

VIOLA BODDEN,  
Complainant

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

CASE NO: \_\_\_\_\_

ORDER SETTING CAUSE FOR HEARING

This cause coming on to be heard on this date is submitted on motion of the Respondent and Cross Complainant, Laura Belle T. Duncan, praying that a proper Order be made or Decree rendered setting this cause for hearing; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by this Court as follows:

1. This cause shall be and it is hereby set for hearing at 9:30 A.M. o'clock on the 27<sup>th</sup> day of March, 1959.

ORDERED, ADJUDGED AND DECREED on this the 26<sup>th</sup> day of March, 1959.

Hubert M. Hill  
JUDGE OF CIRCUIT COURT

VIOLA BODDEN,

Complainant

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents

ORDER SETTING CAUSE FOR HEARING

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO: \_\_\_\_\_

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,  
Baldwin County.

}

Circuit Court, Baldwin County

No. 4305

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Laura Belle T. Duncan, and Certain Lands and Parties

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in  
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Laura Belle T. Duncan, and Certain Lands and Parties, Defendant

by Viola Bodden

\_\_\_\_\_, Plaintiff

Witness my hand this 13 day of June 19 58

Alice J. Duck, Clerk

No. 4305

Page

The State of Alabama  
Baldwin County

CIRCUIT COURT

VIOLA BODDEN

Plaintiffs

vs.

CERTAIN LANDS AND PARTIES

Defendants

Summons and Complaint

Filed June 13, 19 58

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19

, Sheriff

I have executed this summons

this 19

by leaving a copy with

Sheriff

Deputy Sheriff

Viola Bodden  
 Complainant,  
 Vs.  
Certain Lands and Parties  
 Respondent.

In the Circuit Court.  
 In Equity No. 4305.

DECREE PRO CONFESSO ON PERSONAL SERVICE

In this cause, it appears to the Register, that service was had on the <sup>Cross</sup> Respondent Viola Bodden

Service on her Attorney of Record J. B. Blackburn on October 2nd 1958  
 by the Sheriff of County, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_  
 19\_\_\_\_\_.

And it futher appears to the Register, that the said Viola Bodden

\_\_\_\_\_ the <sup>Cross</sup> 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 Ernest M. Bailey Solicitors  
<sup>Cross</sup> for Complainant, ordered, and decreed by the Register that the <sup>Cross</sup> Bill of Complaint in this cause be,  
 and it hereby is, in all things taken as confessed against the said \_\_\_\_\_

Viola Bodden

This 25th day of March, 1959.

Register.

VIOLA BODDEN,

Complainant

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents

¶

¶

¶

¶

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO: \_\_\_\_\_

NOTE OF TESTIMONY

This cause is submitted for a final decree on behalf of the Respondent and Cross Complainant upon the following:

1. Original Bill of Complaint.
  2. Answer and verified Cross Bill of the Respondent and Cross Complainant, Laura Belle T. Duncan.
  3. Notice of pendency of Bill of Complaint.
  4. Proof of publication of notice of pendency of Bill of Complaint.
  5. Motion for Decree Pro Confesso by Respondent and Cross Complainant.
  6. Decree Pro Confesso.
  7. Motion of Respondent and Cross Complainant for an Order or Decree setting cause for hearing.
  8. Decree dated the 26<sup>th</sup> day of March, 1959 setting this cause for hearing on this date.
  9. Testimony of Captain Joseph Pose taken by the Defendant, Laura Belle T. Duncan by deposition, and testimony of Laura Belle T. Duncan taken in open Court.
- Dated this the 26<sup>th</sup> day of March, 1959.

Deirdre Newkirk  
REGISTER

James M. Sain  
SOLICITOR FOR RESPONDENT AND CROSS  
COMPLAINANT

*m*

VIOLA BODDEN,  
Complainant

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondent

NOTE OF TESTIMONY

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

CASE NO: \_\_\_\_\_

*Recd. 3-22-57*  
*W. J. ...*

VIOLA BODDEN, Complainant,  
VS.  
THE LANDS AND PARTIES HEREINAFTER  
DESCRIBED, Respondents

