

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

2529

You are hereby commanded to summon PETER HENDRIXSON, ANNA HENDRIXSON, GEORGE HENDRIXSON, FRANK HENDRIXSON, FRANK HENDRIXSON, JESSIE SKINNER, LENA H. NEUGENT, PAULINE LEE, CURTIS HENDRIXSON, J. W. THOMAS, SUSIE THOMAS, LILLIAN T. VAUGHN, J. J. JOHNSON, INEZ JOHNSON, L. T. HOLT, MINNIE M. HOLT, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by DORA ROLEY, MAGGIE FOSTER, THOMAS ROLEY, RUBY MORRIS, WILLIE ROLEY, JAMES ROLEY, CHARLIE ROLEY, LILLIE LOWREY, STELLA GREEN, LEONARD ROLEY, BERTIE DONALD, CLARA STEVENSON, CLIFFORD ROLEY, a minor, by Dora Roley, his mother and next friend, DOYLE WEEKLEY, CAROLYN WEEKLEY, HAZEL WEEKLEY, ELAINE WEEKLEY, RONALD WEEKLEY, JUNE WEEKLEY, by Herman Weekley, their father and next friend, as Complainants and against Peter Hendrixson, George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena H. Neugent, Pauline Lee, Curtis Hendrixson, J. W. Thomas, Susie Thomas, Lillian T. Vaughn, John J. Johnson, Inez M. Johnson, L. T. Holt, Minnie M. Holt, as Respondents.

WITNESS my hand this the 18th day of August, 1950.

Lucy J. Leach
Register

DORA ROLEY, ET AL

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL

RESPONDENTS

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE TELFAIR J. MASHEURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainants, Dora Roley, Maggie Foster, Thomas Roley, Ruby Morris, Willie Roley, James Roley, Charlie Roley, Lillie Lowrey, Stella Green Leonard, Roley, Bertie Donald, Clara Stevenson, Clifford Roley, a minor, by Dora Roley, his mother and next friend, Doyle Weekley, Carolyn Weekley, Hazel Weekley, Elaine Weekley, Ronald Weekley and June Weekley, minors by Herman Weekley their father and next friend, their mother being dead, present this bill of complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

West half of Northeast Quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East,

and also against George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena H. Neugent, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, Minnie Holt, the unknown heirs, devisees, grantees, personal representatives and assigns for Peter Hendrixson, Anna Hendrixson, John J. Johnson, Inez M. Johnson, J. W. Thomas Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt, and also against any other person, firm or corporation claiming any right, title, interest in, lien or encumbrance upon the said land or any part or

parcel thereof and respectfully represent and show unto your Honor and this Honorable Court as follows:

1.

That your Complainants, Dora Roley, Maggie Foster, Willie Roley, James Roley, Charlie Roley, Stella Green, and Leonard Roley are over twenty-one years of age and bona fide residents of Baldwin County, Alabama; that Ruby Morris, Bertie Donald, and Clara Stevenson are over twenty-one years of age, and residents of Mobile County, Alabama; that Lillie Lowrey is over twenty-one years of age and a bona fide resident of Escambia County, Alabama; that Thomas Roley is over twenty-one years of age and a resident of Galena Park, Texas; that Clifford Roley is a minor, and brings this suit by Dora Roley, his mother and next friend; and is a bona fide resident of Baldwin County, Alabama; That Doyle Weekley, Carolyn Weekley, Hazel Weekley, Elaine Weekley, Ronald Weekley and June Weekley are minors, resident of Baldwin County Alabama, and brings this suit by Herman Weekley, their father and next friend their mother being dead.

2.

That the Respondents, George Hendrixson, Jessie Skinner and Lena H. Neugent are over twenty-one years of age and residents of Jackson, Clark County, Alabama; that Frank Hendrixson is over twenty-one years of age and a resident of Mt. Vernon, Mobile County, Alabama, his address being in C/o George Carter; that Pauline Lee is over twenty-one years of age and a resident of Port Arthur, Texas; that Curtis Hendrixson is over twenty-one years of age and a non-resident of the State of Alabama, his address being C/o Pauline Lee, Port Arthur, Texas; that Lillian T. Vaughn is over twenty-one years of age and a resident of Luverne, Crenshaw County, Alabama; that ~~J. W. Thomas and Susie Thomas are both dead, and that their sole and only~~ heir so far as your Complainants have been able to ascertain is Lillian T. Vaughn; that a diligent search has been made to ascertain and determine the addresses of John J. Johnson, Ines M. Johnson, L. T. Holt and Minnie M. Holt, and whether they and either of them is dead, and if so the names, ages and addresses of their heirs, but they are unknown; that Peter Hendrixson and Anna Hendrixson are both dead and that the names of their heirs so far as your Complainants have been able to ascertain are George Hendrixson, Frank Hendrixson, Jessie Skinner, and Lena H. Neugent; that Curtis Hendrixson is dead, that his heirs and next of kin so far as your Complainants have

been able to ascertain are Pauline Lee and Curtis Hendrixson.

3.

That your Complainants are the owners in fee simple and in the actual possession of the lands hereinabove described, in Baldwin County Alabama, and being as follows:

West half of Northeast quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East.

4.

That no suit is pending to test the Complainants title to, interest in, or rights of possession to said lands; that the Complainants therefore call upon the Respondent, and each of them to set forth and specify what right, title, interest in, lien or encumbrance upon the said lands, or any part thereof they have, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainants acquired title to the said lands by inheritance from W. M. Roley; that W. M. Roley acquired title to the West half of Northeast quarter of Section 18, Township 1 South, Range 5 East, by conveyance from Lillian T. Vaughn, the sole heir at law of J. W. Thomas and Marvin A. Thomas, dated March 3, 1934, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 55 NS pages 334-5; and to the Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East, by deed from H. H. McGill and Lela McGill, his wife, dated October 12, 1924, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 36 NS page 13.

6.

That the title to said lands claimed by your Complainants stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of W. M. Roley, through whom your Complainants claim by inheritance.

7.

That no one has at any time within ten years next preceding the filing of the bill of complaint in this cause, paid any taxes upon said land other than W. M. Roley and Mrs. W. M. Roley.

8.

That the only persons shown by the records of Baldwin County, Alabama,

to claim said land or any part thereof or interest therein are your Complainants, as the heirs of W. M. Roley deceased.

9.

