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SALLIE E. DANA,  
Plaintiff

vs

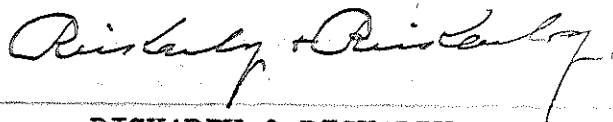
CALEB DANA,  
Defendant

L A W  
CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

of Defendant  
The Plaintiff demands/an abstract in writing of the  
title or titles on which he will rely for defense in this  
action as provided by Section 940 of Title 7 of the 1940  
Code of Alabama.

SALLIE E. DANA

By:



RICKARBY & RICKARBY  
Her Attorneys

TAYLOR WILKINS,

Presented 4-27 1951  
by giving copy of within Summons and  
Complaint on

Caleb Dana

Taylor Wilkins Sheriff  
H. F. Hall Deputy Sheriff

SALLIE E. DANA,  
Plaintiff

vs

CALEB DANA,  
Defendant

PLAINTIFF'S DEMAND  
FOR  
ABSTRACT

FILED

APR 25 1951

ALICE A. QUICK, Clerk

*Richard & Richard*

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

TO

CALEB DANA

You are hereby notified to appear and plead, answer or demur within thirty days of the receipt hereof to the Bill of Complaint filed in this Court at Bay Minette, Alabama, against you as Defendant by SALLIE E. DANA, as Plaintiff.

WITNESS my hand this the 25<sup>th</sup> day of April, 1951.

*Alice J. French*  
Clerk, Circuit Court

SALLIE E. DANA,  
Plaintiff

L A W

vs  
CALEB DANA,  
Defendant

CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

The Plaintiff sues to recover possession of the following tract of land:

From the Southeast corner of Subdivision No. Three of Section Six, Township Seven South of Range Two East run five hundred fifty feet North and eight feet West to a point on the North line of a nine foot lane on the South line of the George E. Dana property; thence West along the North line of said nine foot lane thirteen hundred six feet for the point of beginning; thence North forty-five feet; thence West one hundred seventy-four feet; thence South four and seven-tenths feet to the Southeast corner of lot now property of Caleb Dana; thence West along Caleb Dana's South line two hundred fifty feet to the East line of the Eastern Shore Boulevard; thence South along said Boulevard forty and three-tenths feet to the North line of said nine foot lane; thence East along said lane four hundred twenty-four feet to the point of beginning and being Lot No. 4 as per plat attached to the will of said George E. Dana and recorded in Will Book D, pages 561-2 of the Probate Records of Baldwin County, Alabama.

Of which she was in possession and upon which pending such possession and before the commencement of this suit, the Defendant entered and unlawfully withholds, together with Three Hundred Dollars for the detention thereof.

*Rickarby & Rickarby*  
RICKARBY & RICKARBY  
Attorneys for Plaintiff

RECEIVED BY THE CLERK OF THE COURT  
JULY 10 1951

*Handwritten signature*

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7201642

SALLIE E. DANA,  
Plaintiff  
vs  
CALEB DANA,  
Defendant

SUMMONS AND COMPLAINT

FILED  
APR 25 1951  
ALICE J. DUCK, Clerk

RICKARBY & RICKARBY  
Attorneys for Plaintiff

TAYLOR WILKINS

4-27 1951  
Reserved copy of within Summons and  
Complaint on

*Handwritten signature: Caleb Dana*

*Handwritten signature: Taylor Wilkins*  
177 Hall

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SALLIE E. DANA,  
Plaintiff

VS

CALEB DANA,  
Defendant

L A W  
CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Comes the Plaintiff and propounds to the Defendant the interrogatories hereinafter set out and avers that the answers to same, if true, will be material testimony for her in this cause.

Sallie E. Dana  
Plaintiff

Subscribed and sworn to before me on this the 19<sup>th</sup> day of April, 1951.

Elliot B. Rinsley  
Notary Public, State of Alabama at Large.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to notify CALEB DANA, the Defendant in the above styled cause that Interrogatories to him have this day been filed by the Plaintiff in the office of the Clerk of said Court, a copy of which is hereto attached.

You are required to execute this notice and due return thereof made according to law.

WITNESS my hand this the                      day of April, 1951.