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

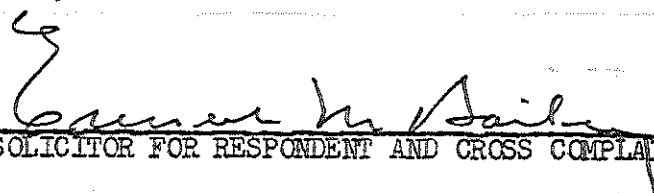
MOTION FOR DECREE PRO CONFESSO

Motion is hereby made for a decree pro confesso against the Complainant and Cross Respondent, Viola Bodden, and against any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, on the grounds that the Complainant, Viola Bodden, was served by personal service against her attorney of record, J. B. Blackburn, of the pendency of the Cross Bill filed in this cause by Laura T. Belle Duncan and that the Complainant and Cross Respondent, Viola Bodden, was duly notified by registered mail and the same marked "for delivery only to the person to whom addressed" and return receipt demanded, of the hearing of this cause; the return receipt bearing the signature of said Complainant and Cross Respondent, Viola Bodden, was duly received and filed for record in this cause on the 9<sup>th</sup> day of March, 1959; that by the terms of the Cross Bill filed in this cause, the said Complainant and Cross Respondent, Viola Bodden, was notified to appear in this Court and plead, answer or demur to the Cross Bill of Complaint on or before the expiration of the time required by the Statutes in such causes and the said Viola Bodden having failed to appear in this cause, the Respondent and Cross Complainant, Laura T. Belle Duncan, is entitled to a decree pro confesso.

WHEREFORE, the Respondent and Cross Complainant, Laura T. Belle Duncan, moves the Register to make and enter a Decree Pro Confesso against the above named Cross Respondent.

DATED this the 24<sup>th</sup> day of March, 1959.

119

  
SOLICITOR FOR RESPONDENT AND CROSS COMPLAINANT



VIOLA BODDEN,

COMPLAINANT

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

RESPONDENTS

MOTION FOR DECREE PRO CONFESSO

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

MAR 26 1959

ALICE J. DIX, CLERK  
REGISTER

VIOLA BODDEN,  
Complainant  
versus

CERTAIN LANDS AND PARTIES,  
Respondents

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

DEMURRERS TO BILL OF COMPLAINT

Now comes the Respondent, Laura Belle T. Duncan, in the above styled cause, by her Solicitor, and demurs to the Bill of Complaint heretofore filed against her and to each aspect thereof, separately and severally, and assigns the following separate and several grounds in support thereof:

1.

There is no equity in the Bill of Complaint.

2.

The Complaint fails to allege how or in what manner or under what right the Complainant owns or claims title to the land described in the Bill of Complaint.

3.

The Complaint fails to allege that the Complainant has been in continuous and uninterrupted possession of the land described in the Bill of Complaint.

4.

It affirmatively appears from the allegations of the Bill of Complaint that the Complainant has not been in continuous and uninterrupted possession of the land described in the Bill of Complaint.

5.

For aught that appears from the Bill of Complaint the Respondent is in possession of the land described therein.

6.

It affirmatively appears from the Bill of Complaint that the Respondent, Laura Belle T. Duncan, is in possession of the lands described therein.

*filed June 26, 1958*  
*Walter J. Smith, Register*

*Laura Belle T. Duncan*  
SOLICITOR FOR RESPONDENT

DEMURRERS TO BILL OF COMPLAINT

VIOLA BODDEN,

COMPLAINANT

VERSUS

CERTAIN LANDS AND CERTAIN  
PARTIES,

RESPONDENTS

\* \* \* \* \*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED  
JUN 26 1958  
ALICE J. DUCK, Clerk

VICLA BODDEN,	Ø	IN THE CIRCUIT COURT OF
Complainant	Ø	BALDWIN COUNTY, ALABAMA
vs.	Ø	IN EQUITY
CERTAIN LANDS AND	Ø	
PARTIES,	Ø	
Respondents		

ANSWER AND CROSS-BILL

Now comes Laura Belle T. Duncan, by her Solicitor, Ernest M. Bailey, as owner of the land described in the Bill of Complaint in the above styled cause, and, for answer to the Complainant's Bill of Complaint, says:

1. She is not advised as to the age or residence of the Complainant and demands strict proof of the same.
  2. She admits that she is over the age of twenty-one years, her residence and post office address is 62 Cleveland Road, New Haven 15, Connecticut and that she is the same person as Laura Belle Troup Duncan and Laura Belle Duncan. She has no knowledge of the other allegations contained in Paragraph 2 and demands strict proof of the same.
  3. She denies the allegations of Paragraph 3 of the Bill of Complaint, and demands strict proof of the same.
  4. She admits the allegations contained in Paragraph 4 that she has paid taxes on the property described in the Bill of Complaint and that she has been in possession of the same. She denies all other allegations contained in Paragraph 4 and demands strict proof thereof.
  5. She denies the allegations contained in Paragraph 5 of the Bill of Complaint, and demands strict proof of the same.
  6. She is not informed of, and therefore denies, the allegations of Paragraph 6 of the Bill of Complaint.
  7. She denies the allegations contained in Paragraph 7 of the Bill of Complaint and demands strict proof of the same.
  8. She has no knowledge of the allegations contained in Paragraph 8 of the Bill of Complaint and demands strict proof of the same.
- The aforesaid Laura Belle T. Duncan for further answer to the

Complainant's Bill of Complaint, and praying that this be taken as her Cross-Bill, says:

a. She adopts all of the allegations contained in her answer to the Complainant's Bill of Complaint, and further says that she is the owner and in actual possession of the property described in the Bill of Complaint, to-wit:

The North Half of the North Half of the Northeast Quarter of Section 17, Township 7 South, Range 2 East;

that she acquired title to the same, and claims the absolute unencumbered fee simple title in and to the property, by and through the following instruments of writing, which are recorded in the office of the Judge of Probate of Baldwin County, Alabama, the County where the said lands are situated, to-wit:

Deed of Division among the heirs of James T. Nelson, dated February 14, 1931 and recorded in Deed Book 41 N. S., Page 481, Baldwin County, Alabama Records.

that immediately after acquiring title to the said property she went into the actual possession thereof; that she has been in the actual possession of the same from the date she acquired title to this date, ever claiming she owned the same; that she and those through whom she claims title have paid taxes on the said land for more than seventy (70) years next preceeding the filing of the Bill of Complaint; that the Complainant and Cross-Respondent has had no possession of any kind of the lands described in the Bill of Complaint since this Respondent and Cross-Complainant went into possession, except, that just prior to filing this Bill of Complaint the Complainant and Cross-Respondent did enclose a small portion of the lands described within a fence.

WHEREFORE, THE PREMISES CONSIDERED, the Respondent prays that this be taken as her answer and Cross-Bill and that, by proper process, the Complainant be made Cross-Respondent hereto; that she be required to plead, answer or demur to this Cross-Bill within the time and under the penalties prescribed by law and the practice of this Honorable Court.

The Respondent and Cross-Complainant further prays that upon a final hearing thereof Your Honor will make and enter a decree that the Respondent and Cross-Complainant is the owner in fee simple of the lands above described; and that the Complainant and Cross-Res-

pondent has no right, title to, interest in, or encumbrance upon the said land. Your Complainant prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

*Ernest M. Bailey*  
SOLICITOR FOR RESPONDENT AND  
CROSS-COMPLAINANT

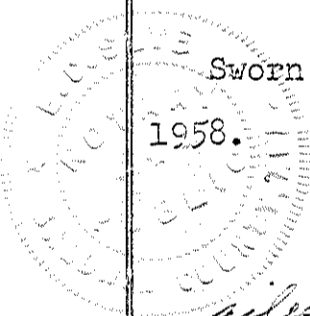
STATE OF ALABAMA     )  
                                  )  
BALDWIN COUNTY     )

Before me, the undersigned authority, personally appeared Ernest M. Bailey, to me well known, who, being first duly sworn, deposes and says:

That he is the Solicitor for the Respondent and Cross-Complainant in the above cause, and that the allegations contained in the foregoing answer and cross-bill are true and correct to the best of his knowledge, information and belief.

*Ernest M. Bailey*  
ERNEST M. BAILEY

Sworn to and subscribed before me this the 1st day of October 1958.