That your Complainants in an effort to ascertain the claimants of said land or any part thereof have employed a solicitor to check and examine the records of Baldwin County, Alabama, and to make inquiries of various parties in and around Perdido, Baldwin County, Alabama and in the vicinity in which the said lands are located; that as a result of such examination and inquiries the facts as to any claimants of said lands and as to their whereabouts is as herein stated.

WHEREFORE the premises considered your Complainants pray that your Honor will by proper process make the said George Hendrixson, Jessie Skinner, Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez M. Johnson, L. T. Holt and Minnie M. Holt, the unknown heirs, devisees, personal representatives, grantees and assigns of George Hendrixson, Jessie Skinner, Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez M. Johnson, L. T. Holt and Minnie M. Holt, and any other person, firm or corporation claiming any right, title, to, interest in, or encumbrances upon the said land in Baldwin County, Alabama, to-wit:

West half of Northeast quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East,

or any part thereof, parties respondents to this bill of complaint, and require them, and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainants further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances to the lands herein described, and to each and every part and parcel thereof, is vested in your Complainants; and that neither George Hendrixson, Jessie Skinner and Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez, M. Johnson, L. T. Holt and Minnie M. Holt, the unknown heirs, devisees, personal representatives,

grantees, and assigns of George Hendrixson, Jessie Skirmer; Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez M. Johnson, L. T. Holt, and Minnie M. Holt, nor any other person, firm or corporation has any right, title to, interest in, or encumbrance upon the said land, or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.


Your Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive.

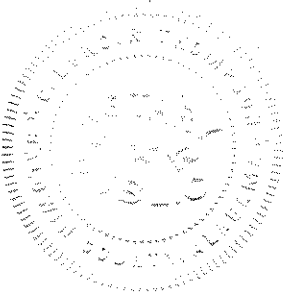

Solicitor for the Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared H. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says that he is Solicitor for the Complainant in the above styled cause, and authorized to make this affidavit; that from all information obtainable the facts contained in the foregoing bill of complaint are true and correct.

Sworn to and subscribed before me on this the 18 day of August, 1950.


Notary Public, Baldwin County, Alabama



Executed by serving a
of within the
J. Vaughan
This the 4 day of Sept.
1950, 11-4-7pm
Sheriff.
Crawshaw County Ala.

Executed by serving copy of within on

*George Henderson, Jessie Williams and
Lena H. Newgent*
This the 24 day of August 1950

By *J. A. Rice*, Sheriff
W. H. Holcombe, D.S.

RECEIVED 9-8-50
RETURNED 10-20-50
Not found in my County after diligent search
and inquiry. Frank Henderson

W. H. HOLCOMBE, Sheriff

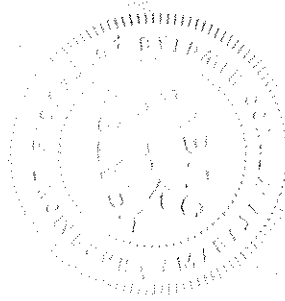
BY *A. J. Charleston* D.S.
Mobile County

RECORDED

Filed Aug 18, 1950
W. J. Nesbitt
Register

Received in Sheriff's Office
this 18 day of Aug 1950
TAYLOR WILKINS, Sheriff

CD
817 B
MO 2529
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Hera Riley et al
George Henderson et al



THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Dora Roley, et al Complainant

VS.

George Hendrixson, et al Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Willie Roley, James Roley and Leonard Roley

witnesses named in the Requirement for Oral Examination, on the 9 day of February 1945, at the office of Hubert M. Hall in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Willie Roley, James Roley and Leonard Roley doth depose and say as follows:

Willie Roley, James Roley and Leonard Roley, witnesses for the Complainants being first duly sworn, depose and say:

My name is Willie Roley. I am over twenty-one years of age, a bona fide residents of Baldwin County, Alabama, and have been all of my life. I am a son of W. M. Roley who died about 1935; that he left surviving him as his sole and only heirs the following, who are named as Complainants in this bill of complaint Dora Roley, Maggie Foster, Thomas Roley, Ruby Morris, Willie Roley, James Roley, Charlie Roley, Lillie Lowrey, Stella Green, Leonard Roley, Bertie Donald, Clara Stevenson, all of whom are over twenty-one years of age, Clifford Roley, a minor 19 years of age, Doyle Weekley, Carolyn Weekley, Hazel Weekley, Elaine Weekley, Ronald Weekley, and June Weekley, all minors, grandchildren of W. M. Roley; that Dora Roley is the widow of W. M. Roley.

I know that Peter Hendrixson and Anna Hendrixson, husband and wife are both dead; That they left surviving them as their children, their heirs and next of kin George Hendrixson, who is dead, having never married and left no children, Frank Hendrixson, Jessie Skinner, Lena H. Neugent, Pauline Lee, children and Curtis Hendrixson, a son of Carl Hendrixson, Lillian T. Vaughn are over twenty-one years of age and residents of Crenshaw County, Alabama, Minnie Holt, who is over twenty-one years of age and a non-resident of the State of Alabama living somewhere in Texas; that all of the Hendrixson are over twenty-one years of age; that W. M. Roley acquired title to the West half of the Northeast quarter of Section 18, Township 1 South, Range 5 East, by conveyance from Killian T. Vaughn the sole heir of Jessie W. Thomas, deceased, on March 3, 1934, as shown by deed of record in the office of the Probate Judge of Baldwin County, Alabama, in 55 NS pages 334-5; that immediately after acquiring title to the said land the said W. M. Roley went into the actual possession thereof and remained in the actual possession of the same until his death and that since his death, his heirs who are complainants in this cause of action, have been in the possession of the said property; that the timber on the said land has been turpentine continuously since my father, now deceased, acquired title to said lands;

That W. M. Roley acquired title to the Northeast quarter of the Northwest quarter of Section 18, Township 1 South, Range 5 East, from H. H. McGill and wife by deed dated November 12, 1924, and of record in Deed Book 36 NS page 13; that he immediately went into possession of the same and remained in possession until his death and that since his death his heirs, as named in this complainant, has been in possession thereof.

There is no suit pending to test the Complainants title to, interest in or rights of possession to said land.

That the title to said lands stand upon the records in the Court House at Bay Minette, Alabama, in the names of the heirs of W. M. Roley, who have regularly assessed and paid taxes thereon since acquiring title thereto as herein stipulated.

No one has at any time within ten years and more next preceding the filing of the bill of complaint in this cause paid any taxes upon said land other than W. M. Roley and Mrs. W. M. Roley, his widow. The only one shown

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition S on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 29th day of February, 1942.

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Dora Roley, et al

vs. Complainant

George Hendrixson, et al

Respondent.

