



# The Alabama Gazette



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## How do we Reclaim the Legacy of Liberty which brought such Blessing to America?



John Winthrop's "Little Speech on Liberty" spoke of two kinds of liberty.

"One is the liberty of nature. It is the liberty to do evil as well as to do good...the exercise of this liberty makes men grow more evil, and in time, to be more evil than brute beasts. This is that great enemy of truth and peace..."

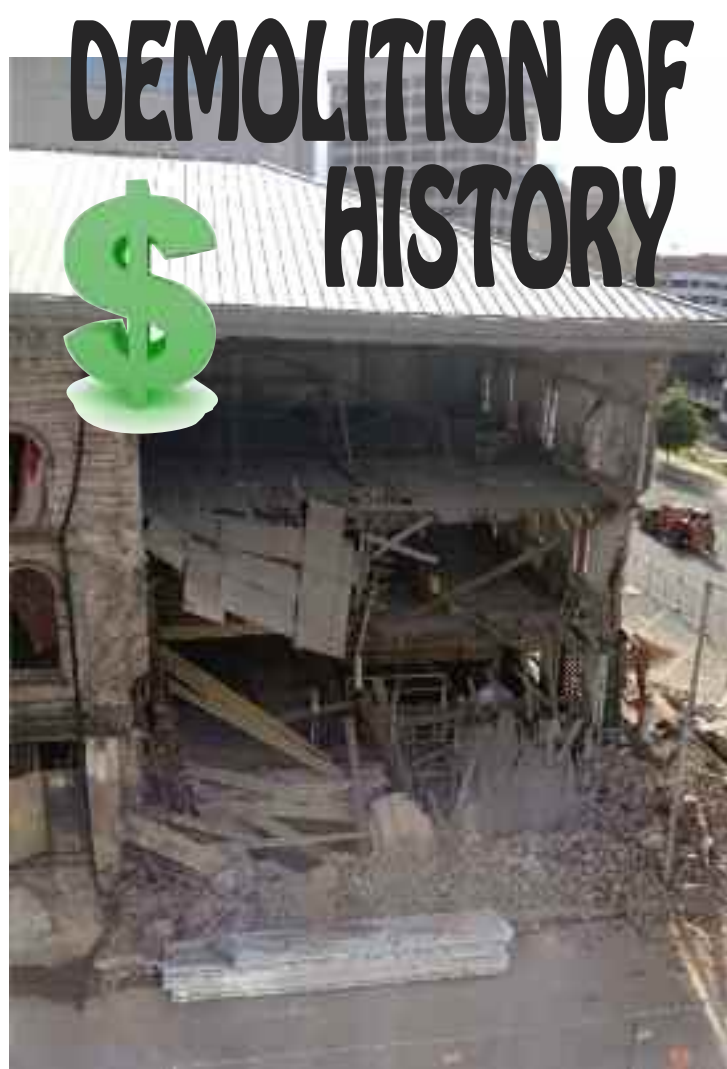
Winthrop describes the other kind of liberty...

"I call civil or federal. It may also be termed moral, in reference to the Covenant between God and man, in the moral law, in the politic covenants and constitutions, among men themselves. This liberty is the proper end of authority, and cannot subsist without it, and it is a liberty to only that which is good, just and honest. This liberty you are to stand for, with the hazard (not only of your goods, but) of your lives, if need be.... It is the same kind of liberty wherewith Christ hath made us free."

Winthrop, "Twofold Liberty," 1645, New England.

See article on page 4

Contributing Writer Bobbie Ames



ISIS rebels went to the City of Mosul recently and intentionally destroyed ancient artifacts of Iraq dating back some three thousand years.

The terrorists took sledge hammers, pick axes and explosives to destroy evidence of art and architecture that reflected ancient cultures and our civilization. The world stood back in stunned silence as videos recorded history evaporating before its eyes. Fortunately, most of the items turned out to be replicas although several original pieces were destroyed. When items of historical magnitude are lost, a part of who we are goes with it.

On June 26, 2014 a

cornerstone of downtown Montgomery came tumbling down. The historic Webber building collapsed as workers renovated the 160-year-old structure. No one was injured as the northeast wall was sheared from the once beautiful hotel. Several men reported hearing the masonry pop while bricks flew through the air as if ghosts of the bygone day were in revolt.

The four-story brick edifice had weathered wars, depressions and modernization, but it could not withstand the act of its own renovation.

Home to a post office, a barber shop and a "Hole in the Wall" saloon, the structure served as Montgomery's first theatre. The notorious John Wilkes Booth performed here. The song "Dixie" is reputed to have been written within these walls. Later it became the Webber Department Store up until the mid 1990's.

**The Montgomery Riverfront Development Foundation purchased the vacant structure for \$325,000. Approx. demolition costs \$500,000.**

A flat roof was replaced with metal trestles and a metal roof. Window frames were removed to make way for a new ones. Structural footings were compromised. All these changes were factors in the ultimate collapse of arguably one of the most historic structures in Montgomery, if not Alabama. Last week the City of Montgomery, which has since become the owner, announced that the old theatre will be demolished. The previous owner was heard to say, "It was a miracle no one was hurt, the rest is just sticks and bricks, sticks and bricks." But for us Gumps, this ghost meant much more.

Members of the MRDF for the year ending 2013 were Todd Strange, Jeff Downs, Chad Emerson, Walter Byars, Sam Martin, Randy George, Riley Roby, Carl Barker, Leslie Sanders, Mark Kennedy, and Lloyd Faulkner.



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UNITED STATES REPRESENTATIVE **MARTHA ROBY**  
ALABAMA'S SECOND DISTRICT



## HOUSE BUDGET GOOD NEWS FOR DEFENSE

**Good news:** The House has passed a Budget Resolution that increased critical funding for national defense, a key budget component that I strongly pushed for in negotiations.

For the last few months, we have been discussing ways to prevent devastating cuts to military funding known as sequestration from taking effect in the next fiscal year. As Congress began its negotiations for a Budget Resolution, I worked to build a bi-partisan coalition to support increased defense funding. It wasn't always easy.

Originally, as passed out of committee, the Budget Resolution would have set base military spending at sequestration levels while creating a special account to provide additional funding conditional on whether as-yet-unidentified future savings become available. It is unwise to leave critical military funding to chance, and thankfully

that proposal failed to pass.

The House then adopted an amended budget proposal I supported that made sure no military spending was contingent on future monies that may or may not actually become available. This amended Budget Resolution passed with a vote of 228-199.

All told, defense spending is set at \$619 billion. This total includes \$96 billion in Overseas Contingency Operations (OCO) spending, which is used to fund conflicts across the globe.

Because the sequestration law caps base defense spending, OCO funding will supplement our readiness operations and other military activities that would typically be funded in the base budget. This procedure isn't ideal, but it is necessary under the circumstances to get defense funding to proper levels.

I continue to strongly advocate for revising the sequestration law to treat our military fairly. But,

until that happens, we cannot allow our military to go without the training and resources it needs to meet global challenges. The threat from ISIS is growing every day. Russia is increasingly aggressive. Conflict on the Arabian Peninsula is escalating quickly. We don't know what will happen with Iran and its nuclear ambitions. In a dangerous world, we cannot allow the ill-advised sequestration law to keep us from properly funding national defense.

There was a lot of good in the various other Republican budgets. But, in the end, the best proposal won out. Our House Budget Resolution isn't perfect, but it puts us on a realistic path to balance while protecting critical funding for the military. I appreciate my friend and Budget Committee Chairman Tom Price for his diligent work on this, and for listening to our concerns about proper military funding.

## ROBY, DELEGATION MEET WITH ISRAELI PRIME MINISTER NETANYAHU Iran's nuclear capabilities, ISIS focus of discussions

JERUSALEM, ISRAEL – U.S. Representative Martha Roby (R-AL) on Wednesday met with Israeli Prime Minister Benjamin Netanyahu to discuss Iran's nuclear agenda and terrorism threats in the surrounding region. Roby's visit to Israel comes at a particularly critical moment as negotiations continue with Iran and the threat of ISIS persists.

Roby is traveling as part of a high-profile delegation of U.S. lawmakers through the Middle East to evaluate the rising influence of ISIS and Iran and to examine the potential impacts on U.S. interests at home and abroad.

*"Israel, our friend and close ally, is a critical foothold for democracy in a dangerous region that is, frankly, becoming less and less stable," Roby said.*

*"We had a long, productive discussion with Prime Minister Netanyahu about our shared concerns relating to Iran's nuclear capabilities. Under no circumstances can we allow Iran to build a nuclear weapon. It would threaten our allies, and it would cause a very serious ripple effect throughout the Middle East.*

*"Every indication we have tells us that the deal being discussed is weak. It would be a mistake to enter into a deal that creates an eventual path*

*toward a bomb. We need to negotiate from a position of strength, not out of desperation to reach a deal with Iranian leaders who have stated an intent to harm both America and Israel. Our delegation assured the prime minister that we stand with Israel and that we will continue to work with its leaders to promote peace in the region."*

After a productive conversation with Prime Minister Netanyahu, the delegation traveled to the border of the Gaza Strip and received a briefing on the system of intricate "terror tunnels," which are used by Hamas for military purposes. The lawmakers also visited the Black Arrow Paratrooper Memorial where they received an update on the situation inside Gaza.

Roby and the delegation traveled earlier this week to Iraq, Jordan, Saudi Arabia and Kuwait where they met with elected officials, U.S. ambassadors and military personnel.

The delegation, led by Speaker of the House John Boehner (R-OH), is made up of senior lawmakers charged with oversight of the United States' efforts to defeat the terrorist threat and support our partners in the region. In addition to Roby, the delegation includes:

- Rep. John Kline (R-MN) is chairman of the House Education & the Workforce Committee and a member of the House Armed Services

Committee.

- Rep. Devin Nunes (R-CA) is chairman of the House Permanent Select Committee on Intelligence.
- Rep. Ileana Ros-Lehtinen (R-FL) is chairman of the House Foreign Affairs Subcommittee on the Middle East & North Africa and a member of the House Permanent Select Committee on Intelligence.
- Rep. Rodney Frelinghuysen (R-NJ) is chairman of the House Appropriations Subcommittee on Defense.
- Rep. Tom Cole (R-OK) is chairman of the House Appropriations Subcommittee on Labor, Health, & Human Services, and a member of the House Appropriations Subcommittee on Defense.
- Rep. Ken Calvert (R-CA) is chairman of the House Appropriations Subcommittee on Interior and a member of the House Appropriations Subcommittee on Defense.
- Rep. Mike Simpson (R-ID) is chairman of the House Appropriations Subcommittee on Energy & Water.
- Rep. George Holding (R-NC) is a member of the House Ways & Means Subcommittee on Oversight.

Roby, who serves on the House Appropriations Subcommittee on Military Construction & Veterans Affairs, has traveled with the U.S. military in Afghanistan each of the last four years.



Marcia Chambliss



## CONSERVATIVE GRASSROOTS STILL ALIVE

Sen. Ted Cruz announcement of his bid for President of the United States wasn't surprising news, nor were the long knives from critics on the left and the establishment right that were immediately drawn for him.

Because I assumed that a Cruz presidential campaign was simply a matter of time, I didn't watch his speech at Liberty University until later that day, and frankly, it was the social media furor on Twitter that prompted me to take the time to watch it without interruption.

I have no intention of making the case for why Sen. Cruz should or should not be the next president of our nation – much has already been written with endless speculation to come. There are more candidates waiting in the wings and my choice will come later after serious vetting. Instead, perhaps I can articulate what I felt in hearing Sen. Cruz speak about this great country and why his presence in the 2016 race matters to the conservative grassroots.

Whether loved or despised, Sen. Cruz has stood firm on the campaign promises that led to his underdog U.S. Senate win in 2012 rather than arriving in Washington and becoming part and parcel of the D.C. ruling class. For so many who voted for candidates who quickly became entrenched in establishment politics, Cruz represents the backbone that we long for in our own representation.

Add to that backbone his personal life story of understanding freedom and liberty, and it isn't hard to understand why his message resonates with conservative (although not necessarily Republican) Americans who are concerned and downright scared about the economic calamity facing our nation.

Like so many people I know, we recognize that our children and grandchildren are being saddled

with a national, state, and local community debt and level of future taxation that will hamper their life choices. The job opportunities for high school and college graduates are still rather limited with an economy that continues to sputter in most private segments. Fear of terrorist attacks enabled by unsecured borders still persist in the minds of most of us, at least of those paying attention to the turmoil abroad, and the domestic fires of racial tensions are continuously stoked, in many cases by those who have agendas driven by greed.

Corporate cronyism drives Republican and Democrat political agendas at the federal, state, and local level, and the same candidates who promise they are going to "fix" things offer little more than lame excuses as to why they can't or won't. Conservatives were promised that things would change "once Republicans control the House" which became "ah, but you know, we really can't do very much until we control the Senate," and our concerns are now dismissed with "well, now, you know it's impossible until we win the White House."

Mock if you will, but Sen. Cruz has energized the grassroots conservatives who have been demoralized by those we have elected as well as by those in the GOP establishment wanting to once again anoint a nominee and likely wishing we would simply disappear. The grassroots response to Sen. Cruz' announcement was an expression of that frustration and one that the establishment wants only for their candidate of choice.

What resonated to me and countless conservatives across the country is the fact that someone who still believes in the exceptionalism of America and in its citizens is willing to step up and lead our nation, not from behind, and not by kowtowing to in-

terests who care little about those outside of the sphere of moneyed influence of Washington politics.

That GOP nominee may not be Ted Cruz. But it does need to be a principled conservative who wants all citizens to have the opportunity for success instead of the chains of a government subsistence – the opportunity for an education not driven by corporatist profits – and the opportunity to live free of an oppressive big government designed to limit our liberties. It should be someone who understands the separation of power as constrained by our Constitution – someone who believes in the rule of law – someone who values and protects the sovereignty of our nation – and someone unafraid of challenging the status quo.

Political pundits tell us that such a candidate isn't "electable" so we must fall in line with someone the experts tell us can win. Unfortunately, that strategy hasn't worked very well in the two most recent presidential election cycles and our freedom is at serious risk because of it.

Limited government conservatives aren't looking for a government "savior" as a candidate – we're simply wanting someone with the courage to be the voice for those of us who feel as if we no longer have one.

*Marcia Chambliss is the Alabama State Coordinator of Smart Girl Politics, a 501(c) (3) non-profit dedicated to the education and training of activists and candidates, and Smart Girl Politics Action, <http://sgpaction.com/>, a 501(c) (4) which focuses on conservative issues. She can be reached at: [Marcia@sgpaction.com](mailto:Marcia@sgpaction.com). Her views do not necessarily reflect the opinions of Smart Girl Politics Action.*

# Inside the Statehouse with Steve Flowers

Steve Flowers is Alabama's leading political columnist.  
His weekly column on Alabama politics appears in over 60 Alabama newspapers.  
He may be reached at [www.stevflowers.us](http://www.stevflowers.us).



