorney's fee for services beneficial to Complainants and Respondents.

### V

The premises considered, your Complainants pray that Camilla W. Pope, Eugene Washington, Mariane Williams, Bertha Parker, Sadie Parker and Willie Parker be made parties Respondents to this bill of complaint and that, they

be required to plea, answer or demur to this bill of complaint as required by law and the rules of this Honorable Court.


And your Complainants further pray that upon final hearing of this cause your Honor will determine that Complainants and Respondents are the owner of the property described in the bill of complaint and will determine the various interests of each of the parties in and to said property.

And your Complainants further pray that upon such final hearing your

~~Honor will direct that the said property be sold for division.~~

And the Complainants further pray that out of the proceeds of this sale, your Honor will direct the register to pay all proper charges against said property, including a reasonable attorney's fee to the solicitor for Complainants, and the costs of this proceeding, and will order the balance to be divided among the parties in this cause according to their respective interest in said property.

And your Complainants pray for such other, further, different and general relief as may be right and proper. And your Complainants will ever pray etc.

  
SOLICITOR FOR COMPLAINANTS

3643

MISSOURI HORACE, et al,  
COMPLAINANTS,  
VS  
CAMILIA POPE, et al,  
RESPONDENTS.  
IN EQUITY

---

BILL OF COMPLAINT

FILED  
JUL 21 1955  
COURT

*[Handwritten signature]*

MISSOURI HORACE, ANNIE W. ROBERSON,  
VAN DORN WASHINGTON, HOVER W. WILLIAMS,  
HAMILTON WASHINGTON, NELLIE W. STEVENS,  
BERTHA W. MADISON, RUBEN WASHINGTON and  
LUCILLE JAMES,

COMPLAINANTS,

VS

CAMILLA W. POPE, EUGENE WASHINGTON,  
MARIANE WILLIAMS, BERTHA PARKER,  
SADIE PARKER, and WILLIE PARKER,

RESPONDENTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER \_\_\_\_\_

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

Comes now your petitioners, Missouri Horace, Annie W. Roberson, Van Dorn Washington, Hover W. Williams, Hamilton Washington, Nellie W. Stevens, Bertha W. Madison, Ruben Washington and Lucille James, and show unto your Honor as follows:

I

That Missouri Horace is a resident of Stockton, Alabama; that Annie W. Roberson is a resident of Stockton, Alabama; that Van Dorn Washington is a resident of Stockton, Alabama; that Hover W. Williams is a resident of Stockton, Alabama; that Hamilton Washington is a resident of Stockton, Alabama; that Nellie W. Stevens is a resident of Stockton, Alabama; that Bertha W. Madison is a resident of Cleveland, Ohio; that Ruben Washington is a resident of Chicago, Illinois; that Lucille James is a resident of Stockton, Alabama; and that all the Complainants are over the age of twenty-one years.

That Camilla W. Pope is a resident of Stockton, Alabama; that Eugene Washington is a resident of Pittsburg, Pennsylvania; that Mariane Williams is a resident of Detroit, Michigan; and that Eugene Washington's address is 1921 Glendale Street, Pittsburg, Pennsylvania and that Mariane Williams address is 5286 Linwood, Detroit 8, Michigan.

That the residence and address of Bertha Parker is unknown; and that the address and residence of Sadie Parker is unknown; and that the residence and address of Willie Parker is unknown; and that Complainants have made a diligent search and inquiry in and effort to learn their residence and address. That all the Respondents are over the age of twenty-one years.

II

That the Complainants and Respondents are tenants in common of the following described lands situate in Baldwin County, Alabama, to-wit:

Begin at the Northeast corner of the James Cochrane Grant, Section 37, Township 1 North, Range 2 East, Thence run North 736.5 feet, Thence East 437.6 feet, Thence run South 22 degrees East 475 feet, Thence run North 60 degrees East 536 feet to a corner in a branch, Thence run Southeasterly along the meanders of the branch to a corner on the South line of Section 22, Township 1 North, Range 2 East, Thence run West 1563.7 feet, Thence run North 118 feet, Thence run West 330 feet to a point of beginning, being 17 acres more or less.