Oral Deposition

Filed 2-12, 1942

W. A. Hendrixson, Register.
Recorded in

Record

Vol. _____ Page _____

Register.

by the records to claim said land or any part thereof are the heirs of W. M. Roley, deceased.

We made and caused to be made a diligent search and inquiry and also an examination of the records at Eay Minette, Alabama, county seat of the county in which said land lies to determine any claimants to said lands and those mentioned in the complaint are the only ones that made any claim to the said lands.

The West half of Northeast quarter of Section 18, Township 1 South, Range 5 East was sold for the taxes due from Mrs. Lena Neugent on the 1st day of June, 1920, to J. W. Thomas and Mr. Thomas, his widow, and daughter exercised complete dimensions over said lands by turpentineing it and my father for a number of years used the timber for turpentine purposes adversely to everybody other than Mr. Thomas and his heirs.

The Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East, was sold for taxes on September 17, 1917, and purchased by H. H. McGill who went into possession thereof and remained in possession until he sold it to my father in 1924.

I have lived near this land practically all of my life and so far as I know the parties named as respondents in this bill of complaint have never made any claim to or attempted to exercise anyrights of possession over the said property.

Willie Roley

My name is James Roley. I am one of the Complainants in this cause, being the son of W. M. Roley, now deceased, and Dora Roley. I am acquainted with, and have been all of my life, the lands described in this suit. I know that my father W. M. Roley, J. W. Thomas, Lillian T. Vaughn and H. H. McGill have been in the open, visible, peaceable, adverse, hostile and continuous possession of the said land for more than twenty years ever claiming to own the same, and that during said time no person, firm or corporation has exercised or attempted to exercise any rights of possession of said lands or any part thereof; that none of the Hendrixson heirs have ever tried to exercise any rights of possession to said lands; that my father W. M. Roley, turpentineed the timber on all of the lands for more than ten years prior to his death and since that time his heirs have turpentineed the timber on said lands and continue to exercise exclusive rights of possession and ownership of the same; that the facts set out in the bill of complaint in this cause are correct so far as can be ascertained.

James Roley

My name is Leonard Roley. I am the son of W. M. Roley, now deceased, and Dora Roley, one of the Complainants in this cause. I have read over the bill of complaint in this cause and the facts therein so far as I am able to find out are correct.

I know that W. M. Roley, during his life time, and since his death, his heirs have been in the actual possession of the lands herein described for more than twenty years ever claiming to own the same, and have exercised rights of possession contrary to the entire world.

Leonard Roley

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

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

NO. 2529

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the court that the order of publication heretofore made in this cause was published for four consecutive weeks commencing on the 24th day of August, 1950, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in Baldwin County, Alabama, on the 24th day of August, 1950, and it now further appearing to the court that the said Minnie Holt, the unknown heirs, devisees, grantees, personal representatives and assigns of Peter Hendrixson, Anna Hendrixson, John J. Johnson, Inex M. Johnson, J. W. Thomas, Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt, respondents have to date hereof failed to plead, answer or demur to this bill of complaint in this cause.

It is therefore, on motion of the Complainant, ordered and decreed by the court, that the said bill of complaint be and it is hereby is, in all things, taken as confessed against the Respondents named in this cause.

WITNESS my hand and seal of office this the 18 day of January, 1952.

Arthur L. Leach
Register

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

DECREE PRO CONFESSO
ON PUBLICATION

Filed 1-28-52

Wick-Heach
Repts

RECORDED

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2529

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainants upon the following:

1. Original summons and complaint.
2. Lis Pendens filed for record in the Probate Office.
3. Proof of publication of notice in the Baldwin Times.
4. Decree pro confesso by publication.
5. Decree pro confesso on personal service.
6. Request for appointment of Commissioner.
7. Commission to take depositions.
8. Notice of time of taking testimony.
9. Disclaimer.
10. Oral depositions of Willie Roley, James Roley and Leonard Roley with exhibits attached.

Dated this the 11 day of February, 1952.

J. L. Tucker
Solicitor for the Complainants

Archibald
Register

m

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

NOTE OF TESTIMONY

Filed 2-11-51

Alice J. Leach
Rechts

DORA ROLEY, ET AL

Complainants

VS.

GEORGE HENDRIXSON,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA

IN EQUITY

MOTION FOR ABATEMENT OF SUIT DURING
SERVICE IN UNITED STATES ARMY BY RES-
PONDENT, CURTIS HENDRIXSON AND ANSWER
AND CROSS BILL OF RESPONDENTS

Comes Lena Neugent, Curtis Hendrixson, Pauline Hendrixson Lee, who defends this suit in the name of her brother and next friend, Curtis Hendrixson; George Hendrixson; Jessie Hendrixson Skinner and Frank Hendrixson and, in response to the bill exhibited against them, separately say unto the Court as follows:

(A)

The Respondent, Curtis Hendrixson, says that he is in the armed service of the United States; that he cannot adequately and fully defend this cause so long as he is in the armed service of the United States and, particularly, while he is stationed in Germany and prays that this Court shall abate this suit until such time as he is released from the United States Army and shall have had a reasonable time in which to present his defense to this suit, consisting in part of material evidence concerning the sanity of his grandfather, Peter Hendrixson, and the time of the death of his father, Carl Hendrixson, which testimony is material and substantially within the knowledge of the said Curtis Hendrixson.

The Respondent, Pauline Lee, says that she is under the age of 21 years and files this defense of the bill exhibited against her in the name of her brother and next friend, Curtis Hendrixson.

(B)

Each of the Respondents named hereinabove, separately
say:

ONE

The Respondent has no knowledge of the ages and places
of residence of the Complainants.

TWO

The Respondent admits the age and place of residence
of the Respondents, George Hendrixson and Jessie Hendrixson Skinner.
Each Respondent alleges that the Respondent, Frank Hendrixson, is a
resident of Jackson, Alabama. Each Respondent admits that the
Respondent, Pauline Hendrixson Lee is a resident of Port Arthur but
denies that she is over the age of 21 years and demands strict proof
of said allegation. Each Respondent admits that Curtis Hendrixson
is over the age of 21 years; alleges that he is serving in the United
States Army in Germany; and that his address is presently unknown
to your Respondent.

THREE

The Respondent emphatically denies that the Complainants
are the owners in fee simple and in the actual possession of the West
Half of the Northeast Quarter of Section 18, Township 1 South, Range
5 East and demands strick proof of such allegation.