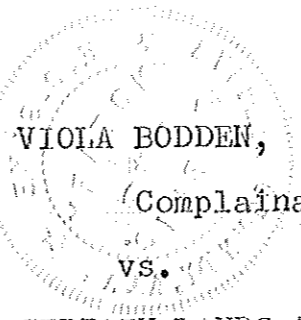
*filed Oct. 2, 1958*  
*Alice J. Clark, Register*

*J. C. Hylle*  
NOTARY PUBLIC

*Service accepted for the*  
~~*Respondent*~~ *Complainant and*  
*Cross-Respondent Viola Hodder*  
*on this the 2nd day of October*  
*1958,*

*J. B. Blackburn*  
*Attorney for*  
*Viola Hodder*

4308-



VIOLA BODDEN,  
Complainant

vs.

CERTAIN LANDS AND  
PARTIES,

Respondents

ANSWER AND CROSS-BILL

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

FILED

OCT 12 1934

ALICE I. DUCK, CLERK  
REGISTER

*[Handwritten notes and signatures in the right margin, including a large signature that appears to be 'Alice I. Duck' and other illegible scribbles.]*

*[Faint, mostly illegible text from the reverse side of the document, appearing as bleed-through. Some words like 'VIOLA BODDEN' and 'BALDWIN COUNTY' are partially visible.]*

VIOLA BODDEN,  
Complainant

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

CASE NO: \_\_\_\_\_

FINAL DECREE

This cause coming on to be heard this the <sup>16</sup> 20 day of March, 1959, is submitted for final decree upon the original Bill of Complaint and upon Answer and Cross-Bill filed by the Respondent and Cross Complainant, Laura Belle T. Duncan, and Decree Pro Confesso rendered against the Complainant, Viola Bodden, and the testimony of Captain Joseph Pose, taken by deposition upon oral examination pursuant to General Acts of Alabama, Number 375, and the testimony of the Respondent, and Cross Complainant, Laura Belle T. Duncan, and the pleadings and proof, as noted by the Register; and it appearing to the satisfaction of the Court:

1. That the Respondent and Cross Complainant, Laura Belle T. Duncan, at the time of filing her Cross-Bill in this cause, claimed in her own right a fee simple title to, and was, in actual, peaceful possession of the following described lands lying and being situated in the County of Baldwin, State of Alabama, and more particularly described as follows:

The North Half of the North Half of the Northeast Quarter of Section 17, Township 7 South, Range 2 East.

2. That at the time of the filing of said Cross-Bill, no suit was pending to test her title to, interest in, or her right to the possession of the said lands other than the original Bill of Complaint in this cause.

3. That her said Cross-Bill was and is duly verified and was filed against said lands, and was to establish the right or title to such lands or interest in and to clear up all doubts or disputes concerning the same, and that said Cross-Bill did in all respects comply with the provisions of Statutes pertaining thereto.

4. That notice of the pendency of the Bill of Complaint was drawn and signed by the Register of the Court and said Register did have said notice published once a week for four consecutive weeks in the Baldwin Times, a newspaper having general circulation and published in the County of Baldwin, Alabama, and authorized by Order made in this cause.

5. That a copy of said notice certified by the Register of this Court as



being correct was recorded as a Lis Pendens notice in the office of the Judge of Probate of said County, and said notice being in strict accord and compliance with the law.

6. That it has been more than sixty (60) days since the first publication of said notice and a filing of a certified copy of said notice in the office of the Judge of Probate of said County where the said lands lie.

7. That no person has intervened in said cause other than the Respondent and Cross Complainant, Laura Belle T. Duncan, and that the Complainant, Viola Bodden, has failed to answer the Cross-Bill filed in this cause by said Cross Complainant and has been duly notified of the hearing of this cause by registered mail.

8. That the Respondent and Cross Complainant, Laura Belle T. Duncan, has established, as shown by legal evidence, that she is the owner in fee simple title of the said lands.

9. That the Cross Complainant's title to the said lands is hereby quieted against Viola Bodden and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and all such claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

10. That all of the allegations or facts contained in the Cross Complainant's Bill are true.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED by the Court that the Cross Complainant, Laura Belle T. Duncan, is the owner of said lands and has the fee simple title thereto, free of all liens and encumbrances, and that all doubts and disputes concerning the same are hereby cleared up.

It Is Further ORDERED, ADJUDGED AND DECREED by the Court that the Complainant and Cross Respondent, Viola Bodden, pay the costs of these proceedings, for which execution may issue.

