

ALFREDA NELLUMS,	)	
	)	IN THE CIRCUIT COURT OF
VS. Complainant,	)	BALDWIN COUNTY, ALABAMA
	)	IN EQUITY
AXEL OLSON, ET AL.,	)	NO. 4270
	)	
Respondents.	)	

FINAL DECREE

This cause coming on to be heard on this date is submitted for a final decree upon the original, verified Bill of Complaint; motion for decree pro confesso against respondents; decree pro confesso against respondents, from all of which it appears that the firm of Howell and Johnston, Attorneys at Law, appeared in this cause and filed a demurrer for and on behalf of all of the said respondents, which thereby constituted a general appearance in this cause for each and all of the respondents; that the said demurrer was overruled by a decree of this court dated on, to-wit, June 17, 1958, in which the respondents were allowed twenty days from the said date to file additional pleadings; that thereafter the said attorneys withdrew their appearance as attorneys for the respondents in this cause, after which a decree pro confesso was made and entered against the respondents in this cause; upon consideration of all of which, it appears to the court that the complainant is entitled to the relief prayed for by her in her said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The complainant, Alfreda Nellums, as against the respondents Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet and Esther O'Connor, is the true and lawful owner in her own right of the following described real property situated in Baldwin County, Alabama, to-wit:

All of Fractional Section 4;  
Northwest Fractional Quarter of Section 9,  
Township 3 South, Range 5 East.

2. Title to the above described lands is vested in the said complainant, Alfreda Nellums, and her title thereto is forever quieted against the respondents Axel Olson, H. E. Olson, Albert

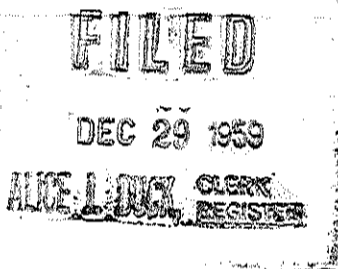
Olson, Hilda Tviet and Esther O'Connor; and the said respondents Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet and Esther O'Connor, are without right, title or interest in and to the said lands, or any part thereof, and have and hold no encumbrance on the said property, or any part thereof, or any interest therein.

3. The Register of this court shall, within thirty days from the rendition of this decree, file a certified copy hereof for record in the office of the Judge of Probate of Baldwin County, Alabama, and tax the cost of such recording as a part of the costs of this proceeding.

4. The costs of this proceeding are hereby taxed against the complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 15 day of December, 1959.

*J. Robert M. Jones*  
\_\_\_\_\_  
Judge



RECEIPT FOR REGISTERED ARTICLE No. 805

Fee paid 50 (Date) 4-23, 1958
Class postage paid 1 Return receipt fee 10
Declared value, \$ none Special delivery fee
Restricted delivery in person 50
Surcharge paid, \$ or order
Fee paid
From Alice J Duck Bm Ala
Addressed to Albert Olson Rt 2 Prestigo Miss Postmaster, per [Signature]



RECEIPT FOR REGISTERED ARTICLE No. 808

Fee paid 50 (Date) 4-23, 1958
Class postage paid 1 Return receipt fee 10
Declared value, \$ none Special delivery fee
Restricted delivery in person 50
Surcharge paid, \$ or order
Fee paid
From Alice J Duck B. M. Ala
Addressed to Nedra Juiet Mundelein, Ill Postmaster, per [Signature]



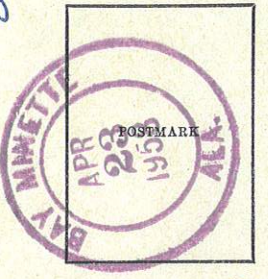
RECEIPT FOR REGISTERED ARTICLE No. 806

Fee paid 50 (Date) 4-23, 1958
Class postage paid 1 Return receipt fee 10
Declared value, \$ none Special delivery fee
Restricted delivery in person 50
Surcharge paid, \$ or order
Fee paid
From Alice J Duck Bm Ala
Addressed to Rhinlander Ruse Postmaster, per [Signature]