FOUR

The Respondent has no knowledge as to whether or not there
is any suit pending to test the title to the land described in the preceding
paragraph. The Respondent alleges that Peter Hendrixson acquired fee
simple title to said lands by virtue of a patent from the United States

Government dated, to-wit, January 3, 1899 and recorded in Deed Book 29 N. S., 261 of the Probate Court records of Baldwin County, Alabama. The Respondent alleges that the aforesaid Peter Hendrixson became insane in the year 1906 and remained continuously insane down to the date of his death in 1929. The said Peter Hendrixson was survived by the Respondents named hereinabove who constituted at the time of his death, and now constitute, all of his sole heirs at law. The Respondent, Curtis Hendrixson, and the Respondent Pauline Hendrixson Lee, who defends this suit by her brother and next friend, alleges that they constitute all of the heirs at law of Carl Hendrixson, who was a son of the aforesaid Peter Hendrixson, and who died prior to the aforesaid Peter Hendrixson. The Respondent alleges that title to the aforesaid lands is vested in the Respondents named hereinabove by virtue of inheritance under the laws of descent and distribution from the aforesaid Peter Hendrixson, deceased.

FIVE

The Respondent has no knowledge of the allegations contained in Paragraph Five of the bill and demands strict proof thereof.

SIX

The Respondent denies the allegations contained in Paragraph Six of the bill and demands strict proof thereof. The Respondent alleges, to the contrary, that the title to the West Half of the Northeast Quarter of Section 18, Township 1 South, Range 5 East stands upon the records of the Probate Court of Baldwin County, Alabama in the name of Peter Hendrixson.

SEVEN

The Respondent has no knowledge of the allegations contained in Paragraphs Seven, Eight and Nine in the bill and demands strict proof thereof.

EIGHT

Further answering the said bill as to the West Half of the Northeast Quarter of Section 18, Township 1 South, Range 5 East, the Respondent says: That at the time of his death the said Peter Hendrixson owned the said lands in fee simple. That the source of Complainant's title to said land is based on a tax sale on, to-wit, June 1, 1920 and recorded in Tax Sale Book 4, Page 271 of the Probate Court Records of Baldwin County, Alabama, and a tax deed made thereunder on June 2, 1922 and which said tax deed is recorded in Deed Book 32, N. S., Page 208. As against the aforesaid tax deed, the Respondent pleads the insanity of his grandfather, Peter Hendrixson down to the date of his death in 1929 and the minority of the aforesaid named Respondents, including the service by the Respondent, Curtis Hendrixson, in the United States Army from the year 1940 to the date of the filing of this bill.

NINE

The Respondent, Curtis Hendrixson, and the Respondent, Pauline Hendrixson Lee, do hereby offer to redeem from the aforesaid tax sale and to pay such sums as this Court shall be found due; said offer of redemption is made on behalf of all Respondents filing this answer, together with their offer to do equity.

The Respondent prays that this shall be taken as his/her full and complete answer to the aforesaid bill exhibited against him/her; shall be taken as his/her cross bill to the said allegations; and that on the filing hearing in this cause Your Honor will grant unto each of said Respondents named above the following relief:

1. That the Court ascertain the amount of taxes, interest

and all other legal charges due Complainants by virtue of the aforesaid tax sale and allow Respondents a reasonable time in which to redeem from the same.


2. That the Respondents be granted general relief.

3. That appropriate process be issued and served on the aforesaid Complainants requiring each of them to plead, answer or demur to the foregoing allegations within the time allowed by law, and upon their failure to do so, that a decree pro confesso be issued against him/her failing to do so.

Respectfully submitted,

SCOTT & PORTER

BY


As Attorneys for George Hendrixson,
Lena Neugent, Curtis Hendrixson, Pauline
Hendrixson Lee, Jessie Hendrixson Skinner
Frank Hendrixson

STATE OF ALABAMA

WASHINGTON COUNTY


Before me, the undersigned authority in and for Washington County, Alabama, personally appeared Howard Scott, who is known to me, and who after being by me first duly sworn, deposes and says, on his oath as follows:

"My name is Howard Scott. I am one of the Attorneys for the named Respondents in the above styled cause. The matters contained in the above and foregoing motion, answer and cross bill are true and correct according to my information and belief, and which information I verily believe to be true "


Howard Scott

Subscribed and sworn to before me on this the 2nd day of

October, 1950.


Notary Public

SCOTT & PORTER
ATTORNEYS

HOWARD G. SCOTT
DENNIS PORTER

CHATOM, ALABAMA

October 3, 1950

Mrs. Alice J Duck
Register
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Roley vs. Hendrixson.

I hand to you herewith a motion, answer, and cross bill in connection with the above styled cause. I assume that no decree pro confesso has been entered against the Respondents whom we represent as shown by the enclosed papers. If I am wrong in this thought I hope you will promptly advise me. I have enclosed an extra copy of the papers for service upon Mr. Hall.

Respectfully yours,



Howard Scott

HS:bdf

cc: Mr. Hubert M. Hall
Attorney at Law
Bay Minette, Alabama

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

Witness W day of January, 1952

Alice J. Renshaw Register.

Commissioner's Fee, \$_____

Witness' Fees, \$_____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Dora Roley, et al,

Complainant

vs.

George Hendrimson, et al

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Willie Roley

James Roley,

Leonard Roley

Filed 1-29-52
[Signature]

the BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

LEGAL NOTICE

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN EQUITY
DORA ROLEY, ET AL, COMPLAINANTS
VS.

GEORGE HENDRIXSON, ET AL, RE-
SPONDENTS

It having been made to appear in this cause by proper affidavit that George Hendrixson, Jessie Skinner and Lena H. Neugent are residents of Clark County, Alabama; that Frank Hendrixson, is a resident of Mobile County, Alabama; that Pauline Lee and Curtis Hendrixson are non-residents of the State of Alabama, their address being Port Arthur, Texas; that Lillian T. Vaughn is a resident of Crenshaw County, Alabama, and all being over twenty-one years of age; that John J. Johnson, Inez M. Johnson, L. T. Holt and Minnie M. Holt, Peter Hendrixson and Anna Hendrixson, if living are non-residents of the State of Alabama, and over twenty-one years of age, and if dead, their heirs and next of kin are non-residents of the State of Alabama and over twenty-one years of age and their address cannot be ascertained after a diligent search and inquiry; that Complainants are the owners in fee simple of and in the actual possession of the following described land situated in Baldwin County, Alabama, to-wit:

West half of Northeast quarter, North-east quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East;

That they acquired title to the same by inheritance from W. M. Rokey who acquired the same by conveyance from Lillian T. Vaughn and husband on March 3, 1934, by deed of record in Deed Book 55 NS pages 334-5 and H. H. McGill and wife by deed dated October 12, 1924, and of record in Deed Book 36 NS page 13, in the office of the Probate Judge of Baldwin County, Alabama; that the title to said land stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of W. M. Rokey; that no one has at any time within ten years next preceding the filing of the bill of complaint in this cause paid any taxes upon, or exercised any rights of possession to said lands other than W. M. Rokey and Mrs. W. M. Rokey.