The views of this editorial may not express the views of The Alabama Gazette.

**April 1, 2015:**

In recent years, the Republican Party has taken control of the legislatures in all of the southern states. Alabama's legislature is overwhelmingly Republican. The GOP holds a 25 to 9 majority in the State Senate and an equally dominating 72 to 33 majority in the House of Representatives.

Our supermajority GOP legislative body appeared to take on every conceivable ultraconservative reactionary issue during their first four year reign from 2011 to 2014. However, they forgot one. Charter schools.

The idea of charter schools is a hot button litmus issue within the Republican legislative ranks. Alabama has now joined the ranks of states that allow for charter schools. Both the super majority Republican House and Senate passed the measure like a shot out of a cannon within the first two weeks of the session. The vote fell right along party lines with most GOP legislators supporting the proposal.

Simply put, the concept is schools that are publicly funded but independently run. In Alabama, the legislators who are the strongest proponents are from areas that have weak public schools. The most obvious senator and, therefore, the most vocal is Sen. Dick Brewbaker of Montgomery County. The Black Belt and especially Montgomery whites have abandoned their public schools and most of the white students attend private schools.

This proclivity is precisely what has been

the case in other states. Research reveals that charter schools worsen segregation of children along income levels and racially. Unquestionably, charter schools take money away from already underfunded traditional schools. They also cherry pick their students. Thus, leaving the purely public schools to educate and deal with the children with disabilities.

The hypothesis that free market competition between charter and traditional public schools will give rise to academic improvement has not played out in other states. In fact, studies have revealed that charter schools are not a panacea to public school ills.

In other states when charter schools are not held strictly accountable scam artists have stolen millions of taxpayer dollars. Some have paid enormous salaries to administrators. They have hired people with criminal backgrounds. They place students in buildings that do not meet basic building code requirements. The lack of transparency has allowed outright fraud by claiming to be nonprofit, but funneling funds to for-profit companies.

A study of charter schools in Ohio came to the conclusion that for-profit charter schools offer little or no benefit. Their study also says it encourages fraud and corruption and little or no accountability.

The most ardent proponents for allowing charter schools in Alabama have been state senators Del Marsh (R-Anniston) and Dick Brewbaker (R-Montgomery). They neither are calling for a carte

blanche move to charter schools, but are only wanting a limited number of pilot schools to determine how it will work. Brewbaker says, "The more choices we can give parents the better off we are going to be." Marsh says that under the proposed legislation, "There would be a limited number to start with and a lot of local control."

There was adequate opposition from the obvious opponents. The Alabama Education Association opposed the measure because it drains dollars from an already underfunded Alabama public school system. The Democratic House and Senate caucuses opposed charter schools for the same reason. However, both of these groups have been relegated to irrelevancy in this legislative process.

A third leg of opposition came from the Alabama Association of School Boards. Sally Howell, their executive director, has strong beliefs that local school boards should be the ones to decide whether a charter school is allowed. She stated that "Alabama underspends on education and when you are creating more schools you are going to further diffuse those resources." She further said, "Let's make sure if we look at this effort we're putting it in a place where public schools have not been performing well."

Whether or not this educational concept enhances learning standards in Alabama is irrelevant. If it sounds or looks like a reactionary Republican right-wing issue, this group of ultra-conservative elephants will embrace it. We will see.



**March 25, 2015:**

Our good doctor governor, Robert Bentley, has done a thorough physical exam on the state's finances and his diagnosis is that the General Fund needs additional revenue. His Republican comrades in the legislature have been trying to starve the patient for the past four years. If the patient is an analogy to the state government, the approach over the past four years has been to put the patient on a rigid diet of starvation and bleeding to death in pretty much the same way that George Washington's doctors did in his day. The patient according to basic tenets of medicine or government should weigh about 180 pounds. The legislature has starved the patient/government to 120 pounds of skin and bones.

In defense of these ultraconservative legislators, if truth were known, they would probably do away with state government altogether or simply let the patient die. However, in reality, we actually need roads to drive on and state troopers to give aid to motorists. Some people like to have a court system to punish people who commit heinous crimes and if you have a judicial system and the judge sentences someone to prison then you have got to have a prison to house them.

The counter argument or solution that the Republican super majority would offer is to just give everybody the electric chair, then you do not need any prisons. On the other hand, there are some bleeding heart liberals that think the poor wayward lawbreaker may need a trial first. I am afraid the federal judiciary might step in and say that you have to have a court system and penal system and you have to give some backslider a trial.

Indeed, that is one of the acute problems we are facing at this time. The federal courts may very well take over our prison system and run it from their courtroom. The remedy that judge may render could cost a pretty penny to implement. Our state prison system has reached a crisis point. The U.S. Justice Department is investigating physical and sexual abuse at the Julia Tutwiler Prison for women. Our prison system is built to hold 13,000 inmates. It currently holds over 25,000. That, in itself, would portend a federal jurist to hold the legislature and governor in contempt and place the Alabama prison system into federal receivership.

In short, if the aforementioned patient/government scenario is continued, then more than likely nine out of 10 doctors' diagnosis would be the same as our doctor governor. We cannot starve the patient any longer. We have to give him some food or pull the plug and allow him to starve to death.

Raising taxes will not be easy. These legislators are real Republicans. They have sworn not to raise any taxes or new revenue. Bentley is just as Republican as they are. He has been a part of the starvation remedy for the past four years. He has had a Damascus Road conversion because he has taken the Hippocratic Oath to not deliberately kill his patients.

He has reluctantly asked his fellow GOP colleagues to raise \$540 million in revenue. He is offering a plan that will not require voter approval, only legislative action. He is proposing a revenue package that will include closing corporate loopholes and increasing sales taxes on automobiles and cigarettes.

In his speech to the legislature on March 3rd Bentley said, "I'm the doctor of 5 million people in the state and these Alabamians expect government

to operate properly and the General Fund is not doing that." It will be an interesting and probably contentious session. The legislature has a super majority Senate and House in place. A good many of these legislators are reactionary conservatives who have taken a no tax pledge. Where the Democrats land will be important. It will be interesting to see how this plays out. We will keep you posted on the progress.

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The Gazette, (now *The Alabama Gazette*) was created in year 2000 for the people of Central Alabama with the intent of being a thought-provoking, non-partisan publication reaching over 20,000 readers monthly. Written comments, stories, advertisements, social and church events, as well as classifieds are always welcome. The publisher is not responsible for error in text reprinted from other sources. Furthermore, this publication does not establish due diligence on authors or advertisers and cannot guarantee that their offerings or writings are correct or suitable. We assume no responsibility for errors or omissions. We reserve the right to print, edit or condense any and all contents submitted. The publisher reserves the right to refuse advertising and submissions at its own discretion. All articles, ads and photographs may be subject to copyright.

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# The Education Station...

By Bobbie Ames

## CIVIL AND RELIGIOUS LIBERTY ARE NOW IN PERIL

### How do we Reclaim the Legacy of Liberty which brought such Blessing to America?

*"The more thoroughly a nation deals with its history, the more decidedly it will recognize and own an over-ruling Providence therein, and the more religious a nation it will become; while the more superficially it deals with its history, seeing only secondary causes and human agencies, the more irreligious it will be."* Rev. A.W. Foljambe, January 5, 1876.

Whether you are introduced to the writing and impact of John Locke, Samuel Adams, Patrick Henry, George Washington, John Adams or Thomas Jefferson, on America's past, you will discover that they all held a "Christian idea of man and government." Each one knew beyond doubt that Grace and Truth came through Jesus Christ (John 1:17). They knew that Liberty is an indwelling spirit that frees the mind and heart of the man who experiences true liberty. They understood that "Life, Liberty, Property" were gifts from the Creator God. They knew that Government is a Science that must be based on Biblical principles, and they determined to fashion it "for a free and independent man."

Paganism had plagued the world. The individual had value, only as regarded as value in the political fabric of his day. With Christianity came the Good News that every man has value. Made in the Divine image, man is destined for Immortality. A new idea of government emerged. Whereas, man had been viewed in terms of value to the State, now, the Christian views the State as obligated to protect man's Liberty to exercise Justice, and to protect the common good of all men, as much as possible under law.

As the Good News of the Gospel moved Westward, America became a model which would be the envy of the world. Building on the Reformation in England, our Founders understood both the political component and the religious component that MUST Co-Exist as essential parts of God's Providence. Our Founders were passionate in their worship, seeking to recover the Primitive Gospel of the Scriptures.

John Winthrop's "Little Speech on Liberty" spoke of two kinds of liberty. "One is the liberty of nature. It is the liberty to do evil as well as to do good...the exercise of this liberty makes men grow more evil, and in time, to be more evil than brute beasts. This is that great enemy of truth and peace..." Winthrop describes the other kind of liberty... "I call civil or federal. It may also be termed moral, in reference to the Covenant between God and man, in

the moral law, in the politic covenants and constitutions, among men themselves. This liberty is the proper end of authority, and cannot subsist without it, and it is a liberty to only that which is good, just and honest. This liberty you are to stand for, with the hazard (not only of your goods, but) of your lives, if need be.... It is the same kind of liberty where-with Christ hath made us free." Winthrop, "Twofold Liberty," 1645, New England.

The spirit of America was

intend that those who come after us, shall be denied the same high fruition [enjoyment]. Our honor as well as our happiness is concerned. We cannot, we dare not, we will not, betray our sacred trust. We will not filch [rob] from posterity the treasure placed in our hands to be transmitted to other generations." Boston, 1851.

George Washington clearly stated that, "the foundation of our national policy will be laid in the pure and immutable principles of private morality, and the preeminence of free

and the Government. Each has its essential part. Character is formed in the family life. Christian self-government must be taught and practiced at home. The breakdown of the family in America presents a crisis in the culture. In a home where there is Biblical order, a father and mother, and children, you have the first level of government. Training begins religiously, educationally, and even politically.

It is in the Christian home, where America's heritage of Christian character must be formed, and great emphasis must be placed on Conscience. In true Christianity, conscience is considered "the most sacred of all property."

A study of the colonial charters and state constitutions display the same dedication to a Christian nation. No one can read the State Constitutions without observing the same Christian nature in those documents as in the Constitution. However, can just laws be carried out without just and honorable men in office? In my home state of North Carolina, the State Constitution required that "no person who shall deny the being of God, or the truth of the Christian religion, or the divine authority of the Old or New Testaments, or shall hold religious principles incompatible with the freedom and safety of this state, shall be capable of holding any office, or place of trust, or profit in the civil department, within this State."

The Massachusetts State Constitution, penned by Samuel Adams and John Adams, stated, "All persons elected must make and subscribe to the following declaration: viz [that is to say], I do declare that I believe the Christian religion and have firm persuasion of the Truth."

Where to begin to reclaim the legacy? Consider a new study for family devotions. Or perhaps, a life changing self-study, or organizing a small weekly group study; this would be a new challenge with great benefits for anyone. Would not any Christian desire to be a Patriot today?

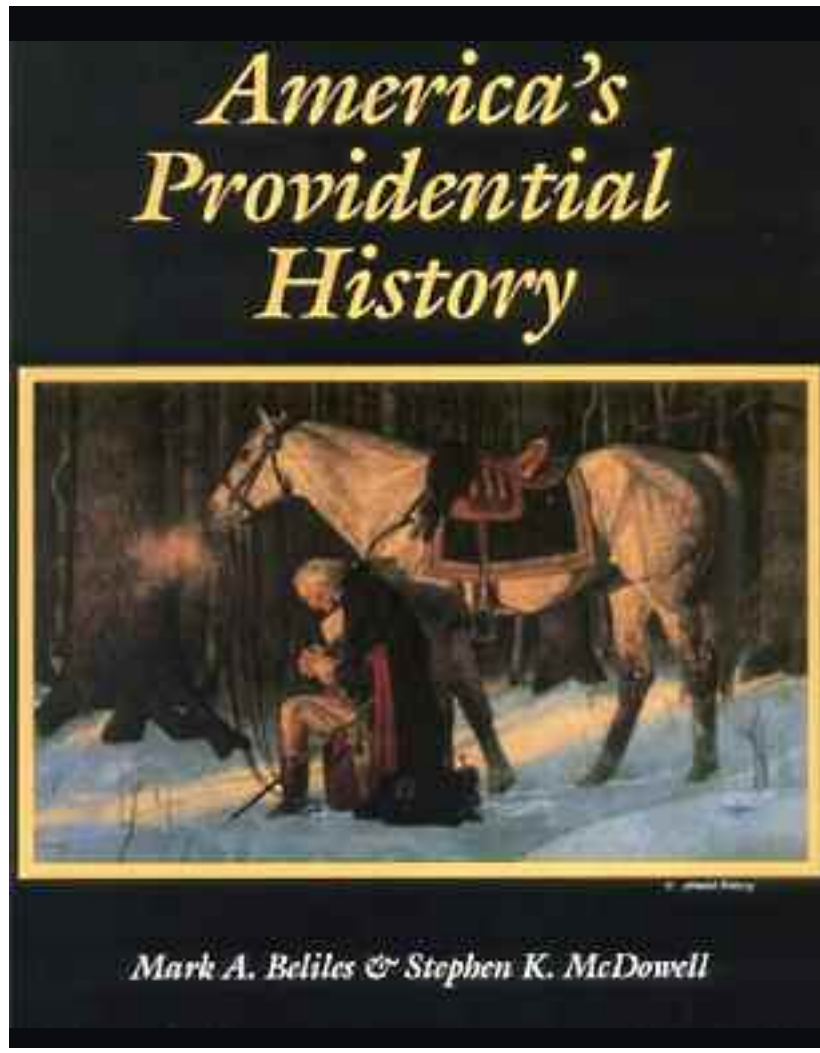
Is true Patriotism even possible without the knowledge of His story in all of its Glory?

Having taught America's Christian History for more than forty years, we have been deeply indebted to the late Verna Hall and Rosalie Slater, who taught and mentored our teachers. Their pioneer work is carried on at the Foundation for American Christian Education, in Chesapeake, Va. The history books are in print, and can be found on their website: [www.FACE.net](http://www.FACE.net). Dr. Carol Adams directs the research and teaching ministry at the Hall-Slater Library in Chesapeake. The 1828 Dictionary is also available through [www.FACE.net](http://www.FACE.net). The recommended America's Providential History, can be found through the Providence Foundation, in Charlottesville, VA.

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unique. Government was based on Representation, with the will of the majority prevailing. Law in conformity with God's Law, would be the supreme rule. That would be set in a formal Constitution, as the Supreme Law of the Nation. To succeed, for government to prove useful and wise: (1) The people must be educated in every village and city. (2) A high Priority must be placed in the diffusion of morality and the Christian religion to all of its citizens. (3) Leaders and citizens alike, must display individual virtue as indispensable character qualities to preserve Liberty.