RECEIPT FOR REGISTERED ARTICLE No. 809

Fee paid 50 (Date) 4-23, 1958
Class postage paid 1 Return receipt fee 10
Declared value, \$ none Special delivery fee
Restricted delivery in person 50
Surcharge paid, \$ or order
Fee paid
From Alice J Duck B. M. Ala
Addressed to Esther O'Connor Rt 2 Box 596 Cantonment, Fla Postmaster, per [Signature]



RECEIPT FOR REGISTERED ARTICLE No. 807

Fee paid 50 (Date) 4-23, 1958
Class postage paid 1 Return receipt fee 10
Declared value, \$ none Special delivery fee
Restricted delivery in person 50
Surcharge paid, \$ or order
Fee paid
From Alice J Duck Bm Ala
Addressed to H.E. Olson Rt 2 Box 233A Prestigo Miss Postmaster, per [Signature]





POSTMARK OF  
DELIVERING OFFICE



INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO

REGISTERED NO.

NAME OF SENDER

808

Wick & Duck - Bay

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Box 239

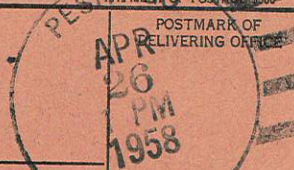
INSURED NO.

CITY, ZONE, AND STATE

Bay Minette, Ala

POD Form 3811, Dec. 1955

016-71548-3



POSTMARK OF  
DELIVERING OFFICE

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO

REGISTERED NO.

NAME OF SENDER

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

INSURED NO.

CITY, ZONE, AND STATE

Wick & Duck - Bay  
Box 239  
Bay Minette, Ala

POD Form 3811, Dec. 1955

016-71548-3

4770

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X *Hilda Q. Sweif*

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

. 19

4.

FILED  
APR 30 1958  
AUG 1, 1958  
REGISTER

e16-71548-3 gfo

4770

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X *H. E. Olson*

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

*4-26*

. 19

*58*

4.

FILED  
APR 28 1958  
AUG 1, 1958  
REGISTER

e16-71548-3 ero

4270

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X Albert Nelson

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

4-26 1958

4.

FILED  
APR 23 1958  
AFC 1. BUCK, Registrar

GPO c16-71548-3

POST OFFICE DEPARTMENT  
POST OFFICE, Bay Minnetto, Ala.

OFFICIAL BUSINESS  
(No. 4)

BAY MINNETTO  
APR 23  
17 PM  
1958  
ALA.

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300  
(PMGC)

Alvin J Duck  
city

4270

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X Albert Nelson

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

APR 26 1958

4.

FILED  
APR 23 1958  
AFC 1. BUCK, Registrar

GPO c16-71548-3

4270

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X Esther Brown

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

4-26 1958

4.

FILED  
APR 23 1958  
AFC 1. BUCK, Registrar

GPO c16-71548-3

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE \$300

POSTMARK OF  
DELIVERING OFFICE

APR 26 1 PM 1958

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

REGISTERED NO. 405

CERTIFIED NO.

INSURED NO.

NAME OF SENDER  
Alice J. Duck-R...