It is therefore ordered and notice is hereby given that the said George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena H. Neugent, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, Minnie Holt, the unknown heirs, devisees, grantees, and personal representatives of Peter Hendrixson, Anna Hendrixson, John J. Johnson, Inez M. Johnson, J. W. Thomas, Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt and any other person, firm, or corporation claiming any right, title to, interest in, lien or encumbrance upon said land or any part thereof, to appear in this court and plead, answer or demur to the bill of complaint filed herein on or before September 23, 1950, or upon their having failed to do so, upon the expiration of thirty days from said date a decree pro confesso shall be taken against them and this cause shall be at issue.

It is further ordered that this order and notice be published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal on this the 13 day of August, 1950.

ALICE J. DUCK, Register

Hall
for Complainant

31-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Dora Rokey vs. George
Hendrixson

COST STATEMENT

570 WORDS @ 4 1/2 cents --- \$ 25.65

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Aug. 24, 1950 Vol. 61 No. 31

Date of 2nd publication Aug. 31, 1950 Vol. 61 No. 32

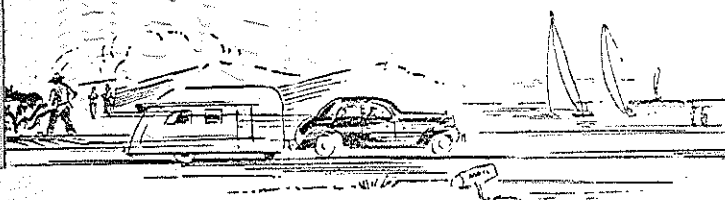
Date of 3rd publication Sept. 7, 1950 Vol. 61 No. 33

Date of 4th publication Sept. 14, 1950 Vol. 61 No. 34

Subscribed and sworn before the undersigned this 14 day of Sept, 1950

Dora May Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

Dora Roley et al
Complainant,
Vs. George Hendrixson et al
Respondent.

In the Circuit Court.
In Equity No. 2528.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent

Lillian T. Vaughn

by the Sheriff of Grenshaw County, on the 11th day of September,
194 50.

And it further appears to the Register, that the said

Lillian T. Vaughn

, the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of Hubert M. Hall Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said Lillian T. Vaughn

This 28 day of January, 194 50.

David L. Remick
Register.

No. _____

**CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.
IN EQUITY**

Dora Roley, et al

Complainant,

Vs.

George Hendrixson et al

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this 18 day of Jan,
1945.

Alvin J. Smith
Register.

DORA ROLEY, ET AL,

*

Complainants

*

IN THE CIRCUIT COURT OF

VS.

*

BALDWIN COUNTY, ALABAMA

GEORGE HENDRIXSON,
ET AL,

*

IN EQUITY

Respondents

*

DISCLAIMER

Comes Lena Neugent, Curtis Hendrixson, George Hendrixson,
Jessie Hendrixson Skinner, Frank Hendrixson and Pauline Hendrixson Lee,
by their attorneys of record, Scott & Porter, and for answer to the Bill of
Complaint exhibited against them, separately and severally, say as follows:

They, and each of them, disclaim any right, title or interest in
or to the West Half of Northeast Quarter of Section 18, Township 1 South,
Range 5 East.

Respectfully submitted,

SCOTT & PORTER

By 7 L L Porter
As Solicitors of Record for the
Above named Respondents.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon PETER HENDRIXSON, ANNA HENDRIXSON, GEORGE HENDRIXSON, FRANK HENDRIXSON, FRANK HENDRIXSON, JESSIE SKINNER, LENA M. NEUGENT, PAULINE LEE, CURTIS HENDRIXSON, J. W. THOMAS, SUSIE THOMAS, LILLIAN T. VAUGHN, J. J. JOHNSON, INEZ JOHNSON, L. T. HOLT, MINNIE M. HOLT, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by DORA ROLEY, MAGGIE FOSTER, THOMAS ROLEY, RUBY MORRIS, WILLIE ROLEY, JAMES ROLEY, CHARLIE ROLEY, BILLIE LOWREY, STELLA GREEN, LEONARD ROLEY, BERTIE DONALD, CLARA STEVENSON, CLIFFORD ROLEY, a minor, by Dora Roley, his mother and next friend, DOYLE WEEKLEY, CAROLYN WEEKLEY, HAZEL WEEKLEY, ELAINE WEEKLEY, RONALD WEEKLEY, JUNE WEEKLEY, by Herman Weekley, their father and next friend, , as Complainants and against Peter Hendrixson, George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena M. Neugent, Pauline Lee, Curtis Hendrixson, J. W. Thomas, Susie Thomas, Lillian T. Vaughn, John J. Johnson, Inez M. Johnson, L. T. Holt, Minnie M. Holt, as Respondents.

WITNESS my hand this the 18 day of August, 1950.

Lucy J. Neusch
Register

DORA ROLEY, ET AL

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE TRIFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainants, Dora Roley, Maggie Foster, Thomas Roley, Ruby Morris, Willie Roley, James Roley, Charlie Roley, Billie Lowrey, Stella Green Leonard, Roley, Bertie Donald, Clara Stevenson, Clifford Roley, a minor, by Dora Roley, his mother and next friend, Doyle Weekley, Carolyn Weekley, Hazel Weekley, Elaine Weekley, Ronald Weekley and June Weekley, minors by Herman Weekley their father and next friend, their mother being dead, present this bill of complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

West half of Northeast Quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East,

and also against George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena M. Neugent, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, Minnie Holt, the unknown heirs, devisees, grantees, personal representatives and assigns for Peter Hendrixson, Anna Hendrixson, John J. Johnson, Inez M. Johnson, J. W. Thomas Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt, and also against any other person, firm or corporation claiming any right, title, interest in, lien or encumbrance upon the said land or any part or

parcel thereof and respectfully represent and show unto your Honor and this Honorable Court as follows:

1.