Reflecting on History and the Providence of God in the founding of the American Union, Daniel Webster stated, "Those blessings [.] our fathers have tasted, and we have tasted, and still taste. Nor do we

government be exemplified by all the attributes which can win the affections of its citizens, and command the respect of the world..." First Inaugural, April 30, 1789.

We have seen in our early history, a glorious heritage in America's Christian Constitutional Republic. Generations of her citizens lived in individual liberty which was the envy of the world. Now liberty, civil and religious, is in peril. Generations of our children have been indoctrinated in socialism and the glorious past has been masked from their view. Branches of government are no longer in balance, through overreach and abuse. How can we reclaim the legacy for our children, grandchildren, and those to come? What about the children who live next door? Are they not worthy of their rightful heritage?

How do we reclaim the legacy of liberty that brought such blessings to America? We suggest that individuals study, America's Providential History, in order to know His Story, our true History. The story begins with Creation and the Dominion Mandate, when God instructed Adam on self-government and the rule of His law. The story of how God deals with His Creation, with men and nations, is a focus of many Christian evangelical ministries, as you know. We suggest that you begin with the Webster's 1828 Dictionary, which restores the language of Liberty and makes your study of America's past much more meaningful.

The books recommended on America's Christian History are scholarly, yet readable for all ages, and have all meant a great deal in my own life and ministry. Constitutional Liberty is dependent on the Family, on the Home, the Church



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**Ronald A. Holtsford**

**Q. It appears to me that real estate can be owned in different ways and sold or given to someone else in different ways. Can you simplify some of these terms and conditions?**



Real estate practice among lawyers can be difficult when determining who has rightful ownership of real property. It's just about as difficult to begin a generic discussion.

The best form of ownership is, fee simple absolute. It is absolute in ownership and allows the owner to sell to whomever and to bequeath to whomever. An earlier form called fee tail, was many years ago abolished in Alabama and called for land inheritance of certain heirs. If those heirs ran out, then the land went back to the heirs of the original land grantor.

Confused? We're just getting started.

Another form of ownership seen too often in the rural South sometimes among African-Americans is "heir property." Heir property is not really a qualified ownership interest. It occurs when a decedent dies without a Last Will and Testament and the estate is not disposed of through the probate process. The heirs continue to pay property taxes on behalf of the decedent, but as generations go on there is less and less a clear view of who the rightful owner(s) should be. The biggest problem comes when there is a desire to sell the property and the rightful owners have to be adjudicated in order to correctly transfer the title of the real property.

Among married spouses, the home or other real property is held as, tenancy in the entirety and with right of survivorship. This simply means, that upon the death of the first spouse, the real property transfers to the surviving spouse under operation of law. That makes things pretty easy. Any other group of individuals can hold real property as joint tenants. This means that when one of the joint tenants dies, that persons interest goes to his heir(s) or whomever so noted in his Last Will and Testament. So friends, Barney and Fred can have hunting land together (in

fee simple) and when Fred dies, Barney would then own the hunting land with Fred's wife, Wilma to possibly include Bam Bam. But if Barney and Fred buy the land and include a provision in their joint tenancy having right of survivorship, then Barney can own the land solely and in fee simple.

A form of ownership is one thing, but the type deed is another. The best deed is a Warranty Deed. If you look at the Deed to your home that is probably what you will see. If you are divorced and receive the marital home in the divorce settlement, then the vacating spouse would execute a Quit Claim Deed wherein they transfer all interest in the home that they have (whatever that interest might be) to the spouse that receives the real property in the decree.

Another type Deed might be claimed in Quiet Title. This typically stems from the adverse possession of another's land. The rules in Alabama require, actual possession of it that is open, notorious, exclusive and adverse to the claims of other persons to the title. If there is a title or color of title meeting the requirements above and paying taxes, then only ten years are required to claim Quiet Title, but if no color of title is available, meeting all of the possession and tax requirements above require twenty years before one can seek Quiet Title. This is where neighbors get a bit concerned when fence lines change and tend to start including a bit of the property of the neighbor. Certainly if you own some property that you rarely visit you will want to do so every few years and make sure that no one is "occupying" it without your permission.

Parents that want to gift real property to their children by operation of law rather than through their Last Will and Testament might do so by executing a Life Estate Deed With Remainder Interest. Upon the death of that person having a Life Estate, then the remainder interest goes to the person or persons listed with remainder interests. The real property cannot be

sold unless both the person with the life estate and the remaindermen all agree to sell the property. Other items needing greater space for this column include property tax responsibilities and the created basis of the property should the remaindermen decide to sell the property at a time after the death of the life tenant. If someone gifts real property to an heir under a Last Will and Testament, it vests immediately in the person(s) named in the Will, but the actual transfer by Deed may not be done for several months while the Probate process is completed.

These are some of the basics of real property law and confusing for the average lawyer. Hopefully, I have not made this too difficult to understand. If you have a real property issue, see a real estate lawyer to get it resolved as they can be very messy. Many real estate problems arise between neighbors and such adverse situations can make it difficult to live next to one another. If you are unfamiliar with a real estate lawyer to use, call the Alabama State Bar and ask for a referral through the Alabama Lawyer Referral system.

I hope that each of you have a blessed Easter and have an opportunity to reflect on the risen Lord, His love for us and your own eternal destination.

*This article is informative only and not meant to be all inclusive. Additionally this article does not serve as legal advice to the reader and does not constitute an attorney-client relationship. The reader should seek counsel from their attorney should any questions exist.*

*"No representation is made that the quality of legal services performed is greater than the quality of legal services performed by other lawyers."*

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## AN ABANDONED GENERATION: LOSS OF VALUES IN SOCIETY, HOMES AND SCHOOLS

*The views of these editorials may not express the views of The Alabama Gazette.*

The devaluation of America's cultural decency, the increase in fatherless homes and the steady decline in academic performance is now spiraling out of control. My generation has witnessed general apathy among parents, schools and politicians for several decades. Loss of values in our country is a very real phenomenon and the not-so-subtle enemy of many of our societal problems. Our schools are not immune. These "values" are not to be narrowly interpreted as solely religious values or strict adherence to a specific moral code. This term is intended to be applied in a broader sense. This includes the basic values of belief in God (despite secularists' claims, America was founded on Judeo-Christian values), respect for other especially authority, honesty, non-violence, the treatment of females, avoidance of foul language whether in speech or music and a strong work ethic. Though an individual can maintain and teach generally good values to their children without the benefit of church or some religious training it is important to include here the decline in our country's church attendance and membership. In the 2010 U. S. Census the population was approximately 309 million. How many Americans were church members? This number was just over 150 million or 48.8%. One measure of the decline in church strength and authority is membership and attendance. And by that measure the U.S. secularity is rising to surprising heights.

Millions of children in our country are victims of this lost generation. Alabama is no exception to this problem in homes across the state. In a 2003 study I conducted (published in the Birmingham News) the Jefferson County, Alabama Health Department birth statistics for Birmingham were chilling. In 2002 71% of all black births in Birmingham were to unwed mothers! Unfortunately, these children will be at a higher risk for academic failure, victims of violence, and criminal behavior. The study found that 70% of juveniles incarcerated in Alabama Juvenile Detention system are from homes with absent fathers.

Coupled with these statistics are conditions which

exacerbate circumstances of our youth include a lack of controlled after-school behavior, violence-filled media from many sources, a cultural climate of violence and an dearth of value-based parental influence. The home conditions, parental negligence and a steady bombardment of negative peer influence invade our schools with children who are victims themselves of this valueless culture. They act out what they learn at home and in their neighborhood. Thus, we deal with a generation of youth which, in far too many circumstances, perpetuate the new valueless culture.

Hence, school violence, violent crime in homes, in the streets and in cities continues to spread. The lack of respect for human life and for authority once taught in the home is now acted out daily by students who assault one another and their teachers. According to the Alabama Criminal Justice (ACJIC) Information Center, aggravated assaults in schools rose at an alarming rate from 2000 to 2011. In a 2013 release of a school crime report the ACJIC reported that in 2011 six acts of violence occurred daily in Alabama schools. These are: Homicide, Rape, Robbery, Aggravated Assault, Simple Assault and Simple Assault. Nationally, in a 2008 study 5% of teachers were attacked by students, which was the highest percentage on record. Let it be clear: Despite the good efforts by law enforcement and school officials no school and no community is immune from serious violence. Law enforcement should not replace the authority of school officials to enforce school codes of behavior.

Certainly, not all schools or schools districts are afflicted with the debilitating conditions and dangers facing today's children and teenagers. Neither are they immune. Some public school districts have involved and dedicated parents, maintain strict adherence to good behavior, insure academic rigor and produce the best and brightest. Many private schools offer high academic standards and prepare student for college and/or careers. However, those have become exceptions to the thousands of school districts which have allowed schools to deteriorate in every category to include behavior,

discipline, effective learning, and excellence in academic achievement to prepare students for success beyond high school. There are many reasons why we as a country, state, a local school district and parents have abandoned this generation of children and those which follow.

The new tolerance which is taught in various ways in our schools undermines traditional Judeo-Christian values as the unpining of American principles. Tolerance has become acceptance and often replaces what have been religious and family values to new beliefs and values. Jesus taught tolerance, but not at the expense of truth!

Perhaps the most recent attack on this generation of our children is the federal takeover of our children's minds and education. This is known as Common Core. Despite what state leaders say, this is federal takeover of local education with only 15% of input of state-based curriculum. Once the federal government dictates curriculum, the assessments of knowledge and modifies history to omit and distort long-held facts which make our county exceptional it will control our students' minds and behavior. They become victims of the ethics and values of liberal, secular bureaucrats.

*David Nichols, Ed. D., is a veteran leader in education at all level and in law enforcement. He has served as a teacher at from elementary school through graduate school, a speaker at conferences and association meeting, school leaders, teachers, law enforcement officials and an instructor of Criminal Justice and Education at the graduate and undergraduate levels. Nichols has published widely on both education and criminal justice topics and consulted with schools and police agencies.*



**Dr. David Nichols**

### Wetumpka Tea Party Join Us For A Night With Jim Hoft



**"The Gateway Pundit"  
Wed. April 15th,  
at 6:30 pm  
Elmore  
Community  
Hospital**

**Montgomery  
Tea Party  
Patriots**  
The **WE** Party of  
Montgomery

**MEET US AT:  
Pizza Perfect  
428 Coliseum Blvd.  
(across from Eastbrook  
Flea Market)  
6:30 PM**

**Thursday, April 9th  
SPEAKER  
Daryl Bailey  
Montgomery County District Attorney**

# THINK



The views of this editorial may not express the views of The Alabama Gazette.

John  
Sophocleus

## Appomattox Sesquicentennial



This quote is more directed at Lee's inability to dishonour/violate his oath to the Constitution. One may argue the 1860s/modern spirit of Massachusetts (morphing into the command/mercantilist economy they loathed and successfully fought against with great Spirit in the 1770s) further 'progressing' us into the soviet-style hegemonic result we observe today would only serve to strengthen Lee's resolve in lack of regret. His words to **F.W. Stockdale** (former Texas governor) on the matter are as follows:

*"Governor, if I had foreseen the use these people desired to make of their victory, there would have been no surrender at Appomattox, no, sir, not by me. Had I seen these results of subjugation, I would have preferred to die at Appomattox with my brave men, my sword in this right hand."* -- **Robert E. Lee**

ber 1864. The fall of Atlanta a few months prior made certain Lincoln would be re-elected and the Republicans would continue their bloody carnage for another four years, sealing the fate of independence for our once sovereign States. As **Pres. Lincoln** made it clear he would not negotiate a settlement for peace (most noted the early February 1865 meetings) those like Cleburne who soldered on were doing little more than what Gen. Lee lamented not doing in his retrospective quote above - i.e., preferring to die sword in hand.

Mission accomplished... Gazette readers require little instruction how prophetic these words have been. It didn't take long for Lincoln's first militarily imposed corporate welfare to become the 'too big to fail' mentality of today; Lincoln's first income tax (abolished when southern states returned to the

redefined forced coalition) to now be considered normal; Lincoln's first federal fiat currency painfully brought back into check only to become accepted a few decades later and entrenched in our economy with the Federal Reserve; Lincoln's unconstitutional federal gun laws now accepted as indispensable, first federal conscription acts now deemed acceptable when wars are not supported enough by voluntary soldiers, etc. It took a little longer for UN Agenda 21 standards and Massachusetts (O'Romney care) health policy to be embraced by the ill-educated, mainstream extremists, but Common Core (also originating in Mass.) is what rings loudest from Gen. Cleburne's words above.



I don't think it a stretch to accuse Gen. Lee of naively thinking the best in others - esp. expecting governments to be more civil in times of peace following the war. Knowing attempts to take his property via the tax code and use Arlington to bury those who destroyed Virginia during the war, it is hard to imagine a man of his intellect couldn't forecast what was to follow under federal hegemony. Some argue after witnessing the result of federals in Fredericksburg, Gen. Jackson more clearly understood what was at stake and the Republican Party was very serious about achieving their corporate welfare militarily when not won politically. Others were more prophetic and sanguine in their words forecasting what would follow, **Gen. Patrick Cleburne** (oft called "Stonewall of the West") is quoted as follows:

*"Every man should endeavor to understand the meaning of subjugation before it is too late... It means the history of this heroic struggle will be written by the enemy; that our youth will be trained by Northern schoolteachers; will learn from Northern school books their version of the war; will be impressed by the influences of history and education to regard our gallant dead as traitors, and our maimed veterans as fit objects for derision... It is said slavery is all we are fighting for, and if we give it up we give up all. Even if this were true, which we deny, slavery is not all our enemies are fighting for. It is merely the pretense to establish sectional superiority and a more centralized form of government, and to deprive us of our rights and liberties."* -- **Patrick Cleburne**

Cleburne was one of eleven generals killed in Hood's poorly executed Battle of Franklin Novem-

I grow increasingly weary of those who say Mr. Lincoln had good intentions; he didn't want US to become what it is today just as those who say the USSR failed because they didn't do it right in following Mr. Marx. Furthermore we were supposed to be better after our hard fought and won independence - many who left Europe to escape the morass of empire building and over centralisation cycles of death and destruction.

Those around the globe looked to us as a promising hope of the new world of freedom and independence over hegemony. Sadly we squandered it to set the world on the biggest modern soviet movement not seen since the despotic days of Pax Romana.