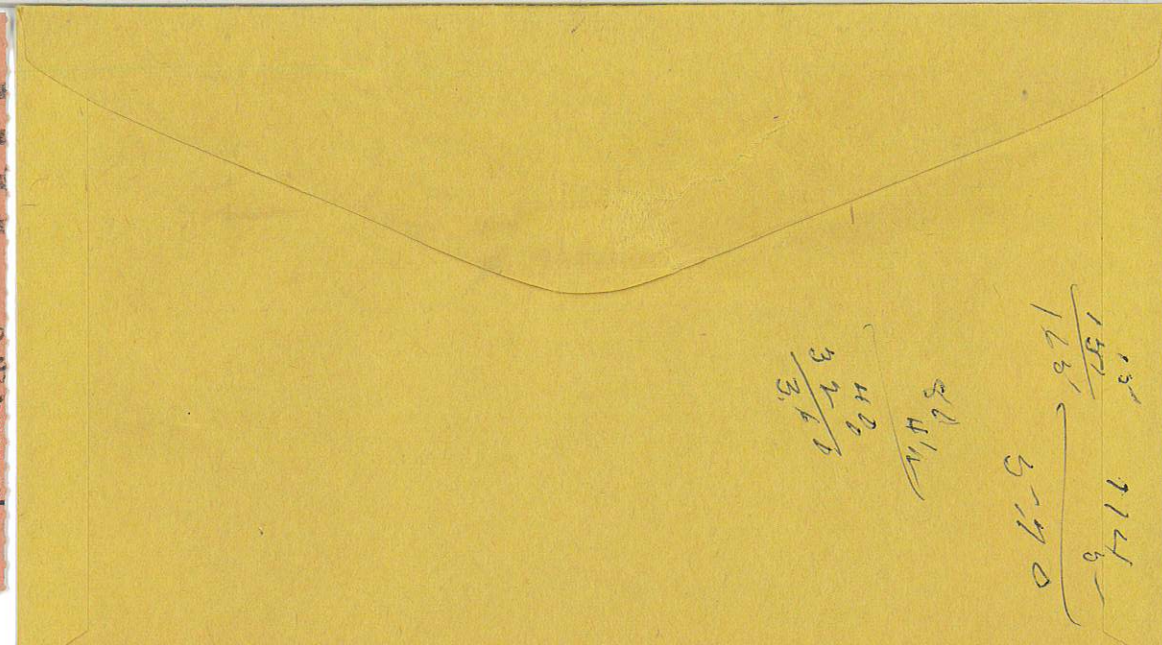
STREET AND NO. OR P. O. BOX  
Box 239

CITY, ZONE, AND STATE  
Bay Minette, Ala

RETURN TO  
WIS.

POD Form 3811, Dec. 1955

610-71548-3



POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE \$300

POSTMARK OF  
DELIVERING OFFICE

APR 26 12 30 PM 1958

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

REGISTERED NO. 806

CERTIFIED NO.

INSURED NO.

NAME OF SENDER  
Alice J. Duck

STREET AND NO. OR P. O. BOX  
Box 239

CITY, ZONE, AND STATE  
Bay Minette, Ala

RETURN TO

POD Form 3811, Dec. 1955

610-71548-3

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE \$300

POSTMARK OF  
DELIVERING OFFICE

CANTONMENT  
APR 26 3 30 PM

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

REGISTERED NO. 809

CERTIFIED NO.

INSURED NO.

NAME OF SENDER  
Alice J. Duck-R...

STREET AND NO. OR P. O. BOX  
Box 239

CITY, ZONE, AND STATE  
Bay Minette, Ala

RETURN TO

POD Form 3811, Dec. 1955

610-71548-3

ALFREDA NELLUMS,	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
Complainant,	)	
vs.	)	IN EQUITY
	)	NO. 4270
AXEL OLSON, H. E. OLSON,	)	
ALBERT OLSON, HILDA TVIET,	)	
and ESTHER O'CONNOR,	)	
Respondents.	)	

Now come the respondents, Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet and Esther O'Connor and demur to the original bill of complaint filed herein, to the bill as a whole and to each aspect and paragraph thereof and as grounds for demurrer assigns the following grounds separately and severally:

1. There is no equity in the bill.
2. For that the complaint fails to allege with definiteness and certainty <sup>the</sup> ~~to~~ title claimed by complainant.

*Filed*  
5-24-58

*Howell & Johnston*  
*Ray Lewis J. Hughes*  
ATTORNEYS FOR RESPONDENTS



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**FILED**

**MAY 24 1958**

**ALICE J. BOCK, Register**

ALFREDA NELLUMS,	)	
	)	IN THE CIRCUIT COURT OF
VS. Complainant,	)	BALDWIN COUNTY, ALABAMA
	)	IN EQUITY NO. 4270
AXEL OLSON, ET AL,	)	
Respondents.	)	

MOTION FOR DECREE PRO CONFESSO

Motion is hereby made for a decree pro confesso against Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet and Esther O'Connor on the ground that the demurrer filed for them by the firm of Howell and Johnston, Attorneys at Law, Mobile, Alabama, was overruled on the 17th day of June, 1958, at which time the said respondents were allowed twenty (20) days in which to file further pleadings, if they should elect to do so, and thereafter the said firm of Howell and Johnston withdrew their appearance for the respondents and no further pleadings have been filed for the respondents in the said cause.

WHEREFORE, complainant moves the court to make and enter a decree pro confesso against the said respondents.