That your Complainants, Dora Roley, Maggie Foster, Willie Roley, James Roley, Charlie Roley, Stella Green, and Leonard Roley are over twenty-one years of age and bona fide residents of Baldwin County, Alabama; that Ruby Morris, Bertie Donald, and Clara Stevenson are over twenty-one years of age, and residents of Mobile County, Alabama; that Lillie Lowrey is over twenty-one years of age and a bona fide resident of Escambia County, Alabama; that Thomas Roley is over twenty-one years of age and a resident of Galena Park, Texas; that Clifford Roley is a minor, and brings this suit by Dora Roley, his mother and next friend; and is a bona fide resident of Baldwin County, Alabama; That Boyle Weekley, Carolyn Weekley, Hazel Weekley, Elaine Weekley, Ronald Weekley and June Weekley are minors, resident of Baldwin County Alabama, and brings this suit by Herman Weekley, their father and next friend their mother being dead.

2.

That the Respondents, George Hendrixson, Jessie Skinner and Lena H. Neugent are over twenty-one years of age and residents of Jackson, Clark County, Alabama; that Frank Hendrixson is over twenty-one years of age and a resident of Mt. Vernon, Mobile County, Alabama, his address being in C/o George Carter; that Pauline Lee is over twenty-one years of age and a resident of Port Arthur, Texas; that Curtis Hendrixson is over twenty-one years of age and a non-resident of the State of Alabama, his address being C/o Pauline Lee, Port Arthur, Texas; that Lillian T. Vaughn is over twenty-one years of age and a resident of Luverne, Crenshaw County, Alabama; that J. W. Thomas and Susie Thomas are both dead, and that their sole and only heir so far as your Complainants have been able to ascertain is Lillian T. Vaughn; that a diligent search has been made to ascertain and determine the addresses of John J. Johnson, Inez M. Johnson, L. T. Holt and Minnie M. Holt, and whether they and either of them is dead, and if so the names, ages and addresses of their heirs, but they are unknown; that Peter Hendrixson and Anna Hendrixson are both dead and that the names of their heirs so far as your Complainants have been able to ascertain are George Hendrixson, Frank Hendrixson, Jessie Skinner, and Lena H. Neugent; that Curtis Hendrixson is dead, that his heirs and next of kin so far as your Complainants have

been able to ascertain are Pauline Lee and Curtis Hendrixson.

3.

That your Complainants are the owners in fee simple and in the actual possession of the lands hereinabove described, in Baldwin County, Alabama, and being as follows:

West half of Northeast quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East.

4.

That no suit is pending to test the Complainants title to, interest in, or rights of possession to said lands; that the Complainants therefore call upon the Respondent, and each of them to set forth and specify what right, title, interest in, lien or encumbrance upon the said lands, or any part thereof they have, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainants acquired title to the said lands by inheritance from W. M. Roley; that W. M. Roley acquired title to the West half of Northeast quarter of Section 18, Township 1 South, Range 5 East, by conveyance from Lillian T. Vaughn, the sole heir at law of J. W. Thomas and Marvin A. Thomas, dated March 3, 1934, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 55 MS pages 334-5; and to the Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East, by deed from H. H. McGill and Lela McGill, his wife, dated October 12, 1924, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 36 MS page 13.

6.

That the title to said lands claimed by your Complainants stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of W. M. Roley, through whom your Complainants claim by inheritance.

7.

That no one has at any time within ten years next preceding the filing of the bill of complaint in this cause, paid any taxes upon said land other than W. M. Roley and Mrs. Wm M. Roley.

8.

That the only persons shown by the records of Baldwin County, Alabama,

to claim said land or any part thereof or interest therein are your Complainants, as the heirs of W. M. Roley deceased.

9.

That your Complainants in an effort to ascertain the claimants of said land or any part thereof have employed a solicitor to check and examine the records of Baldwin County, Alabama, and to make inquiries of various parties in and around Perdido, Baldwin County, Alabama and in the vicinity in which the said lands are located; that as a result of such examination and inquiries the facts as to any claimants of said lands and as to their whereabouts is as herein stated.

WHEREFORE the premises considered your Complainants pray that your Honor will by proper process make the said George Hendrixson, Jessie Skinner Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez M. Johnson, L. T. Holt and Minnie M. Holt, the unknown heirs, devisees, personal representatives, grantees and assigns of George Hendrixson, Jessie Skinner, Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez M. Johnson, L. T. Holt and Minnie M. Holt, and any other person, firm or corporation claiming any right, title, to, interest in, or encumbrances upon the said land in Baldwin County, Alabama, to-wit:

West half of Northeast quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East,

or any part thereof, parties respondents to this bill of complaint, and require them, and each of them to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainants further pray that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances to the lands herein described, and to each and every part and parcel thereof, is vested in your Complainants; and that neither George Hendrixson, Jessie Skinner and Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez, M. Johnson, L. T. Holt and Minnie M. Holt, the unknown heirs, devisees, personal representatives,

grantees, and assigns of George Hendrixson, Jessie Skinner, Lena H. Neugent, Frank Hendrixson, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, J. W. Thomas, Susie Thomas, John J. Johnson, Inez M. Johnson, L. T. Holt, and Minnie M. Holt, nor any other person, firm or corporation has any right, title to, interest in, or encumbrance upon the said land, or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

Your Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive.

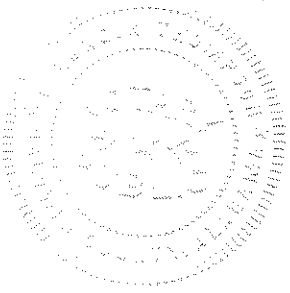
STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared H. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says that he is Solicitor for the Complainant in the above styled cause, and authorized to make this affidavit; that from all information obtainable the facts contained in the foregoing bill of complaint are true and correct.

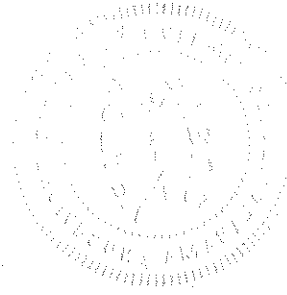
Solicitor for the Complainants

Sworn to and subscribed before me on this the 18 day of August, 1950.

Notary Public, Baldwin County, Alabama



N.F. 61
no 2529



Dora Riley et al
vs
George Hendriksen et al

RECEIVED... Sept. 8, 1950
RETURNED... Oct. 8, 1950
Not found in my County after diligent search
and inquiry.