Morphed into yet another forced coalition of states increasingly less constrained by the letter and Spirit of our Constitution, we'd tip the balance in Europe to determine the most powerful to put geopolitical units under their hegemony instead of promoting freedom and independence. One of the more astute in this regard at that time was English philosopher Lord Acton, revealed in his 1866 correspondence to Robert E. Lee not long after the surrender at Appomattox:

*"I saw in State Rights the only availing check upon the absolutism of the sovereign will, and secession filled me with hope, not as the destruction but as the redemption of Democracy. The institutions of your Republic have not exercised on the old world the salutary and liberating influence which ought to have belonged to them, by reason of those defects and abuses of principle which the Confederate Constitution was expressly and wisely calculated to remedy. I believed that the example of that great Reform would have blessed all the races of mankind by establishing true freedom purged of the native dangers and disorders of Republics. Therefore I deemed that you were fighting the battles of our liberty, our progress, and our civilization; and I mourn for the stake which was lost at Richmond more deeply than I rejoice over that which was saved at Waterloo."*  
-- **Lord John Dahlberg Acton**

In closing, I'd like to address Gen. Cleburne's words on mere 'pretense' to cloak the true purpose of hegemony. Mr. Lincoln is the greatest politician this nation has ever produced largely because his exceptional ability to use pretense in this manner. His successful Republican playbook is now used every bit as effectively by modern Democrats to empower the federal leviathan slowly destroying us. It has long been written the first casualty of war is truth; sadly the last casualty of our war between the states came some years after Appomattox when we lost the ability to see through this pretense along with the will to fight this hegemony. Inability to keep tyranny from leviathans of this sort in check exacerbates the result of death and destruction if history is any guide... Deo Vindice

For obvious reasons, this will be my last War Between the States sesquicentennial column given **Gen. Robert E. Lee's** surrender at Appomattox. The only one penned with greater despair was four years ago on First Blood and Treason in Baltimore.

Massachusetts troops shown themselves eager to assemble in the sovereign State of Maryland (still in the voluntary Union at the time) uninvited by the Governor and/or Legislature of that State to kill and wound persons of Maryland. This made painfully clear willingness to militarily establish federal hegemony over our once sovereign States to accomplish desired corporate welfare when political efforts to accomplish their wealth transfers fail. The stage was once again set for misuse of power to sow great death and destruction many of their ancestors observed and/or tried to escape in Europe. Cooler heads prevailed when the stage was set following the "Tariff of Abominations" to back off the brink of war between States wanting competition and independence on one side and those wanting empire and mercantilism's redistribution from productive peoples on the other side. The newly formed Republican Party would not exhibit nor allow this same wisdom shown three decades prior. Without a 'force bill' granted to the executive by congress in early 1861 and no courage to impeach Lincoln for treason (doing what corporate welfare recipients wanted) it would only be a matter of which peoples would lose more as is true with all war of this sort to enrich the few greedy redistributionists.

Some wonder if Gen. Lee held any regrets in retrospect with his well contemplated decisions. He simply could not commit (Art. 3, Sec. 3) treason and remain with the federal army he held so dear to engage in war with other sovereign States. At the end of the war it is clear if Lee had been willing to engage in treason (as other officers of Virginia who chose to participate in the treason with federal armies) he wouldn't have lost Arlington he held so dear. Even more profound Lee could enumerate the many he held in great admiration, love and affection lost in those four horrific years of death and destruction yet still affirmed: *"We could have pursued no other course without dishonor. And sad as the results have been, if it had all to be done again, we should be compelled to act in precisely the same manner."*  
- **Robert E. Lee**



Robert E. Lee and Ulysses S. Grant signing surrender

The views of this editorial may not express the views of The Alabama Gazette.

# ROBSERVATIONS... by Robert Tate

## COINCIDENCE? JUST ASKING.



On July 16, 2014 under the leadership of the US Department of Treasury Secretary, Jacob J. Lew, in an apparent response to Russia's attempts to destabilize the eastern Ukraine as well as its advances in and occupation of the Crimea, broad-based sanctions were levied against Vladimir Putin's government. These sanctions targeted financial services, the energy sector, select areas of the Russian arms industry and identified institutions directly related to the undermining of the Ukrainian government or the "misappropriation" of Ukrainian property.

Executive Order (E.O.) 13662 specifically imposed sanctions or targeted US persons from providing new financing to the Russian financial institutions of Gazprombank OAO and VEB and two energy firms OAO Novatek and Rosneft. In all, eight arms firms were identified, "Luhansk People's Republic" and the "Donetsk People's Republic" were also targeted. These two entities asserted governmental authority over parts of Ukraine without the authorization of the Ukrainian government and Aleksandr Borodai, a self-declared "prime minister" of the Donetsk People's Republic was identified for "threatening the peace, security, stability, sovereignty and territorial integrity of the Ukraine." Lastly, the Feodosiy Enterprises, a key shipping facility in the Crimean peninsula and four key Russian government officials were designated by the Treasury department.

Needless to say, this step by our Treasury Department was aggressive and was intended to build upon previous actions to coerce the Russian government to turn away from actions in Crimea and Ukraine. The intent of going after financial and energy sectors within Russia was supposed to increase economic isolation within that country for those companies that want to have access to American economic power. Because previous sanctions worked about as good as a condom run through a cheese grater, Under Secretary for Terrorism and Financial Intelligence David S. Cohen said, "Because Russia has failed to meet the basic standards of international conduct, we are acting today to open Russia's financial services and energy sectors to sanctions and limit the access of two key Russian banks and two key energy firms to US sources of financing and to impose blocking sanctions against eight arms firms and a set of senior Russian officials."

Although E.O. 13662 did not block or withhold property or interests of the identified banks or energy firms nor prohibited transactions beyond the E.O. (although they can be expanded later), the E.O. did specify that persons within Russia's financial services sector may be hit with sanctions. In a nutshell, the medium and long-term lending window to these banks, greater than 90 days, is shut down. Pretty serious stuff if you are looking to secure investments for your products. But let's just take a quick look at some of these companies identified and part of what they do.

**Gazprombank OAO** – Russian financial institution. Services 45,000 companies and 3 million individuals. 40 Russian branches. Initially established to provide financial services to the Russian energy industry.

**VEB** – State owned financial institution. Payment agent for the Russian government.

**OAO Novatek** - Russia's largest independent natural gas producer.

**Rosneft** – Russia's largest petroleum company and third largest gas producer.

The Treasury Department's approach to arms companies was a bit different and actually blocked the assets of those identified companies. Because of their failure to act according to the previous E.O. 13661, their assets within the US were immediately frozen. These companies are:

**Almaz-Antey** – Manufactures of surface-to-air missiles currently used by the Russian military.

**Bazalt** – Design and construction of air launched ordnance, rocket propelled grenades and armored fighting vehicle ammunition. (aerial bombs, mortar shells, grenades, anti-tank grenade launchers and projectiles of all types and calibers.)

**JSC Concern Sozvezdie** – Develops and produces high-tech control and communication systems, radio electronic warfare and special equipment for military forces.

**JSC MIC NPO Mashinostroyenia** – Leading Russian rocketry company responsible for defense programs involving cruise missile complexes.

**Kalishnikov Concern** – Producer of military weapons. Can you say, "AK-47?"

**KBP Instrument Design Bureau** – Research and production center for precision weapons.

**Radio-Electronic Technologies** – Designs and produces electronic warfare equipment.

**Uralvagonzavod** – Russian government owned company building military

equipment to include tanks.

As for Russian individuals targeted, these four men were also identified and blocked by the Treasury Department.

**Sergey Besesda** – Head of Russia's Federal Security Service (FSB)'s Fifth Service.

**Oleg Savelyev** – Russian Prime Minister for Russian Affairs. Responsible for the integration of occupied Crimea into the Russian Federation.

**Sergei Neverov** – Deputy Chairman of the State of Duma of the Russian Federation.

Responsible for initiating legislation to integrate the annexed portions of Ukrainian region of Crimea into the Russian Federation.

**Igor Shchegolev** – Aide to the President of the Russian Federation.



**LEROY JETHRO GIBBS (NCIS):** RULE 39 – THERE IS NO SUCH THING AS COINCIDENCE.

At 1031 UTC, on the morning of 17 July 2014, Malaysian Flight 17, a Boeing 777-200ER, registration 9M-MRD, rolled down the runway at Amsterdam's Schiphol Airport and took off for its scheduled flight to Kuala Lumpur International airport in Malaysia's Capital City.

Now, before anybody goes Democrat on me, I am not saying this accident is President Obama's fault. It isn't. Not even close. That being said, when you look at the E.O. 13662 in detail, and I recommend everyone interested to go to <http://www.treasury.gov/press-center/press-releases/Pages/jl2572.aspx> and reading it for yourself, you cannot help but look at who was targeted by the Treasury Department and wonder. Things that make you go, "Hmmm." Initial intelligence identified the missile that knocked down Malaysian Flight 17 as a BUK surface-to-air missile. This air defense system was known to be operated by pro-Russian insurgents in the Battle taking place in Shakhtarsk Raion at the time of the shootdown. Oddly enough, the missile that shot down the Boeing 777 was built by the Almaz-Antey company. The same company that showed up on the sanctions list the day before.

If you ask me what I think I will tell you that although I am not blaming anybody for anything, I have to admit it is highly suspect that this airplane was shot down the day after these fairly strong sanctions were levied against Russia. Highly Suspect. Do I think the Russians, Vladimir Putin in particular, would authorize something like this as a show of force? Yes.

They've done it before. Just look at Korean Flight 007 back on 1 September 1983. The Russians clearly understand that they can act ruthlessly and nothing is really going to happen to them. Ever. Do any of you think the UN is ever going to do anything? Only if the Russians adopted a Blue Star of David on their flag.

Putin is a tough guy. Heck, he used to be in charge of the KGB for crying out loud.

When I think of Putin, I think of the Russians who turned back the Germans in WWII and in my opinion had the most to do with the German defeat by causing over 70% of all German casualties. I admire that toughness. I respect it. And when a guy like Putin comes across a man he clearly has no respect for, why would he not test, in his mind, the lesser man's resolve? I find it disappointing that nowhere in the news media, still to this day, that nobody has put forth the idea that the shoot down was retaliation for or in response to O.E. 13662. If it has, I missed it.

To me it is clear. Out come sanctions against Russia and less than 24 hours later, down falls a flaming B-777 and out pop fingers pointing in all sorts of directions. To me, right now I am going to rest my head on Leroy Jethro Gibbs' Rule 39. There is no such thing as coincidence.

### May Issue of Robservations

On 24 March 2015, Germanwings Flight 9525, an Airbus A320-200 crashed into the French Alps killing all 150 people onboard. Things instantly didn't seem right and almost immediately authorities knew for sure that the 27 year-old German copilot, Andreas Lubitz, intentionally flew the airplane into the mountains.



Next month, I would like to discuss what I know about airline safety, training, the pilot selection process and our annual medical requirements. Having flown for Delta for 18 years and 12 years before that in the Air Force, I know a little about this subject. I know many of you have questions because I am continually answering them either at home, at church, in hotels or at the airport. I will not claim to have all the answers and I will not go into any wild speculations about this accident. The issue of air safety is a serious topic and will be treated as such. The loss of any airliner, passengers and crew is something we all in the industry are deeply saddened by. Next month, I hope to shed some light on areas that I am sure many of you have questions about.



*Governments exist to protect property of every sort, most important, liberty of conscience. Tyrannical governments will usually invade rights of conscience before invading external property rights. The power that can invade liberty of conscience can also usurp civil liberty. Internal property rights must, therefore, be guarded at all costs, for as they are diminished, every inalienable right of man is jeopardized.*

**Internal Property**

- Thoughts
- Opinions
- Talents
- Conscience
- Ideas
- Mind
- Affections

**External Property**

- Land/Estate
- Money
- Freedom of Speech
- Freedom of Assembly
- Bodily Health
- Possessions
- Freedom of Worship



Steve Long

# Woods & Waters with Steve



SATURDAYS  
7 AM TO 9 AM  
SPORTS RADIO 740

## Cast & Blast: It's prime time to hook some fish...

Our great state of Alabama is loaded with all types of hunting and fishing opportunities that we all can truly appreciate. Right now we have turkey season in full swing with birds strutting and gobbling and the action is wide open. There is no doubt this is my favorite time of the year when it comes to the hunting action. There is one downside to being a dedicated turkey hunter — you miss the best time to wet a hook. Alabama has water in every direction that you can travel. Lakes, ponds, rivers and creeks, and even the mighty Gulf of Mexico for the salt-water action. This time of year is when the turkeys gobble, the flowers bloom, the grass starts to green and the fish start to bite.

In the lakes you have the crappie beginning to bite, the bass are heading to bed and the stripes are beginning to run. Everybody's metabolism is beginning to increase and the bite gets far better.

### It's definitely time to wet a hook.

The ponds are seeing the bass and bream starting to head to bed as the water temperature begins to increase. The full moon has an effect on these fish, especially the bream as they structure their bedding behavior with the lunar table. All good pond anglers know that the best time to wet your hook for bluegill would be during the full moon.

If you are looking for big catfish, look no farther than the river and creeks of Alabama, as they are full of several different varieties of old Mr.



12 lb. bass caught by Trey Hinton at Great Southern Outdoors in Bullock Co. on recent fishing trip.

Whiskers. Whether in a boat in the middle of the Alabama or sitting on the banks of the Catoma, there are several different types of cats that you can lure to the hook.

My favorite type of fishing is going to private ponds to fish plastic worms from the banks of the pond. I really do enjoy spending an afternoon walking and casting trying to hook a lunker bass in some of the ponds I have permission to fish.

The great thing about fishing is that it appeals to all walks of life, no matter what age or what gender, all of us love to get outside and fish. Fishing is like many other activities — you can spend a little or a lot, but no matter what your budget, everyone has the opportunity to get out and fish.

What a great way to get in the outdoors and introduce you family to Mother Nature — take them to wet a hook. My wife, Renee, even loves to take advantage of a beautiful day and go wet a hook. There is nothing like loading up the family and spending a day at the pond or lake and catching a mess of fish, and it makes for a great meal that night.

If you get a chance introduce someone to the outdoors and let them live the dream of being in the outdoors, whether it be hunting or fishing, let's keep our sport growing and pass on the love that we have for the Alabama outdoors.

## "The Kritter Korner" The Armadillo



Ron VanHerwyn

The nine-banded armadillo (*Dasyus novemcinctus*) cannot easily be confused with any other North American wild mammal. The armadillo's body is covered with an armored carapace or shell. The carapace is a double layer of horn and bone, segmented into three main divisions: an anterior scapular shield covering the shoulder; a posterior pelvic shield covering the hip region; and a middle section comprised of a series of bands connected by soft, infolded skin between the bands. The head and legs are covered with thick scales, and the tail is encased in a series of bony rings.



and burrowing.

Armadillos have a limited number of vocalizations: a low, wheezy grunt associated with digging and rooting; a wheezy grunt uttered by recently captured individuals; an audible buzzing noise given when highly alarmed or

fleeing, a pig-like squeal given by frightened individuals; and a weak purring given by young attempting to nurse from an unrelated female.