\_\_\_\_\_  
Clerk

INTERROGATORIES PROPOUNDED BY PLAINTIFF  
TO DEFENDANT

1. Is not the land here sued for a part of the former home of the late George E. Dana, father of you and Plaintiff and owned by him in his lifetime?
2. Does not the will of George E. Dana which is recorded in Will Record D, pages 561-2 divide his real estate among his ten children according to a plat attached, showing which lot goes to each child?
3. Under this will did you not get Lot 3 which is in the rear of the lot deeded you many years ago for a home and your brother Graham

Dana get Lot 4 on the South side of your home and which is the one now sued for? Is not this deed dated Jan. 19, 1946 and recorded Deed Book 105, page 396-7?

4. As your father's estate left no money to pay debts, did not the heirs agree that the real estate be divided as provided in the will and each heir pay his or her share of the debts and expense of administration?

5. After your father's will was admitted to probate, did not you and your brother Walter, assist Mr. H. W. Graham, the surveyor, in a resurvey of the lots described in your father's will and in the settlement of the estate later, on January 19, 1946, in Mr. Rickarby's office, were not both you and Walter paid \$9.00 for doing this?

6. When you were assisting in this restaking, did you say anything to any of your sisters, including Plaintiff, or to your brother Graham, or to Harold Graham, claiming Lot 4 was yours?

7. Did you not on the resurvey run off the lines of all lots on the East side of the highway, including those devised to you and to Graham?

8. Did not this resurvey show that the lot devised to Graham took in four and 7/10ths feet of width that your father had previously deeded to you for a home?

9. Did not Graham of his own accord later give you a quit-claim deed for this 4.7 feet? Have you recorded this deed? If so, when?

10. Did you then, or at any other time, tell Graham Dana that you claimed the lot willed to him?

11. Did you tell Harold Graham, the surveyor, that this was your lot?

12. At the settlement in Rickarby's office on January 19, 1946 did you with the other heirs pay your proportion of the expenses, \$43.73?

13. Did not your sister Sallie pay not only her share but Graham's?

14. Did you tell any of the other heirs then present, that you owned or claimed the lot left to Graham?

15. Did you not receive a letter from Plaintiff's counsel offering to sell the property to you, dated January 30, 1951 and reading as follows:

"Miss Sallie tells me that she wants to sell the lot on the East side of the highway which she inherited from her father, and as this lies next to you and is worth more to you than anyone else, she thinks it only fair that you be given the preference. She is asking \$500.00 but would not expect cash from you unless this is convenient.

If you would be interested in getting this lot, please let either Miss Sallie or me hear from you not later than February 15th, stating on what terms you would like to buy."

16. Did you not reply to this letter from Plaintiff's counsel on January 31, 1951 stating that you claimed the land because of having been in possession for 43 years in a letter reading as follows:

"I can give you my answer at once about the lot next to me which I have in my possession about 42 years. It is my fence around it and as for my father leaving it to Sallie, is absolutely a lie. I cleared this lot 42 years or more ago and put this fence around it and she wants \$500.00 for it. Now listen, she must pay me \$500.00 for my improvements as she will have to dispossess me after having it in my possession and I have proof for this and I want to tell you, Mr. Rickarby, I can get just as good a lawyer as you are."

17. Up to that time had you ever informed Plaintiff that you were claiming this land? If so, when and how?

18. Did you at any time during your father's lifetime tell him that you were claiming this lot as well as the one that he had given to you as your property and not his? State what acts you did to let your father know your holding was adverse.

19. Did not your late Father, George E. Dana, long before July 29, 1936, deed you the lot next north to the one in dispute for the sum of \$20.00? Did you record this deed?

20. Did your father not furnish you without cost the timber from his lands out of which the house you now own is built?

21. Did you not have a dispute with your late father over the lot here sued on and did he not give you strict instructions to leave it alone after you had harvested what vegetables you had growing on it?

22. Was this command given you about two years before your father's death and did you not leave the lot alone until about two years ago?

23. In addition to the deed to the lot on which your home is, were you, as one of the ten devisees under your father's will, devised a lot in the rear of your home, Lot No. 3 on the plat? Have you recorded this?

24. You claim that you put a fence around the lot in dispute.

Was not the expense of this paid for by Baldwin County, pursuant to a letter addressed jointly to you and your father signed by the Right of Way County Agent, Mr. W. O. Lott, dated October 26, 1935, and reading as follows:

" - - - - Right of way new paved road - - - -

In order to avoid any later misunderstanding I am writing this letter to thank you both, in the name of Baldwin County, for the agreements made with the writer.

Mr. George Dana is to get fifty dollars for right of way rear his home; - - - also a new wire fence across front of lot owned on east side of the road, across from his home.