It Is Further ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this Decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the Name of Laura Belle T. Duncan in both the Direct Index and the Indirect Index of the Records thereof.

DONE this the 22<sup>nd</sup> day of March, 1959.

Hubert M. Hall  
JUDGE

112

VIOLA BODDEN,

Complainant

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents

FINAL DECREE

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO: \_\_\_\_\_

FILED  
APR 3 1959  
ALICE I. DICK, CLERK  
REGISTER

VIOLA BODDEN,  
Complainant,  
VS.  
THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

WITHDRAWAL OF APPEARANCE

Now comes J. B. Blackburn and hereby withdraws his appearance as attorney for the complainant and cross respondent in this cause. A copy of this instrument has been mailed to the complainant and cross respondent.

Dated this 26th day of February, 1959.

*filed Feb. 26, 1959*  
*Alice J. Luck*  
*register*

*J. B. Blackburn*  
Attorney for complainant and cross  
respondent.

WITHDRAWAL OF APPEARANCE

VIOLA BODDEN,

4305

Complainant,

VS.

THE LANDS AND PARTIES HEREINAFTER  
DESCRIBED,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

FILED

FEB 26 1959

W. J. DUK, CLERK  
REGISTER

*[Faint, mostly illegible text, possibly bleed-through from the reverse side of the page]*

VIOLA BODDEN,

Complainant

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents

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§

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO: \_\_\_\_\_

MOTION

Comes now the Respondent and Cross Complainant, Laura Belle T. Duncan, by her Solicitor and shows unto this Court that the Complainant and Cross Respondent, Viola Bodden, has suffered a Decree Pro Confesso to be taken against her. Wherefore, the Respondent and Cross Complainant prays that this Court will make and enter a proper Order or Decree setting this cause for hearing.

*filed Mar. 27, 1959*  
*Alice J. Cook, Register*

120

*[Signature]*  
SOLICITOR FOR RESPONDENT AND CROSS COMPLAINANT

VIOLA BODDEN,

Complainant

VS.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondent

MOTION

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO: \_\_\_\_\_

FILED

MAR 27, 1959

ALICE J. DUCK, CLERK  
REGISTERED



- Q. --Paralie Nelson and Cornelia Nelson?
- A. Yes sir.
- Q. They were your Aunts?
- A. That is right.
- Q. I believe Mrs. Duncan that you stated there was a division deed between those individuals in 1931?
- A. That's right.
- Q. And in that division you acquired title to the property described in this suit?
- A. Yes sir.
- Q. Which one of these heirs was your mother?
- A. Emma Nelson. She was Emma Nelson Troup.
- Q. Have you paid taxes on this property since you acquired title to it?
- A. I have ever since; I have all of the tax receipts for it.
- Q. Have you exercised any other form of possession, such as cutting timber?
- A. Well my cousin over there had charge of it about 10 years ago and he cut some timber and there hasn't been anything cut or leased since.
- Q. Do you know of any suit pending other than this present suit, contesting the title to the property?
- A. No, but 15 or 20 years ago they wrote me from this tax office here that some one had paid taxes on my hand and I think on the tax record you will find the name of Rozell, Christain and Boatright and the same Viola Bodden. We immediately got busy and wrote Mr. Rickarby, who was my lawyer at that time and he said the thing was straightened out and that we wouldn't have any more trouble with them; that they had left-
- THE COURT: What kin are you to Frank Troup?
- A. I am his daughter; he died about 15 years ago.



C E R T I F I C A T E:

I hereby certify that the foregoing, consisting of page  
1 and 2 is a true and correct transcript of the testimony taken  
by me in open court on this day.

This 27th day of March, 1959.

Louise Decker  
COURT REPORTER

VIOLA BODDEN,

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,

Respondents.

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IN THE CIRCUIT COURT OF

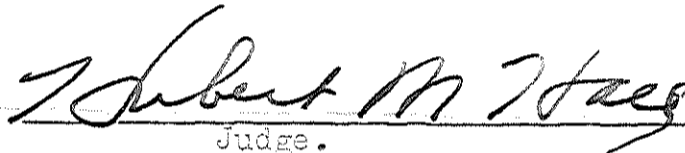
BALDWIN COUNTY, ALABAMA

IN EQUITY.