Their total length ranges from 24 to 31 inches and weights vary from 8 to 15 pounds and can live 12 – 15 years. The range of the nine-banded armadillo has undergone rapid expansion into the southern United States since the late 1800s. The recent rapid expansion of the armadillo's range was facilitated by a number of factors: reduction in the number of large carnivores; climatic and biotic changes; and accidental and deliberate relocations of animals to unoccupied areas. Armadillos now occur throughout the southern and southeastern U.S., as far north as Missouri, Kansas, Colorado, and Nebraska. These animals are common throughout most of Alabama, but less common in several northeastern counties.

The armadillo is very adaptable and does well in most habitat types found in Alabama. They generally avoid or are scarce in very wet or very dry habitats. Habitat suitability likely depends more on the characteristics of the substrate or soils, rather than vegetation type due to the armadillo's feeding and burrowing behavior.



A major portion of the armadillo's time spent outside its burrow is devoted to feeding. They typically start foraging as they emerge from their burrow and move at a slow pace following an often erratic course. Prey is apparently detected by smell, although sound also may play a role. Typical foraging behavior involves quickly probing with the nose and occasionally pausing to dig for prey. Armadillos are opportunistic feeders and consume a wide variety of food items. Invertebrates, primarily insects, make up roughly 90 percent of their diet. Small vertebrates and plant material make up the remainder of their diet. Researchers also have seen evidence of armadillos feeding on small reptiles and amphibians, the eggs of ground-nesting birds, and carrion.

Armadillos seem to exhibit a polygynous mating system, with most females paired with a single male and most males paired with more than one female. Den burrows have an enlarger nest chamber and are more complicated than a burrow dug for other purposes. The nest is a bulky mass of dried plant debris crammed into the nest chamber without any obvious structure. Armadillos in areas with poorly drained soils will construct above ground nests of dry plant material.

Most breeding among armadillos occurs during the summer (June-August). The normal gestation period is 8 to 9 months, with most young born between February and May. The armadillo exhibits monozygotic polyembryony in which a single fertilized egg normally gives rise to four separate embryos at the blastula stage of development. This results in a litter of four genetically identical haploid clone offspring. *Dasyus* is the only genus of vertebrates in which this reproductive phenomenon occurs. The offspring are precocial and begin accompanying the female outside of the burrow at about 2 to 3 months of age. By 3 to 4 months, the young are self-sufficient. Most males reach sexual maturity between 6 to 12 months of age, but females do not become sexually mature until they are 1 to 2 years old.

If you think your going to chase and catch one of these creatures think again, they can run speeds up to 30 mph.

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# NAMES CHANGE... GAME'S SAME



**Sports Editor,  
Ed Jones**

The greatest rivalry in college football is without question the annual Auburn - Alabama game. It is known around the

country as the "Iron Bowl." The game was just another game when the Alabama State Legislature passed legislation that would force the two schools to renew the rivalry after being dormant for four decades. So, in 1948 Auburn and Alabama began playing again in Birmingham's Legion Field. Alabama won the first game. Auburn won the second.

Then Alabama reeled off four straight wins under **Coach Harold "Red" Drew**, who had succeeded the great **Coach Frank Thomas**. Alabama's dominance ended in 1954 in the fourth year of Auburn's rebuilding program under **Coach Ralph "Shug" Jordan**. Alabama's loss to Auburn in '54 resulted in the firing of "Red" Drew, a rather successful coach for seven years. However, Coach Jordan had been gaining on Alabama since he was hired at Auburn in 1951. Alabama hired one of its greatest linemen, **Coach J. B. "Ears" Whitworth**, who was **Coach Bud Wilkinson's** line coach at Oklahoma. Under Wilkinson, Oklahoma had the most successful program in the country in the early fifties. Excitement was tempered in Tuscaloosa. **Coach Paul "Bear" Bryant** had turned the job down. He was successfully building a powerhouse at Texas A&M and getting rich through the oil industry in Texas. Coach Whitworth could not stem the tidal wave that Coach Jordan created at Auburn.

Coach Jordan is responsible for the game being called the "Iron Bowl". During a year when

coaches will take on the "Bear" versus "Shug" persona. There will always be the Auburn-Alabama rivalry. But, will we someday talk about Nick versus Gus? It would really be great to have that back story everyday in Alabama again. There will be "Football 365" anyway. Why not Nick versus Gus?

Coach Bryant and Coach Jordan basically had the same football philosophy. Have a good kicking game, play ferocious defense, have a good fullback, run behind a strong offensive line, have a quarterback that won't get you beat, throw when you can and punt on third down if you need to—and WIN. That they did.



*Paul "Bear" Bryant*



*Ralph "Shug" Jordan*

Coach Saban and Coach Malzahn have somewhat different offensive philosophies. Saban's offensive philosophy has been close to that of Jordan and Bryant. He really wants a dominant offensive line and a power back, only using a fullback occasionally. He also is more prone to throwing the football than Bryant and Jordan, except for the **Scott Hunter** years and the **Pat Sullivan** years. Coach Saban's defensive philosophy is very close to that of Bryant and Jordan. He wants to just dominate the opposition with great defense. He is now becoming more and more interested in the passing game.

Coach Malzahn has an offensive philosophy much different from Coach Saban. Malzahn wants to run 80 plays per game as fast as he can, using no huddle and the "read option" as the basis of his offense. This requires more decision making after the snap by the quarterback, which can often result in mistakes. His philosophy is that even with occasional mistakes, his offense will out score your defense despite these mistakes. Most of the time the mistakes are not evident. They are covered up by outstanding talent making a good play out of a bad play. He wants to dominate you with the run, but is not hesitant to "sling it" down field. He can adjust to his talent and will. Expect more passing in 2015. He will not abandon the read option, so look for another thousand yard rusher. After only three years as a head coach, it is difficult to analyze Gus's defensive philosophy. This will be more evident in 2015 with the hiring of Will Muschamp as defensive coordinator. So, the Malzahn-Muschamp (M&M) boys will roll out a new plan in 2015.

Auburn was not invited to a bowl (there were only eight bowls then), a reporter asked "Shug" if he was concerned about not being invited to a bowl. He replied, "No, not really. We're going to the biggest bowl of all, the 'Iron Bowl' in Birmingham".

It is this writer's opinion that the State of Alabama is in for a real football treat in 2015 when the offensive coordinator at Alabama, Lane Kiffin, goes up against the defensive co-ordinator at Auburn, Will Muschamp. The game won't be in Legion Field this year where "Bear" and "Shug" shined. This one will be in Jordan-Hare Stadium on the Plains of Auburn.

Jordan's Auburn teams dominated Whitworth's Alabama for three years ending in a 40-0 Auburn win in 1957, culminating a 10-0 season and Auburn's first national championship. The embarrassing loss to Auburn opened the eyes and pocketbooks of the Alabama alumni. That game changed the football landscape in America forever. Auburn would continue to be a national power, but Alabama would never be the same.

Enter "Coach Bryant," by whom every Alabama coach is still measured. Whatever hurdles had been in place in the effort to hire Bryant in 1954 were quickly removed. Life at Alabama and at Auburn changed in the spring of 1958. Coach Bryant signed the best recruiting class in Alabama history. This class became the foundation for many Alabama victories over the next four years including the 1961 National Championship.

For 25 years Coach Bryant would battle Auburn. For 25 years Coach Jordan battled Alabama. Nine times Coach Jordan would walk off Legion Field as the winner. Only six times would Coach Bryant walk off Legion Field as a loser. The battles between "Bear" and "Shug" became headlines for the national media. They were actually good



*Nick Saban*



*Gus Malzahn*

There is some hope that those good old days could return in another format. **Coach Nick Saban** has won three national championships at Alabama in eight years at the helm in Tuscaloosa. **Coach Gus Malzahn** has played for and lost one national championship in only two years at the helm in Auburn. Only time will tell if these two outstanding

Legion Field this year where "Bear" and "Shug" shined. This one will be in Jordan-Hare Stadium on the Plains of Auburn.

**My prediction –  
The team that punts on third down will win!**

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times children think law enforcement are bad people which couldn't be farther from the truth so we take this time each year to show our youth we are here to help and protect you and your family! Please come out and enjoy food, fellowship, rides, inflatables and prizes with the Montgomery County Sheriff's Office! Fun will be had by all!

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# CAMP

## 2015 Annual Show-n-Tell Camp

The Montgomery County Sheriff's Office is currently taking applications for our 2015 Show-n-Tell Camp to be held August 3rd – August 7th.

We are once again inviting girls and boys between the ages of 9-11, who reside in Montgomery County to attend our week long FREE camp at Camp Chandler. Camp is chaperoned by Montgomery County Sheriff's Office personnel and all children are bused from Montgomery to Camp Chandler on Monday morning, August 3rd and returned to Montgomery by bus on Friday, August 7th. Children enjoy a range of fun activities to include art, archery, canoeing, swimming, and many other activities throughout the week with a big dance on Thursday evening, the last night of camp.

Applications can be obtained via email [MCSOCamp@mc-ala.org](mailto:MCSOCamp@mc-ala.org), fax request to 334.832.7113, phone Mrs. Crenshaw at 334.832.1339 or pick up an application at 100 S Lawrence Street. Applications will be taken through July 2nd or until we reach a 100 child capacity.

Remember the camp is completely free including meals!

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# Bench - Bar & Beyond

By Judge Dale Segrest

## Judge Philip Dale Segrest

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## LIABILITY INSURANCE

In recent columns I have concentrated on the economics of law practice. We have discussed the economic motives of plaintiff lawyers, the economic motives of defense lawyers, and the fact that the combination may impact adversely on the ability of the legal system to efficiently resolve disputes. This column will focus on liability insurance and will complete the current discussion of the economics of law practice. Liability insurance companies exist because of litigation, and have a major impact on the legal system. It is time that the functions of insurance be carefully reconsidered.

Liability insurance has been around for a long time. While the concept existed prior to automobiles being produced on assembly lines, the concept of liability insurance took a major step forward with the advent of the automobile. Liability insurance also extends generally to almost any business activity. In the modern world it is not considered prudent to operate any type of business without liability insurance. State law generally requires that there be liability insurance in place before an automobile is operated on a public highway. State law also provides that in the

event that a *tort-feasor* in an accident on a public highway does not have liability insurance or if the insurance is inadequate, that the insurance company for the injured party provides uninsured or underinsured motorist coverage.

With the inception of liability insurance there were significant policy arguments as to whether liability insurance is a good idea. It was argued that for an insurance company to assume financial responsibility of *tort-feasors* could have several undesirable effects. One concern was that the person with insurance might be less inclined to be careful. That concern probably is unfounded. A more worthy concern in the realm of economics is whether the existence of insurance would encourage litigation. It certainly has. The defendant's insurance makes litigation by the plaintiff and his attorney economically feasible in many cases in which it would not be economically feasible otherwise. Ironically, insurance probably prevents disastrous results for plaintiffs more often than for defendants.

The actual function of insurance in the modern legal economy is quite beneficial, even though it

encourages litigation that would not otherwise be possible. People are really injured in automobile accidents and business transactions. The existence of insurance provides partial or total compensation for the losses that are suffered by the injured parties. Insurance spreads the risk of loss. In an ideal world insurance would compensate the injured party and would also produce normative force that would require the exercise of care by the potential defendants. The fact is that spreading the risk of loss and providing adequate compensation to the injured party is the greatest benefit provided by insurance. That economic justification, however, is not well recognized in the operation of the judicial system. Despite the fact that everybody and his brother knows that it is illegal to operate a vehicle on a public highway without insurance, the mere mention of insurance in the course of a trial justifies an immediate order of mistrial by the judge. The system still assumes that the case deals only with the injuries of the plaintiff and the negligence of the defendant. It assumes that the defendant will stand for the loss. Obviously, that is just false. The maintenance of the philosophy that only the plaintiff and defen-

dant are involved in the litigation, and the continued practice of the judicial and legal system of ignoring the mandatory existence of insurance feeds the undesirable effects of the economic motivations of plaintiff lawyers and defense lawyers and the insurance companies themselves. It ignores the pervasive systemic effect of liability insurance. We have described the inordinate transaction cost that renders the legal system ineffective. If our legislature, courts, and attorneys would take a closer look at the underlying role of insurance and would come up with different economic practices for dealing with claims, the system could be improved immeasurably.

The ironic truth is that businesses and car owners must pay for insurance that ultimately is obviously for the benefit of the injured plaintiff who brings a law suit against the person who paid the premium. The focus of insurance remains on defense for its *tort-feasor* rather than compensation for the injured party.

A slightly different conceptualization that recognizes the obligation of the insurance company to the injured plaintiff could dramatically improve the ability of the legal system to adequately resolve disputes more efficiently.

## The AUM Holocaust Education Program



Wednesday, April 15, 2015  
9:30 am - 12 noon

The GYM of the Physical Education Complex

This program has unlimited seating, is wheelchair accessible, free of charge, and has, unlimited parking.

The focus is teaching Middle School, High School, College Students and interested community members the lessons of the Holocaust through the life stories of 2 Holocaust Survivors. The Survivors will take questions from the audience. This is a once in a life time chance.

Dr. Sheila Guidry  
Adjunct Psychology Instructor  
Advisor for School of Sciences  
Holocaust Education Program Coordinator

## Did you Know?

### Hindus seek Diwali holiday in Alabama schools with sizable Hindu students.

Hindus are urging Alabama schools, public as well as private, which have significant number of Hindu pupils, to include Diwali, the most popular Hindu holy day, as a school holiday in their 2015-2016 school calendars and beyond.

Hindu statesman Rajan Zed stated that it was not fair with Hindu pupils and their families as they had to attend school on their most popular festival.



Rajan Zed

Zed, who is President of Universal Society of Hinduism, indicated that this unfairness did not send a good signal to the impressionable minds of school children who would be the leaders of tomorrow. Holidays of all major religions should be honored and no one should be penalized for practicing their religion. Moreover, it was important to meet the religious and spiritual needs of these students, Zed added

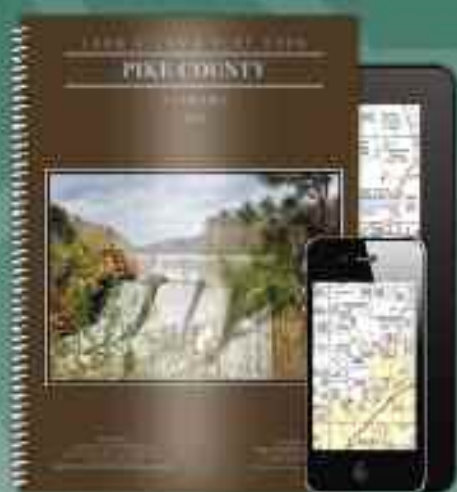
Rajan Zed stressed that since it was important for Hindu families to celebrate Diwali day together at home with their children, we did not want our children to be deprived of any privileges at the school because of thus resulting absences on this day. Closing schools on Diwali would ensure that and it would be a step in the right direction.