W. H. HOLCOMBE, Sheriff
By... A. J. Chapman... D.S.
Mobile County

Filed Aug 18, 1950

Office of Records
Register

Copy for

Frank Hendriksen
Mt Vernon
Mobile Co

Given to and returned before me at 10:00 AM on Sept. 1, 1950.

[Handwritten signatures and notes in the right margin]

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2529

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

Come the Complainants in the above styled cause and show unto the Court that an order of publication was made on the 18th day of August, 1950, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, in its issues of August 24, 1950, August 31, September 7, September 14, 1950, and was directed to Minnie Holt, the unknown heirs, devisees, Grantees, personal representatives and assigns of Peter Hendrixson, Anna Hendrixson, John J. Johnson, Inez M. Johnson, J. W. Thomas, Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt, and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrances upon the following described land situated in Baldwin County, Alabama, to-wit:

West half of Northeast quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East.

As Respondents, which required the said Respondents to answer or demur to the bill of complaint within thirty days after the 25th day of September, 1950, which said Respondents have to this day failed to do.

WHEREFORE, the Complainants move the court to grant a decree pro confesso against the said Respondents.

Dated this the 25 Day of January, 1952.

Solicitor for the Complainants

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL

RESPONDENTS

MOTION FOR DECREE PRO CONFESSO
ON PUBLICATION

filed 1-25-52
Alvin French
Register

RECORDED

DORA ROLEY, ET AL

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2529

TO: Peter Hendrixson, Anna Hendrixson, George Hendrixson, Frank Hendrixson
Jessie Skinner, Lena H. Neugent, Pauline Lee, Curtis Hendrixson, J. W. Thomas,
Susie Thomas, Lillian T. Vaughn, J. J. Johnson, Inez Johnson, L. T. Holt,
Minnie M. Holt:

Notice is hereby given that the Complainants will on the 9 day
of February, 1952, before Evelyn Watts, as special commissioner
take the testimony of the following witnesses.

Willie Roley,

Perdido, Alabama

James Roley

Perdido, Alabama

Leonard Roley

Perdido, Alabama.

Dated this the 27 day of January, 1952.

[Signature]
Solicitor for the Complainants

Evelyn Watts
Special Commissioner

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

NOTICE OF TIME OF TAKING TESTIMONY

Filed 1-29-52
Doris J. Muck
Rept.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. 2529 Circuit Court, In Equity.

Dora Roley, et al

Complainant

Vs.

George Hendrixson et al

Defendant

Motion is hereby made for a Decree Pro Confesso against William T. Vaughn

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This

25

day of

January

19 52

S. L. L. L.

Solicitor.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Dora Roley et al

Vs.

George Hendrixson et al

Motion for Decree Pro Confesso on
Personal Service

Filed 1-25 1952

W. J. French
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE (No collection of surcharge is required on international registered mail)

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of nonnegotiable securities and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct.

(Signature of sender)

RECEIVED from alice J Duck
pieces of Registered mail.
(Insert "Registered" or "Registered C. O. D.")

the following-described

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of one cent for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and indorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	(3) CLASS	(4) Postage (exclusive of other charges or fees)	(5) Registry fee	(6) Fee paid for return receipt	(7) Special delivery fee	(8) Amount due sender if C. O. D.	(9) *Indorsement on article if fragile	(10) Delivery restricted—Fee paid	(11) Value of any contents on which surcharge is based on value only or value and length of haul instead of cost of duplication. If of no value, so state	(12) Known or estimated cost of duplication of contents on which surcharge is based on cost of duplication, as distinguished from the full value	(13) Total of items 11 and 12	(14) Total surcharge on entire contents of article	(15) Total contents covered by commercial insurance in amount of—	(16) Remarks
5061	Sallie Mae Postle	1	3	25	5				20						
2	801 Lee St S at Atlanta Ga														
5062	Rudine Lee	1	3	25	5				20						
3	Post Arthur Agem														
5063	Curtis Henderson	1	3	25	5				20						
4	Cs Rudine Lee Post Arthur Agem														
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* Mark "F" if "Fragile."

NOTE.—Diagonal mark must be drawn through lines not used.

Total number of pieces listed by sender

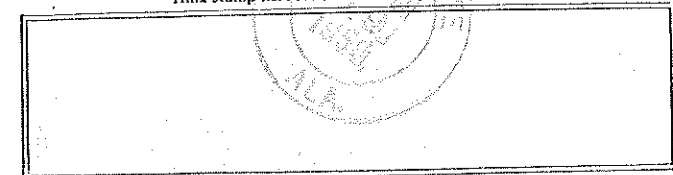
(Write number here in words)

Total number of pieces received at post office

Postmaster, per

(Name of receiving employee)

Affix stamp here for additional copies of this bill



Postmark and date of receipt

DORA ROLEY, ET AL

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2529

REQUEST FOR APPOINTMENT OF COMMISSIONER

TO: Mrs. Alice J. Duck, Register of the Circuit Court of Baldwin County,
Alabama:

The Complainants wish to take orally, on behalf of the Complainants,
the testimony of the following witnesses:

Willie Roley

Perdido, Alabama.

James Roley

Perdido, Alabama.

Leonard Roley

Perdido, Alabama.

It is hereby requested that they be given proper and legal notice and
that Evelyn Watts be appointed as Special Commissioner, to take testimony
of said witnesses, and that due and legal notice be given as required by
law.

Dated this the 29 day of January, 1952.

J. L. Lee
Solicitor for the Complainants

DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

REQUEST FOR APPOINTMENT
OF COMMISSIONER

Filed 1-29-52

Alvin J. Henschel
Register

Record

BOOK 002 PAGE 316

DORA ROEBY, ET AL

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

~~It having been made to appear in this cause by proper affidavit,~~
that George Hendrixson, Jessie Skinner and Lena H. Neugent are residents of Clark County, Alabama; that Frank Hendrixson, is a resident of Mobile County, Alabama; that Pauline Lee and Curtis Hendrixson are non-residents of the State of Alabama, their address being Port Arthur, Texas; that Lillian T. Vaughn is a resident of Crenshaw County, Alabama, and all being over twenty-one years of age; that John J. Johnson, Inez M. Johnson, L. T. Holt and Minnie M. Holt, Peter Hendrixson and Anna Hendrixson, if living are non-residents of the State of Alabama, and over twenty-one years of age, and if dead, their heirs and next of kin are non-residents of the State of Alabama and over twenty-one years of age and their address cannot be ascertained after a diligent search and inquiry; that the Complainants are the owners in fee simple of and in the actual possession of the following described land situated in Baldwin County, Alabama, to-wit:

West half of Northeast quarter, Northeast quarter of Northwest quarter of Section 18, Township 1 South, Range 5 East;

That they acquired title to the same by inheritance from W. M. Roley who acquired the same by conveyance from Lillian T. Vaughn and husband on March 3, 1934, by deed of record in Deed Book 55 NS pages 334-5 and H. H. McGill and wife by deed dated October 12, 1924, and of record in Deed Book 36 NS page 13, in the office of the Probate Judge of Baldwin County, Alabama; that the title to said land stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of W. M. Roley; that no one has at any time within ten years next preceding the filing of the bill of complaint in this cause paid any taxes upon, or exercised any rights of possession to said lands other than W. M. Roley and Mrs. W. M. Roley.

