3643)

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

COMPLAINANTS.

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

RESPONDENTS.

I IN THE CIRCUIT COURT OF

IN EQUITY

BALDWIN COUNTY, ALABAMA

VULBER:	

MK 922 PAGE 38

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:

Ι

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:

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 Eonor 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

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SAM WALKER et al

IN EQUITY

AMMENDED COMPLAINT

FILED OCT 16 1956 BLICE I, DUCK, CLOSE 1445 R. 1994. eceived day of left 1956,

nd on 23 day of Dept 1956,

served a copy of the within Sec.

1 Service on Rom Walker

TAYLOR WILKINS, SI

By W. A. Tollerto. S

Flockton

Sheriff claims 22 miles at
Ten Cents per mile Total \$ 2 2 7

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

Begin at the Northeast corner of the James Cochrane Grant, Section 37, Township 1 North, Range 2 East, thence run North 756.5 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 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.

ΤV

That it has been necessary to employ Wilson Hayes, and 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.

٧

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 Gochrane Grant, Section 37, Township I Morth, Range 2 Hast, Thence run Morth 736.5 feet, Thence Rant 457.6 feet, Thence run South 22 degrees Bast 457 feet, Thence run North 60 degrees Bast 556 foot to a corner in a branch, Thence run Southeasterly along the sounders of the branch to a corner on the South line of Section 22. Township I Morth, Mange 2 Bast, Thence run West 1565.7 feet, Thence run Forth 118 feet, Thence run West 550 feet to a point of beginning, being 17 acres more or less.

That the Completenest Theoret Joraco is the open of an undivided 1/12 interport; that the Compleinant Annie W. Roberski is the owner of an undivided 1/12 interests that the Complainant Van Dorn Vishington is the owner of an wedlvided 1/12 interest; that the Complehent Rover W. Williams is the owner of an unitvided 1/12 interest; that the Complainant Realiton Washington is the comer of an audivided 1/12 interest; that the Complainant Wellie W. Stevens is the owner of an undiveded 1/12 interest: that the Respondent Camilla W. Pape is the owner of an undivided I/12 interest, that the Complainment Burths M. Medicon is the owner of an undivided L/12 interest; that the Respondent Buggma Washington in the owner of an undivided I/12 interest; that the Respondent Mariana Fillians is the owner of an undivided 1/24 interest, that the Completions Incl. 1- James for the owner of an activided 1/24 in verset; that the Compleinent Bayen Reshington is the owner of an undivided 1/12 interest; that the peopositive Sertia Ferker is the owner of so andivided 1/38 interest; that the Respondent Sadie Perker is the owner of an undivided 1/50 interest; and that the Respondent Willie Parker is the symper of an undivided 1/35 interest.

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That the promises above described extent 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.

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That is has been necessary to copyly Wilson Mayon, an attorney, to prosecute this, your petitemers, cause, and that he as such attorney is entitled to a reasonable attorney's fee for corvices beneficial to Complainants and Bestondents.

The Greenson considered, your Complainants pray that Camilla W. Pope, Bugone Washington, Mariane Williams, Bortha Parker, Sadie Parker and Willie Parker be made parties Respondents to this bill of complaint and that, they be required to plea, ensure or domin to this bill of complaint as required by less and the rules of this Resonable Court.

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

And your Complements further pray that spec such final hearing pour Menor will direct that the sold property be sold for division.

And your Emple leads for the proper and proper charges explored sold

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

COMPLAINANTS,

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	

AFFDAVIT

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 3/2 day of October, 1955.

WILSON HAYES

NOTARY PUBLIC

BALDVIN COUNTY, ALABAMA

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CIRCUIT COURT, BALDWIN COUNTY

No. 2003

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No. 3643 Page	Defendant lives at			
THE STATE OF ALABAMA BALDWIN COUNTY	Determant tryes at			
CIRCUIT COURT				
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HISSOURI HORACE, et al	, 19			
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Plaintiffs	I have executed this summons			
vs. Camulla Pope, ot al	this,19,19			
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Defendants				
SUMMONS and COMPLAINT				
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Rek. Alie e J. Duck, Clerk				
Clerk				
Wilson Hayes				
Plaintiff's Attorney	Sheriff			
Defendant's Attorney	Shelling and the state of the s			
	Deputy Sheriff			

Begin at the Northeast corner of the James Cochrane Grant, Section 37, Township 1 North, Range 2 Bast, Thence run North 736.5 feet, Thence Bast 457.6 feet, Thence run South 22 degrees Bast 478 feet, Thence run North 60 degrees Bast 536 feet to a corner in a branch, Thence run Southeasterly along the mounders of the branch to a corner en the South line of Section 22, Township 1 North, Bange 2 East, Thence run West 1360.7 feet, Thence run Borth 118 feet, Thence run West 330 feet to a point of beginning, being 17 acres more or less.

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That the premises above described extent be equitably divided because of the number of parties involved, the limited outent of the property and the fact that a number of the parties are non-residents of this state.

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That is has been necessary to emply Filson Mayes, an attorney, to prosecute this, your petitomers' cause, and that he as such attorney is entitled to a reasonable attorney's fee for services beneficial to Complainants and Respondents.

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The Frenices considered, your Complainants pray that Camilla W. Pope,
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And the Complainants further pray that out of the proceeds of this sale,
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and the cost of this proceeding, and will order the balance to be divided
pamong the parties in this cause absording to their respective interest in

Seald property.

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Folian as may be right and proper. And your Complainants will over pray

MISSOURI HORACE, et al,

COMPLAINANTS,

CAMILIA POPE, et al,

RESPONDENTS.

IN EQUITY

BILL OF COMPLAINT

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

COMPLAINANTS,

VS

CAMILLA W. POPE, EUGENE WASHINGTON, MARTANE WILLIAMS, BERTHA PARKER, SADIE PARKER, and WILLE PARKER,

RHSPONDENTS.

IN THE CIRCUIT COURT OF
BAIDWIN 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:

7

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 Wellie 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. Fope 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 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 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 Wasnington 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 undiveded 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 vis 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 is has been necessary to employ Wilson Mayes, an attorney, to prosecute this, your petitoners cause, and that he as such attorney is entitled to a reasonable attorney's fee for services beneficial to Complainants and Respondents.

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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 Complaiants 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.

Wolfer for complainants

MISSOURI HORACE, et al,

COMPLAINANTS,

rs:

CAMILLA POPE, et al,

RESPONDENTS.

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BILL OF COMPLAINT

FILED 001 31 1955

ALIEE I. GECK, Regista

MISSOURI HORACE, ANNIE W. ROBERSON VAN DORN WASHINGTON, HOVER W.	2 Å	IN THE CIRCUIT COURT OF
WILLIAMS, HAWILTON WASHINGTON, NELLIE W. STEVENS, BERTHA W.	ğ	
MADISON, RUBEN WASHINGTON AND LUCILLE JAMES,	ğ	
COMPLAINANTS	Ž	BALDWIN COUNTY, ALABAMA,
VS	,	
SAM WALKER, EUGENE WASHINGTON,	Ž	IN EQUITY
MARIANE WILLIAMS, BERTHA PARKER, SADIE PARKER AND WILLIE PARKER.	···· • • • • • • • • • • • • • • • • •	
RESPONDENTS	Ž Ž	
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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.

BEEBL & SWEARINGEN,

Solicitors for defendants