*J. B. Blackburn*  
 Solicitor for complainant.

*Filed  
 8-5-58*

IN EQUITY  
 IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA

ALABAMA  
 BALDWIN COUNTY  
 IN EQUITY

MOTION FOR DECREE PRO CONFESSO

ALFREDA NELLUMS,

VS.

AXEL OLSON, ET AL,

Complainant,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY NO. 4270

FILED

AUG 5 1958

ALICE J. DECK, Register

*[Handwritten signature]*

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ALFREDA NELLUMS,	)	
	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
VS.	)	
	)	IN EQUITY          NO. 4270
AXEL OLSON, ET AL,	)	
	)	
Respondents.	)	
	)	

DECREE PRO CONFESSO

In this cause it is made to appear to the Register that the demurrer filed for the respondents, Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet and Esther O'Connor, by the firm of Howell and Johnston, Attorneys at Law, Mobile, Alabama, was overruled on the 17th day of June, 1958, at which time the respondents were allowed twenty (20) days to file additional pleadings, if they should elect to do so; that the said firm of Howell and Johnston has withdrawn its appearance as attorneys for the said respondents, and that no further pleadings have been filed by or for the respondents to this date:

It is, therefore, on motion of the complainant, Ordered and Decreed by the Register that the said Bill of Complaint be and it is hereby in all things taken as confessed against the said respondents, Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet and Esther o'Connor.

WITNESS my hand and seal this 5 day of August, 1958.

*Archie L. Rust*  
 \_\_\_\_\_  
 Register

DECREE PRO CONFESSO

ALFREDA NELLUMS,

VS.

AXEL OLSON, ET AL,

Complainant,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY NO. 4270

DECREE PRO CONFESSO

Respondent,

AXEL OLSON, ET AL,

IN EQUITY

NO. 4270

AS

BY THE COURT,

Respondent,

IN EQUITY

AND

IN EQUITY

ALFREDA NELLUMS, )  
 Complainant, ) IN THE CIRCUIT COURT OF  
 VS. ) BALDWIN COUNTY, ALABAMA  
 AXEL OLSON, ET AL, ) IN EQUITY NO. 4270  
 Respondents. )

DECREE OVERRULING DEMURRER

This cause coming on to be heard on this date is submitted on respondents' demurrer to the original Bill of Complaint, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The respondents' said demurrer shall be and it is hereby overruled.

2. The respondents shall be and they are hereby allowed twenty days from the date of this decree in which to file further pleadings, if they shall elect so to do.

ORDERED, ADJUDGED AND DECREED on this the 17 day of June, 1958.

*Robert M. Hall*  
 Judge

IN EQUITY NO. 4270  
 BALDWIN COUNTY, ALABAMA  
 IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA  
 DECEMBER 17 1958  
 JUDGE ROBERT M. HALL

DECREE OVERRULING DEMURRER

ALFREDA NELLUMS,

VS.

AXEL OLSON, ET AL,

Complainant,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY NO. 4270

FILED  
JUN 17 1958  
AMBE J. DUCK, Register

*m*


*[Faint, mostly illegible text from the reverse side of the document, including fragments of a legal opinion or decree.]*

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY LAW OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to summon AXEL OLSON, H. E. OLSON, ALBERT OLSON, HILDA TVIET, and ESTHER O'CONNOR to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, in Equity, at the place of holding same, then and there to plead, answer or demur to the Bill of Complaint filed against them by ALFREDA NELLUMS.

WITNESS my hand this 23 day of April, 1958.

  
Register

The respondents are all non-residents of the State of Alabama and should be served by registered mail at the addresses shown in the Bill of Complaint.



BILL OF COMPLAINT

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

The complainant, Alfreda Nellums, presents this Bill of Complaint against Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet, and Esther O'Connor, and, thereupon, complainant complains and shows unto the court and your Honor as follows:

1. The complainant is over twenty-one years of age and a resident of Baldwin County, Alabama.

The respondent, Axel Olson, is over twenty-one years of age and a non-resident of the State of Alabama, whose residence and post office address is Rhinelander, Wisconsin.

The respondent, H. E. Olson, is over twenty-one years of age and a non-resident of the State of Alabama, whose residence and post office address is Route 2, Box 233A, Peshtigo, Wisconsin.