It is therefore ordered and notice is hereby given that the said George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena H. Neugen, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, Minnie Holt, the unknown heirs, devisees, grantees, and personal representatives of Peter Hendrixson, Anna

BOOK 002 PAGE 317

Hendrixson, John J. Johnson, Inez M. Johnson, J. W. Thomas, Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt, and any other person, firm, or corporation claiming any right, title to, interest in, lien or encumbrance upon said land, or any part thereof, to appear in this court and plead, answer or demur to the bill of complaint filed herein on or before

September 25, 1950, or upon their having failed to do so, upon the expiration of thirty days from said date a decree pro confesso shall be taken against them and this cause shall be at issue.

It is further ordered that this order and notice be published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal on this the 18 day of August, 1950.

Alice J. Duck
Register

H. M. Hall
Solicitor for Complainant

STATE OF ALABAMA
BALDWIN COUNTY

I, ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, in the cause of Dora Roley, et al, Complainant vs George Hendrixson, et al, Respondents, and filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said lands lie in accordance with the provisions of the laws of the State of Alabama;

IN WITNESS WHEREOF I have hereunto set my hand and seal of office on this the 18 day of August, 1950.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY

Filed 8/18/50..... 4 P.M.
Recorded Li. Prod...... book 2..... page 316

W. H. F. Smith
Judge of Probate

18

8-18-50

No 2529

Dora Riley et al

to

George Hendrixson et al

Lib. Ben -

2-316-17

R. 1.05

Mrs. Duck

FILED

AUG 18 1950

ALICE L. DICK, Registrar

17475438-9-40
2/19/52

DORA ROLLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2529

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainants are the owners in fee simple of, are now and were at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that personal service was perfected upon the Respondents, Lena Neugent, Curtis Hendrixson, George Hendrixson, Jessie Hendrixson Skinner, Frank Hendrixson Pauline Hendrixson Lee and Lillian T. Vaughn; that service was perfected upon the respondents, George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena H. Neugent, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, Minnie Holt, the unknown heirs, devisees, grantees, personal representatives and assigns of Peter Hendrixson, Anna Hendrixson, John J. Johnson, Inez M. Johnson, J. W. Thomas, Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt, and any other person, firm or corporation claiming any right, title, interest in, lien or encumbrance upon the said land or any part or parcel thereof by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 24th day of August, 1950; that all the respondents are over twenty-one years of age; that notice of the pendency of said suit was given by the filing of a lis pendens notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that Lena Neugent, Curtis Hendrixson, George Hendrixson, Jessie Hendrixson Skinner, Frank Hendrixson and Pauline Hendrixson Lee filed their pleadings disclaiming title to the lands to which they were alleged to have an interest; and that all other respondents having failed to appear and plead, answer or demur to the bill of complaint as required by law a decree pro confesso was taken and entered against them and each of them; that the title of the Complainants has been duly and legally established by legal and competent

evidences, the court is of the opinion that the Complainants are entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the court, that the Respondents, George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena H. Neugent, Pauline Lee, Curtis Hendrixson, Lillian T. Vaughn, Minnie Holt, the unknown heirs, devisees, grantees, personal representatives and assigns of Peter Hendrixson, Anna Hendrixson, John J. Johnson, Inez M. Johnson, J. W. Thomas, Susie Thomas, Curtis Hendrixson, L. T. Holt, Minnie M. Holt, and also any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

West half of Northeast quarter, Northeast quarter of
Northwest quarter of Section 18, Township 1 South, Range
5 East.

~~IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the~~
full fee simple title to the said land in Baldwin County, Alabama, to-wit:

West half of Northeast quarter, Northeast quarter of
Northwest quarter of Section 18, Township 1 South, Range
5 East,

is vested absolutely in the Complainants, Dora Roley, Maggie Foster, Thomas Roley, Ruby Morris, Willie Roley, James Roley, Charlie Roley, Lillie Lowrey, Stella Green, Leonard Roley, Bertie Donald, Clara Stevenson, Clifford Roley, Doyle Weekley, Carolyn Weekley, Hazel Weekley, Elaine Weekley, Ronald Weekley, and June Weekley,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of (Peter Hendrixson, Anna Hendrixson, George Hendrixson, Frank Hendrixson, Jessie Skinner, Lena H. Neugent, Pauline Lee, Curtis Hendrixson, J. W. Thomas, Susie Thomas, Lillian T. Vaughn, J. J. Johnson, Inez Johnson, L. T. Holt, Minnie M. Holt, and in the indirect index in the names of Dora Roley, Maggie Foster, Thomas Roley, Ruby Morris, Willie Roley, James Roley, Charlie Roley, Lillie Lowrey, Stella Green, Leonard Roley, Bertie Donald, Clara Stevenson, Clifford Roley, Doyle Weekley, Carolyn Weekley, Hazel Weekley, Elaine Weekley, Ronald Weekley, and June Weekley.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, BY THE COURT THAT the Register shall within thirty days from the rendition of this decree file a certified copy hereof in the office of the Judge of Probate of Baldwin County, Alabama, and that the costs thereof be taxed in the costs of this cause.

IT IS FURTHER ORDERED that the Complainants pay the costs of this cause for which execution may issue.

Dated at Bay Minette, Baldwin County, Alabama, this the 12th day of February, 1952.

Walter J. Marblebury, Jr.
JUDGE

STATE OF ALABAMA
BALDWIN COUNTY

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing and attached is a full, true correct and complete copy of the final decree in the matter of Dora Roley, et al, Complainants, vs George Henrixson, et al, Respondents, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the ____ day of February, 1952.

Register

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DORA ROLEY, ET AL,

COMPLAINANTS

VS

GEORGE HENDRIXSON, ET AL,

RESPONDENTS

2529

FINAL DECREE

FILED

FEB 13 1952

ALICE J. DUCK, Register