ORDER OF PUBLICATION:

It is ordered in this cause that the notice provided for in Section 1119, Title 7 of the 1940 Code of Alabama, be published in the Baldwin Times, which is a newspaper having general circulation and published in Baldwin County, Alabama, where the lands described in the Bill of Complaint are situated.

ORDERED this the 13th day of June, 1958.

  
Judge.

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1951

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1959

1960

116

March 4, 1959

Mrs. Viola Bodden  
6401 Edloe Street  
Houston 5, Texas

Dear Madam:

Re: Viola Bodden vs. Certain Lands, et al  
Equity No. 4305

Your attorney, who represented you in the above styled cause, has withdrawn his appearance and you are hereby notified to have someone to represent you at the next Equity call of the docket, which is March 17, 1959.

Yours truly,

Register in Equity

AJD/ers

Houston, Texas 3/9/59.

Alice J. Duck  
Register and Clerk of The  
Circuit Court  
Baldwin County  
Bay Minette, Ala.

Dear Miss Duck:—

Yours of March 4/59 received and noted.  
It is impossible for me to appear in  
Court March 17/59 as I am ill at this  
time.

We accepted Mr. Blackburn's advice  
to dismiss the case and notified him  
accordingly Feb. 13/59 and have his  
letter Feb. 26/59 advising he was  
withdrawing from the case.

Yours truly  
Mrs. Viola Bodden  
6401 - Edloe St.,  
Houston 5, Texas

Viola Bodden  
 Complainant,  
 Vs.  
Certain Lands and Parties  
 Respondent.

In the Circuit Court.  
 In Equity No. 4305.

DECREE PRO CONFESSO ON PERSONAL SERVICE

In this cause, it appears to the Register, that service was had on the <sup>Cross</sup> Respondent \_\_\_\_\_

Viola Bodden

Service on her Attorney of Record J. B. Blackburn on October 2nd 1958  
 by ~~the Sheriff~~ \_\_\_\_\_ ~~County Clerk~~ \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_.

And it futher appears to the Register, that the said \_\_\_\_\_

Viola Bodden

\_\_\_\_\_ <sup>Cross</sup> 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 Ernest M. Bailey \_\_\_\_\_ Solicitors

<sup>Cross</sup> for Complainant, ordered, and decreed by the Register that the <sup>Cross</sup> Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said \_\_\_\_\_

Viola Bodden

This 25th day of March, 1959.

*W. J. Duck*  
 Register.

No. 4305

CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.  
IN EQUITY

Viola Bodden

Complainant,

Vs.

Certain Lands and Parties

Respondent.

DECREE PRO CONFESSO ON  
PERSONAL SERVICE

Issued this \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_\_.

Register.

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—  
11354



county com

1/20/00  
1/20/00

4305

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 *Laura Belle T. Duran*

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

3. DELIVERY DATE

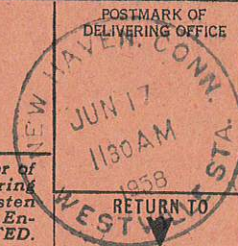
, 19

4.



FILED  
 JUN 20  
 1938  
 NEW HAVEN, CONN.

c16-71548-3 GPO



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.

887

NAME OF SENDER

Alice J. Duck-Roy

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Box 239

INSURED NO.

CITY, ZONE, AND STATE

Bay Minette, Ala

610-31648-3

JIMMY FAULKNER  
AND  
BILL STEWART  
PUBLISHERS

# THE BALDWIN TIMES

## BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

E. R. MORRISSETTE, JR.  
EDITOR-MANAGER

### Legal Notice

VIOLA BODDEN

Complainant,

vs.

THE LANDS AND PARTIES  
HEREINAFTER DESCRIBED,  
Respondents.