Zed noted that awareness about other religions thus created by such holidays like Diwali would make the Alabama pupils well-nurtured, well-balanced, and enlightened citizens of tomorrow.

Rajan Zed further says that Hinduism is rich in festivals and religious festivals are very dear and sacred to Hindus. Diwali, the festival of lights, aims at dispelling the darkness and lighting up the lives and symbolizes the victory of good over evil. Besides Hindus, Sikhs and Jains and some Buddhists also celebrate Diwali, which falls on November 11 in 2015. Hinduism, oldest and third largest religion of the world, has about one billion adherents and moksh (liberation) is its ultimate goal. There are about three million Hindus in USA.

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## TAX FACTS...



- There are over 7 million words in the tax law and regulations. That beats the Gettysburg address, the Declaration of Independence, and the Holy Bible all rolled into one (269+1,337+773k).
  - There were 402 tax forms in 1990, by 2002 that number had jumped to a staggering 526.
  - My personal favorite is Form 6478 – Credit for Alcohol Used as Fuel. (I don't think the IRS really counts beer as fuel, though it does keep me going sometimes)
  - According to CCH, the number of pages in the tax code and regulations went from 26,300 in 1984 to an astonishing 54,846 in 2003. Those 1.2M tax preparers are smiling every year.
  - The IRS sends out over 8 billion pages in forms and instructions every single year, that's nearly 300,000 trees (now they use recycled paper).
- The easiest form, the 1040EZ, has thirty-three pages of instructions.

# Gazette Seniors...

## AMBIANCE

YOU MAY BE  
OVER THE HILL  
"...if you remember  
dressing up to go out."

The word is unique, in that it has two spellings—both of which are correct—and both express the same feeling. Whether the last syllable begins with an a or an e,

traveled and have enjoyed a wide variety of living experiences, the most pleasing of which were those at which a positive feeling of ambiance existed. At most popular hotels and restaurants where a traveler may venture, there exists a person called a maitre 'd, or a concierge, depending on the setting.

through a vast varieties of conditions; from poverty during the Great Depression, to some degree of comfort after the unforgettable World War II experience. They've learned to live without, to scrimp and save, at the same time to put something aside for their "later years."

After a dozen years of searching for a place in which to live out the remaining years of existence on this planet, the realization emerges that what was being sought was: "A special atmosphere or mood that was created by the place in which one sought to make his or her home.

A concierge at a hotel is the "go to" guy for information on the best places at which to dine, or be entertained; plus a variety of other amenities which make one's stay at a facility memorable.

Now they're in their "final voyage." They've endured hardship and deprivation, but they've managed to insure—to varying degrees—that their final days would be somewhat care free and serene; or so they thought.

Most – if not all—of the folks residing at any given senior housing facility, have come there hoping to find ambiance. Or, if one prefers: ambience. But, their quest is often in vain; primarily because those worthies who own and manage many facilities have an interpretation of the term considerably different than that of the residents they serve.

The maitre 'd at a restaurant makes sure that your dining experience is equally as positively unforgettable.

Residents at the various types of senior retirement facilities are guests—paying guests—who expect a degree of respect and comfort in their "Golden Years;" they're not charity cases who should humbly cringe in a corner and beg for permission to receive that for which they are paying from their hard-earned savings.

Most seniors, over their lifetime, have

But where, one may wonder, are people so inspired at facilities at which senior citizens make their home?

Granted, most such entities are owned by investors whose sole purpose in life is to make money from the endeavor; but some appear to be more caring than others; which has brought your humble scribe back to Eastdale Estates—for the fourth time. There's something here that doesn't exist at other facilities of a similar nature.

This is what your humble scribe has been searching for lo these many years.

It's highly unlikely that Nirvana will ever been attained; but this is the closest yet.

Welcome to Eastdale Estates. Let the ambiance begin.

### A SENIOR HEALTH CONUNDRUM

#### Why are pets banned from senior facilities?

In Alabama senior citizens are faced with a conundrum: On the one hand, the State stands tall in the nation for its recent legislation which makes it a crime to abuse its senior citizens, and the next year enacting another piece of legislation which lays down some stiff penalties for those who do so.

At the same time, despite extensive studies and research concerning the beneficial impact on older people of having pets as friends and companions to comfort them in their declining years, many independent and assisted living facilities deny seniors this benefit.

Studies have shown that seniors with dogs make fewer trips to the doctor. Other studies show that pet owners have lower triglyceride and cholesterol levels, and they have fewer health problems altogether.

Seniors living in group facilities show lower stress levels; and the presence of a doggie or a kitty in their lives has resulted in a reduction in depression and has reduced their feelings of loneliness. One researcher has concluded that having a pet helps seniors focus on something other than their physical problems and to have fewer negative preoccupations about aging.

Existing research suggests that senior pet owners living in group facilities have less stress due to their increased social activity and association with others.

Why, then—one must wonder—do so many independent and assisted living facilities turn away prospective senior residents who own pets?

If owning a pet has so many positive health attributes, why would one want to deny tenants in senior facilities access to these positive benefits?

Considering Alabama's desire to enhance the well being of its senior citizens, why would it tolerate such a negative stand, relative to the wellbeing of this segment of the population?

Would not such an approach as it relates to the health and well being of seniors citizens not fall under the category of elder abuse?

If it's logical that owning a pet is beneficial to both the physical and mental health of a senior citizen; would not denying that senior this beneficial association be in conflict with the benefits they derive and be in conflict with existing elder abuse legislation? This would appear to be somewhat of a conundrum.

*Ponder that!*

### Enough Already

*There are three verbs in common use in our language that all mean basically the same thing: the removal from or altering of documents before they are released for public consumption, but are used in such a way as to make that removal sound like something else.*

#### The three verbs are EDIT, CENSOR, AND REDACT.

**Censor** – We old-timers with military backgrounds remember, it is what the government did to our letters during the war. Censorship was employed heavily during wartime in order that our enemies did not learn what we were doing as it might relate to their defeat.

**Editing** – What reporters did to their news reports to filter out anything that might unintentionally offend the subject of the story, or that might be misconstrued. Often times schoolbooks are edited to remove or alter words, phrases, or other material that might be misconstrued or be offensive to the readers of books or other publications. Editing, basically, is done to improve or correct written materials; but it's often seen as censorship by the authors of the material that has been edited.

**Redact** – This verb has come into common usage over the past few years as sort of a synonym for censoring or editing, but is often employed as a means of pulling the wool over the public's eyes as it relates to the release of government documents for public scrutiny.

Or, to put it another way, government officials redact documents when they don't want the public to know that they've been edited, or worse yet, censored.

So, THINK seriously when a newscaster reports that much sought after documents were released to the public, after they had been heavily redacted.

The people we elect to serve us certainly have a strange way of keeping things from us; especially when it is something we have a right to know.

### SO LONG BILL

When your writer first learned of the recent passing of an old friend, **Bill Richards**, the lyrics of a Pete Seeger tune came to mind: "Where have all the flowers gone?"

In this addled brain flowed the voices of Peter, Paul and Mary, especially when they asked: "Where have all the soldiers gone?"

Like so many of our seniors, Bill served his country, and served it well.

And later in his life he served his fellow seniors as a Representative in the Alabama Silver-Haired Legislature, where we first met.

Over the years we spent a major portion of our time writing resolutions and buttonholing legislators on behalf of "Elder Abuse."

We rejoiced a couple of years ago when the first elder abuse legislation was enacted, and in the following year when the legislature passed another

piece of legislation that put some teeth into the first. For that we were extremely pleased. And this should be Bill's legacy: That he devoted his senior years to ensuring that seniors' safety and well being would be protected by those whose task it is to ensure that coming generations would be spared what today's seniors have endured.

Bill Richards was a fine man;

Bill Richards was a patriot;

Bill Richards was a good husband and father;

And Bill Richards was a personal friend who will be missed, not only by your humble scribe, but also by his many friends. The world is a better place for his having lived in it.

God speed in your next journey, Bill, you'll be missed by those whose lives you have touched.

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### A FIRST TIME FOR EVERYTHING ...

For the first time during the present incumbent's presidency has this writer been in agreement with anything he said or did.

From his humiliating apology tour shortly after he was elected, through his lavish forays about the world at the tax payers' expense, and now his present efforts to humiliate this country in the Middle East, never once has the president done anything of benefit to this country.

But on the 26th of March, in Birmingham, he finally said something that made sense.

At Lawson State Community College he told those in attendance that he endorsed an improvement in the ways consumers are protected with regard to payday loans.

The Consumer Financial Protection Bureau is presently looking for ways to protect consumers who take out payday loans by regulating the number of loans a person may take out; but this may be only a peck at the problem.

The real problem with payday lending rests with the amount of interest lenders may charge. This is where borrowers take a beating.

For the last few years your writer, and others in the Alabama Silver-Haired Legislature, have introduced resolutions calling for tighter controls on interest rates charged. This is where the payday lender sticks it to the borrower.

It's commendable that something is being done in this regard, but it's only a drop in the usury bucket.

Mr. Obama's comments, one fears, were mostly cosmetic, however. His actions so far as our Chief Executive have done little in the way of suggesting that he is really concerned about America's well being.

But it made a good speech.



## THE MARSHALL MOMENT

**DR. RICK MARSHALL**  
 Eastern Hills Baptist Church  
 Montgomery, Alabama

# Soul Searching

## If Christ Is Not Risen...

Some of you know it was my privilege to lead another group on a pilgrimage to the Land of our Lord earlier this year. What a tremendous blessing it was to walk where Jesus walked, not necessarily in the same steps, but in the same places and in the same land.

Among the most moving experiences we shared was the visit to the empty tomb. While that may not have been the exact tomb, it was obviously a tomb near the place most of us believe the crucifixion occurred and belonged to a wealthy individual who had a beautiful garden and vineyard there.

While spending time meditating there the question came to my mind again. Where would our Christian faith be if there were no resurrection? It's a question worth considering.

Did you know Paul was asked the same question? He gave a very direct answer in I Corinthians 15:12-19. "But if it is preached that Christ has been raised from the dead, how can some of you say that there is no resurrection of the dead? If there is no resurrection of the dead, then not even Christ has been raised. And if Christ has not been raised, our preaching is useless and so is your faith. More than that, we are then found to be false witnesses about God, for we have testified about God that he raised Christ from the dead. But he did not raise him if in fact the dead are not raised. For if the dead are not raised, then Christ has not been raised either. And if Christ has not been raised, your faith is futile; you are still in your sins. Then those also who have fallen asleep in Christ are lost. If only for this life we have hope in Christ, we are to be pitied more than all men."

If there is no resurrection from the dead, that's the worst news any of us could hear. "If there is no resurrection there is no hope at all, no hope for a better here and now and no hope for any there and then!

Paul makes four simple, yet profound statements about the resurrection in the verses above. He says we might as well give up on preaching, our faith won't do us any good when we die, we will live in a world where sin reigns and Christ is still in the grave. That's pretty stark, but even more shocking if it were true.

Examine with me the course of his logic. Preaching is useless if Christ is not raised from the grave. Think of all the people who have gone to church through the years. They were all foolish if it

is not true. All the gifts given, missions planned, revivals held, and funeral sermons preached are all in vain if Christ was not raised. "Without the resurrection, the good news would be bad news and there would be nothing worth preaching. Without the resurrection, the gospel would be an empty hopeless message of meaningless nonsense. Unless our Lord conquered sin and death, making a way for men to follow in that victory, there is no gospel to proclaim."

Further Paul surmises that faith will do us no good when it comes our time to leave this earth through the door called death. "Dead saviors cannot give life to others." Consider this with me, "if there were no resurrection, the hall of the faithful written so eloquently in Hebrews 11 would instead be the hall of the foolish. Abel, Enoch, Noah, Abraham, Sarah, Moses, Rahab, David, the prophets, and all the others would have been faithful for nothing. They would have been mocked, scourged, imprisoned, stoned, afflicted, ill-treated and put to death completely in vain. All believers throughout all ages would have believed for nothing, lived for nothing and died for nothing."

In the same passage Paul asserts the sad reality that without the resurrection, we are still under the control of sin. Instead of receiving forgiveness and hope, we are like flies caught in the spider's web, hopelessly trapped. It's easy to see the blatant sin of those who commit crimes or fall victim to other obvious failures in their live and presume their lostness. Perhaps some might even venture the thought that in death they would get what they deserve. However, when one remembers that heaven is a place where no sin can enter, not even the smallest error of judgment, temper or thought, then all of us would be under the condemnation of our sins. "If Christ was not raised from the dead, then Christians would be no better off spiritually than non-Christians."

Paul is clearly affirming that while Christ died on the cross for our sins, the resurrection is also essential. "The reason is that if Jesus didn't rise from the dead, then sin won the victory over him and therefore it will continue to be victorious over all men. If Jesus remained dead, then, when we die, we too will remain dead and condemned." There would be no forgiveness or reconciliation with God either now or in eternity without the resurrection.

Finally, Paul declares that without the resurrection, Christ is still dead. A dead Christ is no good to anyone. Death really is a sad proposition. It re-

minds me of some words written by Mark Twain shortly before his death. In his weariness and depression he wrote, "A myriad of men are born; they labor and sweat and struggle;...they squabble and scold and fight; they scramble for little mean advantages over each other; age creeps upon them; infirmities follow...those they love are taken from them, and the joy of life is turned to aching grief. It (the release) comes at last--the only unpoisoned gift earth ever had for them--and they vanish from a world where they were of no consequence, a world which will lament them a day and forget them forever."

These are such incredibly sad words. Just imagine if that is all you had to look forward to. And yet, I know some people who have no more hope than that, not because it is not offered, but rather, because the word is not accepted. I hope that would not be the case for any of you!

The great truth of Easter is the fact that Christ did come forth from the grave. He lives! "Paul here calls Jesus the first-fruits of the dead. In the Old Testament, before the Israelites harvested their crops, they were to bring a representative sample, called the first fruits, to the priests as an offering to the Lord. The full harvest could not be made until the first fruits were offered. That's the image that's used here. The fact that Jesus is the first fruits indicates that the rest of the crop is going to be harvested. His resurrection implies that there is more to follow."

I hope you will take the time to read the Easter story in the Gospels. Meditate on these words, "The angel said to the women, 'Do not be afraid, for I know that you are looking for Jesus, who was crucified. He is not here; he has risen, just as he said. Come and see the place where he lay.'"

Writer Raymond Lindquist said: "Easter is to our faith what water is to the ocean, what stone is to the mountain, what blood is to your body. It is the first and final word in the dictionary of God. It says that Christ is the Author and Finisher of our faith."