The respondent, Albert Olson, is over twenty-one years of age and a non-resident of the State of Alabama, whose residence and post office address is Route 2, Peshtigo, Wisconsin.

The respondent, Hilda Tviet, is over twenty-one years of age and a non-resident of the State of Alabama, whose residence and post office address is Mundelein, Illinois.

The respondent, Esther O'Connor, is over twenty-one years of age and a non-resident of the State of Alabama, whose residence and post office address is Route 2, Box 596A, Cantonment, Florida.

2. Complainant claims to own and is in the actual, quiet, and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

All of Fractional Section 4; the Northwest Fractional Quarter of Section 9, Township 3 South, Range 5 East.

3. The respondents claim, or are reputed to claim, some right, title or interest in, lien or encumbrance on, the said land; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance on the said land, and the complainant brings this Bill of Complaint against the said respondents to settle the title to the said land and to clear up all doubts and disputes concerning the same. The complainant here and now calls upon the said respondents to set forth and specify their right, title or interest in, lien or encumbrance on, the said land or any part thereof, and how and by what instrument the same is derived and created.

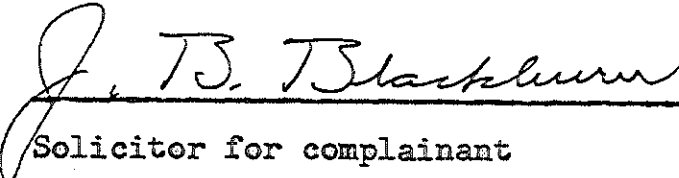
PRAYER FOR PROCESS

Complainant prays that the said Axel Olson, H. E. Olson, Albert Olson, Hilda Tviet, and Esther O'Connor be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them.

PRAYER FOR RELIEF

Complainant further prays that upon a final hearing of this cause that the court will make and enter a decree against the said respondents quieting complainant's title to the said land, and adjudging and decreeing that the complainant is the owner thereof in her own right; that the title thereto is in her, forever quieting the complainant's title against the said respondents, and adjudging and decreeing that they and each of them are without right, title or interest in the said land and have and hold no encumbrance thereon.

Complainant further prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

  
Solicitor for complainant

STATE OF ALABAMA )  
                                  \*  
BALDWIN COUNTY    )

Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is solicitor for the complainant in the above entitled cause; that he has read over the foregoing Bill of Complaint, and that the facts stated therein are true.

J. B. Blackburn

Sworn to and subscribed before me on this the 22nd day of April, 1958.

Alice L. Miller

Notary Public, Baldwin County, Alabama

*Filed 4-23-58*

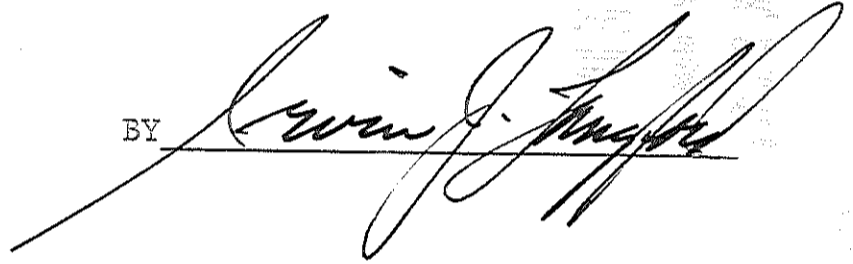
ALFREDA NELLUMS,  
Complainant  
vs  
AXEL OLSON, et al.,  
Respondents.

\* IN THE CIRCUIT COURT OF  
\* BALDWIN COUNTY, ALABAMA  
\* IN EQUITY.  
\* NO:  
\*

Now comes Howell and Johnston, Attorneys of Record for  
all of the Respondents named in the above cause and hereby  
withdraw their appearance heretofore filed in this cause.

HOWELL AND JOHNSTON

BY



*Filed*  
*7-10-58*

TO CHIEF CLERK  
MAGDA, FREDERICK  
MAY 1958

4270

... referred her case to the ...  
... case file ...

FILED

JUL 10 1958

ALICE J. DUCK, CLERK REGISTER

RECORDED AND INDEXED

8