In The Circuit Court of Baldwin  
County, Alabama, In Equity.  
NOTICE OF PENDENCY OF  
BILL OF COMPLAINT:

Notice is hereby given to each and all of the Respondents named below and to all persons, firms or corporations claiming any right, title or interest in, lien or encumbrance on the lands hereinafter described, or any part thereof, that Viola Bodden did, on the 13th day of June, 1958, file in the Circuit Court of Baldwin County, Alabama, in Equity, a verified Bill of Complaint against the following described real property situated in Baldwin County, Alabama, to-wit:

The North half of the North half of the Northeast Quarter of Section 17, Township 7 South, Range 2 East, and against Pollack Barbour, Lucy F. Bowen, Lucy F. Bowen, II, John L. Bowen, II, John Bowen, Sarah F. Bowen, Laura B. Bryant, John I. Calloway, A. M. Courtright, Augustus Courtright, John R. Courtright, Trustee, John P. Courtright, Trustee, Neila Dorgan, Laura Belle Troup Duncan, Laura Belle Duncan, Laura Belle T. Duncan, A. Grist, J. R. Grist, William Hall, Isaac W. Hughes, Marie S. Malay, Trustee, Zopher Mills, Cornelia Nelson, Emma Nelson, Parolee Nelson, Rhoda A. Rousselle, Trustee, Rhoda Rousselle, Marcelin Sicard, Thomas Singletary, Adelaide J. Torrey, Emma Troup, Frank D. Troup, F. D. Troup, Guardian, Laura C. Troup, Lucile Troup, J. H. Webb, Trustee, John A. Williams, John Bowen Wilson, Osceola Wilson, II, Gaines E. Wilson, Edmund Gaines Wilson, Mrs. Lallie Lee Wilson, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

The Respondent, Laura Belle T. Duncan, who is one and the same person as Laura Belle Troup Duncan and Laura Belle Duncan, is over the age of twenty-one years and her place of residence and post office address is 62 Cleveland Road, New Havel 15, Connecticut.

The address of each of the other individual Respondents specifically named herein are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

The said Bill of Complaint has been filed for the purpose of establishing title of the said Complainant to all of the said lands, for the purpose of quieting her title thereto, and to clear up all doubts and disputes concerning the title to the said property.

Complainant claims the absolute, fee simple title to all of the said lands under, from, by and through the following conveyances:

Deed from Daisy E. Conway, a widow, dated November 23,

1957, and recorded in Deed Book 260, page 187, Baldwin County, Alabama Records;

Deed from Rhoda Rousselle, Trustee, et al., dated May 9, 1955, and recorded in Deed Book 57, pages 511-12, Baldwin County, Alabama Records.

The Complainant, in and by

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Viola Bodden vs. The Lands and Parties Hereinafter Described

#### COST STATEMENT

903 WORDS @ 6 1/2 cents ..... \$ 58. 70

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

E. R. Morrisette, Jr.  
Editor.

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

Date of 1st publication June 19, 1958 Vol. 70 No. 23

Date of 2nd publication June 26, 1958 Vol. 70 No. 24

Date of 3rd publication July 3, 1958 Vol. 70 No. 25

Date of 4th publication July 10, 1958 Vol. 70 No. 26

Subscribed and sworn before the undersigned this 11 day of July, 1958.

Daisy Martin  
Notary Public, Baldwin County.

E. R. Morrisette, Jr.  
Editor.

Emma Troup, Frank D. Troup, F. D. Troup, Guardian, Laura C. Troup, Lucile Troup, J. H. Webb, Trustee, John A. Williams, John Bowen Wilson, Osceola Wilson, II, Gaines E. Wilson, Edmund Gaines Wilson, Mrs. Lallie Lee Wilson, and against his heirs or devisees, if deceased, and against her heirs and devisees, if deceased, and against the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof.

The Respondent, Laura Belle T. Duncan, who is one and the same person as Laura Belle Troup Duncan and Laura Belle Duncan, is over the age of twenty-one years and her place of residence and post office address is 62 Cleveland Road, New Havel 15, Connecticut.

The address of each of the other individual Respondents specifically named herein are unknown and cannot be ascertained after reasonable efforts and the making of diligent inquiry to ascertain the same.

The said Bill of Complaint has been filed for the purpose of establishing title of the said Complainant to all of the said lands, for the purpose of quieting her title thereto, and to clear up all doubts and disputes concerning the title to the said property.

Complainant claims the absolute, fee simple title to all of the said lands under, from, by and through the following conveyances:

- Deed from Daisy E. Conway, a widow, dated November 23, 1957, and recorded in Deed Book 260, page 187, Baldwin County, Alabama Records;
- Deed from Rhoda Rousselle, Trustee, et al., dated May 9, 1955, and recorded in Deed Book 57, pages 511-12, Baldwin County, Alabama Records.