Mr. Caleb Dana is also to get a new wire fence in front of his resident, opposite Mr. George Dana's place.

Later on, when time permits, proper right of way deeds will be drawn and brought for signature to cover and close the matter, at which time the fifty dollars will, of course, be paid Mr. George Dana, as per agreement made some time ago.

I am sending copies of this letter to Commissioner Gaston at Fairhope and to Engineer Rogers at Bay Minette for thier information.

Again thanking both of you and with good wishes, I am,

Yours very truly,

(Signed) W. O. LOTT  
Right of Way Agent"

25. Did you join with the other heirs in a written consent to the probate of your father's will?

26. At the final settlement of your father's estate on January 19, 1946, when each of you heirs contributed his share of costs and got his deed, did you say anything then about claiming the ownership of the lot in dispute? If so, did you pay Graham's proportion of the costs besides your own?

27. Did not your brother Graham quitclaim to you a part of a lot given to him which had previously been deeded by your father to you?

28. When Graham gave you this quitclaim deed, did not you and he have some words when he told you that he had or soon would deed his lot to your sister Sallie? Did you assert claim to the lot against him at that time?

29. Did Graham not tell you at the time that this was his lot, that he had the right to do what he pleased with it and that Sallie's



possession was not to be disturbed? Did you then say to him that you were claiming it?

30. Is not Graham's deed of Lot 4 to Sallie dated September 12, 1945? Recorded Deed Book 105 , page 373?

31. In their late years and illness, how much help did you give your father and mother? If so, in what shape was such help?

32. Did not your sister Sallie give up her position in Mobile and and live with your parents and care for them until their deaths?

33. Have you ever assessed the lot in dispute in your name or paid any taxes thereon? If so, have you receipts for these and for what years did you pay?

34. Did you at any time tell Plaintiff that you were claiming the lot that Graham deeded to her until you got the letter from her lawyers in which she offered to sell you the lot on easy terms?

35. Have you any written deed or evidence of title to the lot in dispute? If so, attach a copy of such deed , or if it is recorded, give the book and page of record in the Probate Court.

36. If your only claim of title to Lot 4 is possession, state under what color of title you are claiming; whether or not this adverse possession was made known to your late father, your brother Graham or your sister Sallie, and when and what was the nature of notice that you gave of such adverse claim? How long has this claim of possession been known to them?

*Rickarby & Rickarby*  
RICKARBY & RICKARBY  
Attorneys for Plaintiff

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SALLIE E. DANA,  
Plaintiff  
vs  
CALEB DANA,  
Defendant

INTERROGATORIES  
PROPOUNDED BY  
PLAINTIFF TO DEFENDANT

FILED  
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ALICE J. DUCK, Clerk

Richards & Richards  
Attys for Plaintiff.

Executed 4-27 1951  
by serving copy of within Summons and  
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Caleb Panta

Taylor Walphine Sheriff  
By H F Hall Deputy Sheriff

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The diagram illustrates the relationship between the number of nodes ( $N$ ) and the number of edges ( $E$ ) in a network. It is divided into two main sections:  $N$  and  $E$ .

**Section N:** Shows a network of nodes (circles) and edges (lines). A central node is labeled  $N$ . The diagram illustrates how the number of nodes changes as the network size increases.

**Section E:** Shows a network of nodes and edges. A central node is labeled  $E$ . The diagram illustrates how the number of edges changes as the network size increases.

4. 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 8

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

24 April, 1951.

Mrs. Alice J. Duck,  
Clerk, Circuit Court,  
Bay Minette, Alabama.

Dear Mrs. Duck:

DANA VS DANA: With this find Complaint and Summons; Interrogatories Propounded by Plaintiff to Defendant and Demand by Plaintiff of Defendant for an Abstract of Title showing his proposed defense, together with copies for service on Defendant, who resides on the paved highway at Point Clear about a quarter of a mile below McPhillips, now Hammond's, Grocery.

Defendant lives almost directly behind George Stone's residence and his name is on a sign on his front fence.

It may be that with criminal week about on us, the Sheriff may take some time in getting around to this.

Sincerely,

*Elliott G. Rickarby*  
for  
RICKARBY & RICKARBY

EGR:HB  
Encs - 6  
3050

NO 1642

Sally E. Dana

VS.

Caleb Dana

Suit to Recover

Filed 4-25-51

1. Sum & compts
2. Interrogatories
3. Demand for  
abstract