Sometimes you learn a lot about a subject by considering its opposite. To me, that is well illustrated by asking the question, "what would it be like if there were no resurrection?" I can't fully comprehend what it would be like, but I know enough to know what it means to me that He rose from the grave. I trust you possess the same faith and hope in the living Christ who died for our sins and rose again triumphant over death and the grave!

## Reflections Read The Instructions

By Michael J. Brooks



### A FRIDAY TO REMEMBER

The wind in my face was bitterly cold in downtown Dallas a few years ago. My continuing education classes had ended at the seminary in nearby Ft. Worth, so the afternoon was free for some sightseeing.

A chill came over me independent of the temperature when I walked onto Dealey Plaza and saw firsthand those sights emblazoned in my memory: Elm Street, the triple overpass and the sixth floor window.

I thought back to that terrible Friday in November, 1963. Our class had just returned from lunch when Mr. Vines, our principal, made an announcement on the intercom.

"Boys and girls," he said, "some of you may've heard already that our president's been shot. Let's try to finish out the day in school and I'll let you know the latest news when I hear more."

Nevertheless, the senseless death of President Kennedy so paralyzed us that I don't remember our doing much work in school that Friday afternoon. I remember being glued to the television throughout the weekend and during the funeral on Monday.

That Friday in November will live in the bad memory section of my brain forever.

This week the world remembers another bleak Friday on which Jesus of Nazareth was murdered.

His death was senseless, too, for he'd done no wrong. In fact, bribed witnesses had to be brought in to lie about him at his trial. One of the thieves who died with him realized Jesus' innocence: "We are punished justly, for we are getting what our deeds deserve. But this man has done nothing wrong" (Luke 23: 41).

Richard Jeffries wrote of a little boy who gazed at a graphic painting of Calvary and exclaimed, "If God had'a been there, he wouldn't 'a let 'em do that!"

But God was there! He wasn't removed from the event at Calvary. Paul insisted "God was in Christ, reconciling the world unto himself" (2 Corinthians 5:19).

God was present at the cross, and he showed us that he loves us in spite of disobedience, that he offers forgiveness to all and that he wants to be our partner in building a life filled with hope.

God's redemptive plan wasn't completed on Friday. The Father was faithful to his son and raised him on the third day. Now God promises to welcome all his children on the other side of death.

In light of God's ultimate plan we believers have renamed that awful Friday.

We call it Good Friday. And so it is.

*Reflections is a weekly devotional column by Michael Brooks, pastor of the Siluria Baptist Church in Alabaster, Ala. and adjunct instructor of speech at Jefferson State Community College, Hoover.*

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- 2 - Anger** at the person with Alzheimer's or others, anger that no cure exists or that people don't understand what's happening.  
*If he asks me that one more time I'll scream!*
- 3 - Social withdrawal** from friends and activities that once brought pleasure.  
*I don't care about getting together with the neighbors anymore.*
- 4 - Anxiety** about facing another day and about the future.  
*What happens when he needs more care than I can provide?*
- 5 - Depression** that begins to break your spirit and affects your ability to cope.  
*I don't care anymore.*
- 6 - Exhaustion** that makes it nearly impossible to complete necessary daily tasks.  
*I'm too tired for this.*
- 7 - Sleeplessness** caused by a never-ending list of concerns.  
*What if she wanders out of the house or falls and hurts herself?*
- 8 - Irritability** that leads to moodiness and triggers negative response and actions.  
*I was so busy, I forgot we had an appointment.*
- 9 - Lack of concentration** that makes it difficult to perform familiar tasks.  
*I was so busy, I forgot we had an appointment.*
- 10 - Health problems** that begins to take a mental and physical toll.  
*I can't remember the last time I felt good.*

**If you experience any of these signs of stress on a regular basis, make time to talk to your doctor.**

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# Southern Cuisine



standardized recipes with efficient procedures for their preparation.” Once I learned that, I could experiment with different spices, change cooking procedures, and combine items that were not thought of being cooked together before. That is what I want you to do. I may give you a recipe that I want you to try. You can make the dish just as the recipe says or if you have enough competence in your kitchen skills and knowledge, change it. If the recipe calls for water, try stock instead. If it calls for olive oil to mix in a salad or other cold dish, try walnut or pecan oil instead. Change it to suit your skill and taste.

Now for some pantry talk. What type of oil should you use for cooking? It seems that every time that I go to the grocery store, the oil selection is getting larger and the prices are going up. One reason for the increase is because America is the third largest olive oil consumer and Spain is the world's largest olive oil producer, and the harvest in Spain last year was a bust and other olive oil producing areas in the world were having trouble with the weather. Must be that global warming! So supply and demand sets the price. To get the best results from the oil you want to use, follow this simply guide.

Don't think you need to use olive oil for everything.

Use olive oil for dressing up salads and cold dishes and use a good olive oil.

For cooking that uses high heat, use a vegetable oil. For high heat cooking, use peanut oil, grapeseed oil and canola oil. These oils have high smoke point and can withstand the higher temperatures.

For salads and cold dishes, buy an unfiltered or fancy extra virgin olive oil. It's best to drizzle over a finished dish.

My favorite meal of the day is breakfast. When did you last have sweet potatoes, bacon, and greens for an early morning pick me up? What would be a better Southern breakfast to have next Saturday....

## RECIPE FOR A HOME

One-half cup of friendship  
Add a cup of thoughtfulness  
Cream together with a  
Pinch of powdered tenderness  
Very lightly beaten  
In a bowl of loyalty  
With a cup of faith, one of hope  
And one of charity.  
Be sure to add a spoonful each  
Of gaiety that sings.  
And also the ability to laugh  
At little things.  
Moisten with the sudden tears  
Of heartfelt sympathy  
Bake in a good-natured pan  
And serve repeatedly.

A happy home



is a Christian home

## FRIED EGGS WITH BACON, GREENS, AND SWEET POTATO

3 or 4 slices of your favorite uncooked bacon, chopped

2 to 3 cups peeled diced sweet potato, cubed (not more than a ½ inch)

½ cup diced bell pepper, any color you like, red or green work with the sweet potato

½ cup diced sweet onion

1 cup of greens, fresh, cut off stems

There is a 3 green power blend at COSTCO I like but you can use any greens. Try kale or other green that holds up to cooking.

3-4 eggs

½ cup of salsa, chunky.

In a large skillet, cook the bacon until crispy. Remove bacon and set aside the bacon and a tablespoon of the bacon rendering. Set heat to medium and add sweet potato, bell pepper and onion. Stir until onions and sweet potatoes are soft. Add the greens and stir until slightly cooked.

Move the vegetable mixture to the side of the pan to give you room to add the saved bacon fat and then fry the eggs. While eggs are cooking spread salsa and cheese over the vegetable mixture to heat up. Save some for a garnish. When eggs are cooked the way you like them, take large spoonful or cup of the vegetable mixture and mound it in the middle of your plate. Then place egg on top. Garnish with remaining salsa and cheese or add sliced avocado and chopped cilantro on top.

I'm going to add this recipe that is in a cookbook published by the Multan Heights Ladies Club, Multan, West Pakistan in 1961. My family stayed at one of the member's home when we moved to Pakistan and she sent this cookbook to my mother.



www.nerdfitness.com

This picture is not a representation of this recipe

## Measurements...

1 tablespoon (tbsp) = 3 teaspoons (tsp)

1/16 cup = 1 tablespoon

1/8 cup = 2 tablespoons

1/6 cup = 2 tablespoons + 2 teaspoons

1/4 cup = 4 tablespoons

1/3 cup = 5 tablespoons + 1 teaspoon

3/8 cup = 6 tablespoons

1/2 cup = 8 tablespoons

2/3 cup = 10 tablespoons + 2 teaspoons

1 tablespoon (tbsp) = 3 teaspoons (tsp)

1/16 cup = 1 tablespoon

1/8 cup = 2 tablespoons

1/6 cup = 2 tablespoons + 2 teaspoons

1/4 cup = 4 tablespoons

1/3 cup = 5 tablespoons + 1 teaspoon

3/8 cup = 6 tablespoons

1/2 cup = 8 tablespoons

2/3 cup = 10 tablespoons + 2 teaspoons

3/4 cup = 12 tablespoons

1 cup = 48 teaspoons

1 cup = 16 tablespoons

8 fluid ounces (fl. oz.) = 1 cup

1 pint (pt) = 2 cups

1 quart (qt) = 2 pints

4 cups = 1 quart

1 gallon (gal) = 4 quarts

16 ounces (oz) = 1 pound (lb)

1 milliliter (ml) = 1 cubic centimeter (cc)

1 inch (in) = 2.54 centimeters (cm)

Read more: Cooking Measurement Equivalents

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## Kelley's Smoked Sausage & Seafood Gumbo

### Ingredients

1 LB Kelley Smoked Sausage sliced bias ½" thick  
1½ LB LG shrimp/head-on  
1 LB claw crab meat  
6 cups shrimp stock  
2 cups chopped yellow onion  
2 cups green bell pepper  
1½ cups chopped celery  
1 Tbsp. minced garlic

### Roux & Process

Combine onions, bell peppers and celery in bowl and set aside.

Heat oil in large pot over high heat until it begins to smoke. Gradually add flour, whisking constantly. Continue whisking until roux reaches desired color. Dark red-brown to black. Be careful to not scorch. Immediately add ½ vegetables. Stir continuously. Add remaining vegetables and seasonings, stir 5 minutes. Add stock. Bring to a boil, then simmer, add Kelley Smoked Sausage. Bring to a boil, let simmer 2 hours. Add shelled & deveined shrimp plus crab meat. Simmer 10 minutes. Serve over

### Seasoning Mix

2 bay leaves  
2 teaspoons sea salt  
½ tsp. white pepper  
½ tsp. cayenne pepper  
½ tsp. cracked black pepper  
½ tsp. dried thyme leaves  
¼ tsp. dried oregano

### Other

¾ cup vegetable oil  
¾ cup all-purpose flour

### rice.

Compliment with Kelley par-baked dinner rolls.

### Stock

Place shrimp heads & shells in a pot filled with 6 cups of water. Bring to a boil, drain and rinse. Place heads & shells back into pot with 10 cups of water, bring to a boil, reduce to a very low slow boil for 2 -3 hours. Occasionally skim from top. Drain into bowl and set aside until needed.

### Serves

10 main-dish or 20 appetizer servings





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By the way...You will see his Mom, Morning there greeting guest and serving their valued customers.

I ate there recently and my friend, Marie, had the Fried Pork Chops. She said, "They are the best I have ever eaten." There is much more on the menu. Check it out! Take a short drive and visit Southern Comfort.



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**Editor and Co-Publisher:** Bill Rice, Jr. (formerly managing editor of

The Montgomery Independent). Bill has published 6 history-themed Reflections.

**The Alabama Gazette is proud to co-publish Reflections with Bill.**

**If you want to be a part of this great keepsake publication, please contact Bill @ 334-315-2583 ~ [bricealgazette@gmail.com](mailto:bricealgazette@gmail.com) or call Alabama Gazette Publishing @ 334-356-6700.**



# The Beauty of Spring!



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Judge Peggy Givhan

## Southern Gardening Potpourri for April

by Peggy Givhan

*I wonder if there is any month of the year I do not like. April is the time we enjoy many flowering trees and shrubs. Gorgeous Japanese magnolias are about to finish blooming, but forsythia, lorepedulum, dogwood, cherry trees, red bud, azaleas, Indian hawthorn are just spectacular. Montgomery and surrounding areas are simply a fairy land of vibrant colors and fragrances this time of year.*

certain type of nutrients and micro nutrients as they are sprayed on the leaves and quickly absorbed. Read the labels for the rates to use. Although foliar feeding gets the job done quickly, it is no substitute for soil feeding. Remember to discontinue foliar feeding if the temperatures reach 85 degrees.

### PLANT OF THE MONTH

#### Pentas (Ianceolata)...

Pentas (Ianceolate) is also called star clusters, are a perennial in our Zone 8 and are really a workhorse in the garden. They need full sun to partial shade, and need plenty of water.

These are excellent in attracting butterflies and hummingbirds. Multi-stemmed, and spreading habit, are an easy source for a huge range of colors. They need to be fertilized monthly throughout the summer. Height is 2-3 feet, with long leaves somewhat oval.

The bloom heads are about 4 inches wide with individuals star shaped flowers. When the blooms die, it is best to dead head them, so a new flush of blooms are forthcoming.

They can be grown indoors, and are good cut flowers since they have a long vase life.

#### Planting Schedules

April is the month to plant begonias, petunias, geraniums, pentas, verbena, and sow the seed of zinnias, and cosmos for early summer bloom. Also for shady areas, add impatiens, dusty miller, and lamb's ears to your garden area. Day lilies, cannas, and other summer blooming bulbs go in this month. However, I never plant caladiums until mid-May when I can be sure that the ground temperatures are warm enough for the bulb to grow. If you want Asian Lilies, they would have been planted last fall. So if you bought them, go ahead and plant, but do not expect a lot this season.

Good Gardening!



Fertilizing these trees and shrubs should be at least an annual routine, but some just do not get around to getting it done before the heat of the summer, or they are confused about fertilizing at all. There are some terms which should be understood to make this job easier. The drip line is mentioned on some fertilizers. This is the imaginary line on the soil under the outermost tips of the branches. Rainwater tends to drip from that point and thus, drip line. This term is used often with the feeding, watering, and grading around existing trees and shrubs. Always remember that too much fertilizer can kill. These are three of the most common ways to fertilize trees:

1. Surface feeding where one broadcasts a granular fertilizer on the surface around the drip line, and watering it in with a hose or sprinkler.
2. Root plug feeding where one takes soil sampling tool or pipe, makes a 6 to 12 inch deep holes about 2 to 3 feet apart. Just fill in the fertilizer, cover with soil, and water well.
3. Root feeder method is so helpful with newly planted and young trees. The difference in growth in 3 years time is dramatic. There are several on the market, but I am familiar with Ross Root Feeder. It is attached to a hose, and has the fertilizer pellet in place. Insert the root feeder about half way between the trunk and the drip line about 6 to 12 inches.

Turn on the hose and let it run for about 5 minutes per hole.

Another way of fertilizing is the use of foliar fertilizers. These are quick fixes for

*And God created great whales, and every living creature that moveth, which the waters brought forth abundantly, after their kind, and every winged fowl after his kind: and God saw that it was good.*  
Genesis 1:21

*And the earth brought forth grass, and herb yielding seed after his kind, and the tree yielding fruit, whose seed was in itself, after his kind: and God saw that it was good.*  
Genesis 1:12

Spring brings "New Life" for all! The colors, sounds & fragrances enhance all our senses.



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### Is Your Yard Wildlife-Friendly?

(StatePoint) Being a good neighbor means more than being friendly to the humans across the street, it also means being friendly to the animals in your yard. Making your yard a safe place for local wildlife should be a top lawn care priority.

With that in mind, here are some tips for creating a healthy habitat for local critters.