The Complainant, in and by her said Bill of Complaint alleges and avers that she owns the said lands in her own right, absolutely and in fee simple; that she is in the actual, peaceable possession of the said lands under claim of ownership; that the title to the said lands stands upon the records in the Office of the Judge of Probate of Baldwin County, Alabama, the County where the said lands are situated, in the name of the Complainant; that no suite is pending to test complainant's title to, interest in, or right to the possession of the said lands, or any part thereof; that Complainant and those through whom she claims title have held color of title to and

ly assessed and paid taxes on the said lands, and each and every part thereof, for more than twenty-two years next prior to the filing of the said Bill of Complaint, except for the years 1949, 1950 and 1951; and that no persons, firms or corporations other than Complainant and those through whom she claims title to the said lands, have paid any taxes on the said lands, or any part thereof, or any interest therein, except the Respondent, Laura Belle T. Duncan, and no persons, firms or corporations, other than the Complainant and those through whom she claims title, have had possession of the said lands, or any part thereof, within twenty-two years next prior to the filing of the said Bill of Complaint.

The Respondents named above and all persons, firms or corporations, claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this Court and plead, answer or demur to the said Bill of Complaint before the 21st day of July, 1958, or at the expiration of thirty days from the said date, decrees pro confesso will be taken against them, testimony will be thereafter taken and the said cause submitted for a final decree quieting Complainant's title to the said lands.

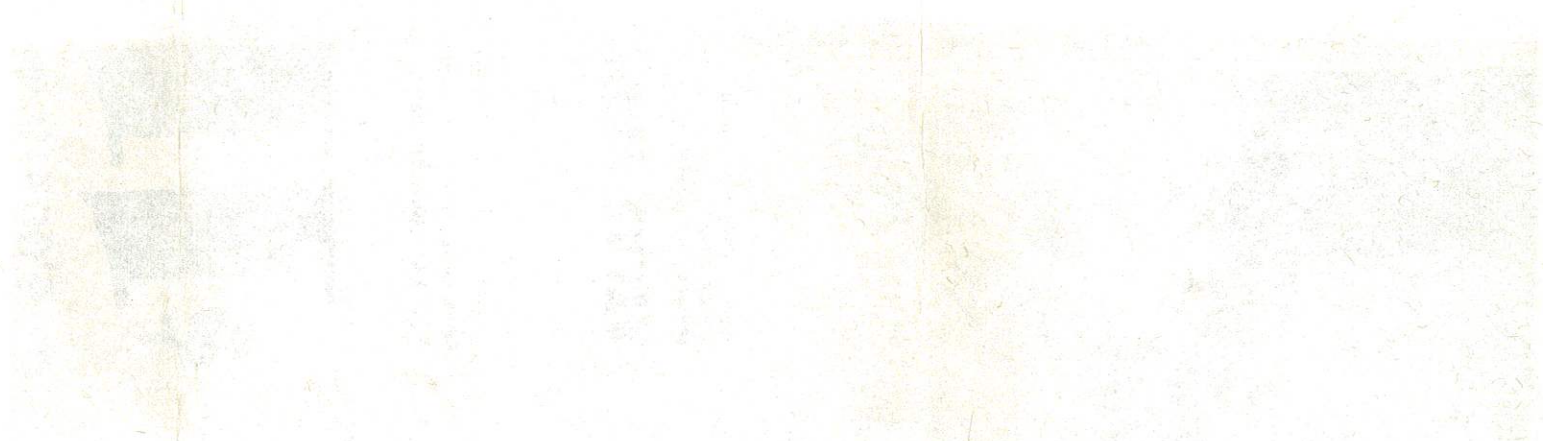
IN WITNESS WHEREOF, I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said Court on this the 13th day of June, 1958.

ALICE J. DUCK,  
Register of the Circuit  
Court of Baldwin  
County, Alabama

*Daisy Martin*  
Notary Public, Baldwin County.

*E. R. Monissett*  
Editor.

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THE BYDWIN JURY

ALL RIGHTS RESERVED

WARRANT OF PUBLIC SAFETY

THIS WARRANT IS

RETURNED TO THE OFFICE OF THE DISTRICT ATTORNEY

SEARCHED INDEXED SERIALIZED FILED

APR 25 1964  
FBI - MEMPHIS