That the Complainant Missouri Horace is the owner of an undivided 1/12 interest; that the Complainant Annie W. Roberson is the owner of an undivided 1/12 interest; that the Complainant Van Dorn Washington is the owner of an undivided 1/12 interest; that the Complainant Hover W. Williams is the owner of an undivided 1/12 interest; that the Complainant Hamilton Washington is the owner of an undivided 1/12 interest; that the Complainant Nellie W. Stevens is the owner of an undivided 1/12 interest; that the Respondent Camilla W. Pope is the owner of an undivided 1/12 interest; that the Complainant Bertha W. Madison is the owner of an undivided 1/12 interest; that the Respondent Eugene Washington is the owner of an undivided 1/12 interest; that the Respondent Mariane Williams is the owner of an undivided 1/24 interest; that the Complainant Lucille James is the owner of an undivided 1/24 interest; that the Complainant Ruben Washington is the owner of an undivided 1/12 interest; that the Respondent Bertha Parker is the owner of an undivided 1/36 interest; that the Respondent Sadie Parker is the owner of an undivided 1/36 interest; and that the Respondent Willie Parker is the owner of an undivided 1/36 interest.

### III

That the premises above described cannot be equitably divided because of the number of parties involved, the limited extent of the property and the fact that a number of the parties are non-residents of this state.

### IV

That it has been necessary to employ Wilson Hayes, an attorney, to prosecute this, your petitioners' cause, and that he as such attorney is entitled to a reasonable attorney's fee for services beneficial to Complainants and Respondents.

### V

The premises considered, your Complainants pray that Camilla W. Pope, Eugene Washington, Mariane Williams, Bertha Parker, Sadie Parker and Willie Parker be made parties Respondents to this bill of complaint and that, they

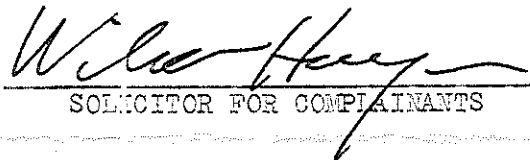
be required to plea, answer or demur to this bill of complaint as required by law and the rules of this Honorable Court.

And your Complainants further pray that upon final hearing of this cause your Honor will determine that Complainants and Respondents are the owner of the property described in the bill of complaint and will determine the various interests of each of the parties in and to said property.

And your Complainants further pray that upon such final hearing your Honor will direct that the said property be sold for division.

And the Complainants further pray that out of the proceeds of this sale, your Honor will direct the register to pay all proper charges against said property, including a reasonable attorney's fee to the solicitor for Complainants, and the costs of this proceeding, and will order the balance to be divided among the parties in this cause according to their respective interest in said property.

And your Complainants pray for such other, further, different and general relief as may be right and proper. And your Complainants will ever pray etc.

  
SOLICITOR FOR COMPLAINANTS



3643

MISSOURI HORACE, et al,

COMPLAINANTS,

VS

CAMILIA POPE, et al,

RESPONDENTS.

IN EQUITY

---

BILL OF COMPLAINT

FILED

OCT 31 1955

ALICE J. DUCK, Register

MISSOURI HORACE, ANNIE W. ROBERSON,  
 VAN DORN WASHINGTON, HOVER W.  
 WILLIAMS, HAMILTON WASHINGTON,  
 NELLIE W. STEVENS, BERTHA W.  
 MADISON, RUBEN WASHINGTON AND  
 LUCILLE JAMES,

COMPLAINANTS

VS

SAM WALKER, EUGENE WASHINGTON,  
 MARIANE WILLIAMS, BERTHA PARKER,  
 SADIE PARKER AND WILLIE PARKER.

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Come the defendants in the above styled cause and demurring  
 to complainants' bill of complaint as amended say:

1. There is no equity in the bill.

2. For it does not appear from the bill of complaint that the  
 complainants have any interest in the lands described in the bill of  
 complaint.

3. For it does not appear from the said bill of complaint  
 that the lands described therein cannot be equitably partitioned  
 between the parties.

BEEBE & SWEARINGEN,

BY

W. C. Beebe  
 Solicitors for defendants