#### BE A VALUABLE REST STOP

Stock your garden with small native species of trees, shrubs and flowers to give wildlife needed nourishment, as well as cover from predators. A source of water can also be a great resource for visiting fauna.

Whether it's a pond or a bird bath, be sure this zone is well-maintained so you don't inadvertently create a haven for unwanted species. In the warmer months when mosquitoes are most active, you should change the bird bath water even more often.

#### PROMOTE SAFETY

A bird feeder in your backyard, full of water and seeds, will be the perfect invitation for beautiful migrating and local birds to stop by.

Just be sure your property is safe for birds. Unfortunately, birds don't see clear glass. As a result, millions of birds die every year by striking glass. Don't let your sliding glass doors or other windows become a death trap for birds.

To protect birds, apply special decals that reflect ultraviolet sunlight. For example, those from WindowAlert have the appearance of frosted glass, but glow like a stoplight for birds, so you don't have to compromise your own view out your window. The brand also makes a high-tech liquid called WindowAlert UV Liquid, which should be applied between decals.

"Wildlife can beautify your garden and be a sign that your yard is healthy" says Spencer Schock, founder of WindowAlert. "But birds and other wildlife need food, shelter, and safety."

Get out the binoculars! With a few small actions, you can make your yard or garden a wildlife refuge.

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## ALABAMA MASTER GARDENER HELPLINE

The spring season is here. More time spent in the garden usually means more questions. The Master Gardener Helpline is ready!

1-877-ALA-GROW (1-877-252-4769).

It's open Monday-Friday from 9:00-4:00. Callers can leave a message if the line is busy.

Our new routing feature directs calls right to a Master Gardener who has training and experience with the plants, pests, and conditions in each Alabama region. Master Gardeners also have close contact with Extension Agents and the Diagnostic Lab for extra support whenever needed.

Please spread the word about this toll-free number to neighbors, friends and family. Use the signs, table cloths, and roll-shade banner to help publicize.

This valuable service would not be possible without the support of Master Gardeners statewide! Get in touch with Extension Agents Chris Becker, Ken Creel, Bethany O'Rear, Nelson Wynn, Mallory Kelley, Mike McQueen, or Ellen Huckabay if you are interested in volunteering on the Master Gardener Helpline in your area.

Patricia Killough



Please send Patricia your family birthdays, anniversaries and weddings to [alabamagazette@gmail.com](mailto:alabamagazette@gmail.com)

The Alabama Gazette will make every effort to include your submissions as space permits.

# Home Town Community News

## April Birthdays



- |                                   |                               |
|-----------------------------------|-------------------------------|
| 1 Magan Gramling                  | Tim Sansom                    |
| Ann Pascal                        | 13 Kim Golson                 |
| 2 Ronnie Broadway                 | Lillie Ben Harris             |
| Helen Gordon                      | Sherry Knight                 |
| Ken (Buddy) Hicks                 | Patrick O'Mailia              |
| Christopher Kenmore               | Jimmy Sellars                 |
| Patricia Killough (65th)          | 14 Brenda Blackburn           |
| Colby Mills                       | 15 Skylar Campbell (17th)     |
| Ruth Neilson                      | Moseley Higgins (15th)        |
| 3 Cole Andrews                    | Tom Ward                      |
| Winston Webb                      | 16 Judy Barnes (63rd)         |
| Emily Claire Needham (7th)        | 17 Donna Daffron Allen (70th) |
| Shelby Hartley (100th)            | 18 Julia Norris               |
| 4 Owen Scott Edwards (7th)        | Slade Rhodes                  |
| Sonny Turnipseed                  | Eunice Broadway               |
| Bill Younklin                     | Samuel Sullivan               |
| 5 Prasertsi Atkinson              | 19 Haley Boyd (22nd)          |
| Steve Stringer                    | Mae Gibson                    |
| Coleman Taylor                    | 20 Frank Grove                |
| Emmie Jean Strickland (90th)      | 21 Jennifer Champion          |
| Coleman Taylor (19th)             | Emily Garner James            |
| Edwina Davis Walker               | Queen Elizabeth (89th)        |
| 6 Lew Baxter                      | 22 Sue Arant                  |
| Brenda Caprara                    | Tammy Orr                     |
| 7 Winford Collier (82nd)          | Brandy Terrell                |
| Caroline Handey                   | Alice Guntharp                |
| Bea Ward                          | 23 Shane McKinley             |
| 8 Debra Ehrlich                   | Jud Parenteau (6th)           |
| Cynthia Mull                      | 24 Bara Edwards               |
| James White                       | 25 Blane Campbell (18th)      |
| Clara Wright                      | Don Cooley                    |
| 9 Rev. Melvin J. Hendricks (62nd) | Debra Kinman                  |
| 10 Jean Douglass                  | 26 Joe Cotney                 |
| Wade Norris                       | Betty Strickland              |
| Jimmy Grubbs                      | 27 Erik Box                   |
| Hayden Ward                       | Julie Livingston              |
| 11 Mae Bishop                     | Wayne Watkins                 |
| Margaret Boyd                     | Landyn Whigham (5th)          |
| Buddy Handey                      | 28 Johnny Johnson             |
| James Griffin                     | George Shellman (94th)        |
| 12 Sally Brown                    | 29 Katie Moseley (17th)       |
| Morgan McGough                    | 30 Luke Adams                 |
| Carolyn Perry                     |                               |

## Sympathy to the families of...

### Condolences to the family of Arnold B. Dopson

Mr. Arnold B. Dopson, a resident of Tallassee, Alabama, passed away Saturday, March 14, 2015, at the age of eighty four.

Funeral services were held on Tuesday, March 17, 2015, from First United Methodist Church of Tallassee with Rev. Dric Williford officiating. Burial followed in Rose Hill Cemetery with Masonic Rites, Jeffcoat Funeral Home directing.

Mr. Dopson is survived by his wife of 65 years, Mrs. Joanne Dopson; twin brother, Donald W. Dopson; two nieces, Angela Corwin (Mike) and Teresa Yahnke and godchild, Aleta C. Smithson (Wayne).

Mr. Dopson was a member of First United Methodist Church of Tallassee and Lion's Club of Tallassee for over sixty years. He had served as President and CEO of The Bank of Tallassee and had been a Mason for many years.

Mr. Dopson was a charter member of the Board of Directors of Community Hospital, Past President of the Alabama Banker's Association and had been very active in the Tuckabatchee Area Council of Boy Scouts. He also had been a prominent member of the McCraney - Cottle Arts Council and Principal of the Mildred Blount Foundation.

- |   |                        |
|---|------------------------|
| Edwards, Earl Kenneth (87)                | died February 28, 2015 |
| Handey, Ester Wallace (90)                | died February 28, 2015 |
| McCullough, Joe Bob, Jr. (59)             | died February 28, 2015 |
| Barton, James L. "Jim" (84)               | died March 5, 2015     |
| Bodiford, Joyce Ann (76)                  | died March 6, 2015     |
| Stewart, Charles Andrew "Chuck", IV, (24) | died March 7, 2015     |
| Autrey, Willodean Jordan (92)             | died March 8, 2015     |
| Camp, Shirley Willhoite (72)              | died March 9, 2015     |
| Sadler, Georgette Johnson Davis (98)      | died March 10, 2015    |
| Bush, Fredrick E "Fred"                   | died March 2015        |
| Deloge, Ashley Joseph (40)                | died March 14, 2015    |
| Hope, John O. (85)                        | died March 16, 2015    |
| Shotack, Trevor Mitchell (almost 6)       | died March 16, 2015    |
| Hill, Luther Kellis                       | died March 19, 2015    |
| Roberts, Evelyn Fuller "Granna" (90)      | died March 20, 2015    |
| Stewart, Young Clem, Jr. (94)             | died March 20, 2015    |
| McCord, John Douglas "Doug" (61)          | died March 21, 2015    |
| Seamon, Mary Jane McCord (81)             | died March 22, 2015    |
| Spurling, Sandra (78)                     | died March 22, 2015    |
| Polke, Peggie P. (79)                     | died March 23, 2015    |
| Pugh, William Baker (71)                  | died March 23, 2015    |
| Roten, Robert Eugene "Gene" (80)          | died March 23, 2015    |
| Tompkins, George Milton "Sam" (78)        | died March 23, 2015    |
| George, Dr. David Nelson (61)             | died March 26, 2015    |
| McKinley, George Harper (93)              | died March 26, 2015    |

### Belated Wishes to Dana Webster on her 60th Birthday celebrated on March 14, 2015

## Happy Anniversary

- |                                   |                              |
|-----------------------------------|------------------------------|
| 1 Warren & Doris Miller (53rd)    | Mike & Donna Mulchay (28th)  |
| 2 Bobby & Mickey Ann Boyd (27th)  | 12 Jason & Kaycee Wiggins    |
| 3 John & Patricia Killough (44th) | 20 Jeremy & Stacy Dickinson  |
| Milton & Wanda Madison (5th)      | Jimmy & Barbara Pugh (59th)  |
| Shawn & Katie O'Mailia (5th)      | 21 Russ & Valerie Russell    |
| 6 Clint & Tiffany Hammock         | 22 Jim & Phyllis Fenn        |
| Pat & Lonnie Smith (47th)         | 23 Zack & Geri Azar (38th)   |
| 7 T. G. & Margaret Batley (59th)  | 24 Byron & Pam Lynch         |
| Richard & Susan Feaga             | 25 Bill & Dee Russell        |
| 8 Eric & Melony Gwin              | 27 Scott & Heather Russell   |
| 11 Herb & Mary Sue Meadows (40th) | 30 Aaron & Kayla Ramer (5th) |

### Wild Game Dinner

Eastern Hills Baptist hosted their annual wild game dinner on Saturday, March 7, 2015. The guest speaker was Siran Stacy, former University of Alabama football player. Approximately 500 people were in attendance and enjoyed a delicious meal.

### BRIDAL SHOWER

A bridal shower honoring Jenny Lundquist, bride elect of John Black was held Sunday, March 8, 2015 in the parlor of Frazer United Methodist Church.

The shower was hosted by **Cindy Cochran, Susie Beard, Valerie Bess, Cathy Cook, Ginny Dietvorst and Rolena Prescott.** A May wedding is planned for the couple.



### LOCAL YOUTH TAKE HOME PRIZES AT ALABAMA JUNIOR BEEF EXPO

More than 170 young people participated in the 2015 Alabama Junior Beef Expo at the Garrett Coliseum in the junior, intermediate and senior divisions of the showmanship competition.

Pictured with Alabama Farmers Federation President Jimmy Parnell, winners in the senior division, class 1 of 18 year olds, are from left: **Will Graves** from Blount County, first place; **Morgan Pounds** from Montgomery County, second place; **Charlie Langley** from Chambers County, third place; **Payden Smith** from Cullman County, fourth place; and **Michael Pettis** from Clay County, fifth place.

The top five winners in each class received ribbons and prize money.

### HAPPY 60TH BIRTHDAY LINDA MANN

A suprise birthday party was held for Linda on April 1, 2015. It was at Sinclairs Restaurant on Vaughn Road with family and friends in attendance. The birthday cake was made by her daughter, Amanda Anderson, and was made with \$1 bills rolled up.



# TODAY'S WOMAN

*The Value of a Woman...Be very careful if you make a woman cry – because God counts her tears.*



### Pregnant?

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Maybe not...  
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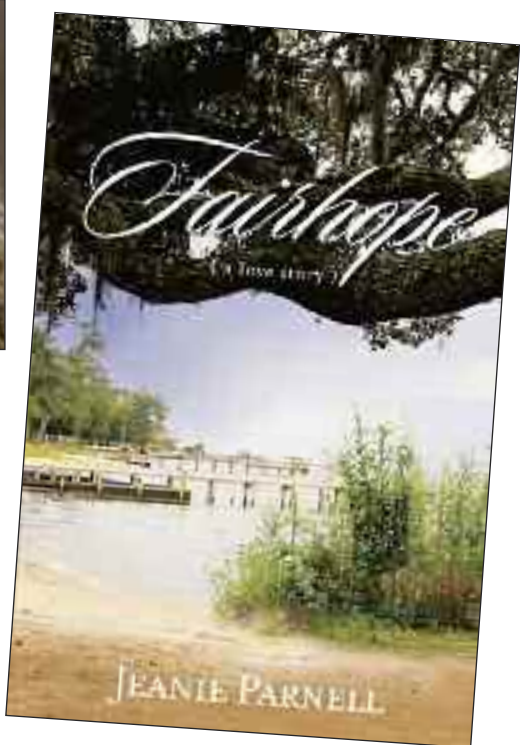
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Jeanie Parnell, author of  
*Fairhope*



Jeanie Parnell

Thursday, April 16  
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### Trisston's Tidbits...

By: Trisston Wright Burrows  
www.trisstonwrightburrows.com

## “He is Risen, Indeed!”

**Happy Easter!** To many this time of year means the Easter bunny, a day of food, and celebration. For some it is an obligatory church-attending holiday, after which life goes on as usual. How sad that we have so quickly forgotten the true meaning of Easter. *Our God reigns! Jesus Christ died, yes.* But even more importantly, He rose again and is now seated at the right hand of God the Father, as we say in the Lord's Prayer.

Jesus Christ literally defied death. But He did more than just a Houdini move. We "ooo" and "ahhh" over the narrow escapes by magicians like David Copperfield and others, but eventually even those daredevils will face death. Their power is limited. But Jesus Christ was greater -- He defied death FOREVER. Jesus Christ lives and reigns for eternity, whether you or I believe that fact or not. And He has reclaimed life for all those who believe in Him. This is the second miracle of Easter. Through God's work on the cross, we have access to eternal life as well.

*“If you confess with your mouth, 'Jesus is Lord,' and believe in your heart that God raised him from the dead, you will be saved. For it is with your heart that you believe and are justified, and it is with your mouth that you confess and are saved.” (Romans 10:9-10)*

This Easter consider the wonder of God's power and His love for you. He knows you. He knows what you have done. He knows what you are going to do. But He is waiting for your response, my friend. God doesn't need your praise or your service to Him; He desires it. It is not what we do for God that gets us into heaven and gives us a right relationship with God. It is only by faith in Jesus Christ.

Many Blessings!

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## 2015 Breast Cancer Support Group MEETING SCHEDULE

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April 14, 2015 (5:30 pm - 6:30 pm)

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## 2015 Walk of Life

Saturday, April 18  
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5K (ages 6 & older): \$25.00  
Kids Dash (ages 3-8 only): \$10.00

## LURLINE HALL HONORED

Lurline Hall was honored on Sunday, March 15, 2015 at Mountain Hill Baptist Church in the Bethlehem Community in Sellers, AL. The occasion marked two events: Dedication of a stained glass window in the church library in her honor, and her approaching 95th birthday, March 23.

Mrs. Hall acted as Church Librarian for many, many years, cataloguing, reading books to check for their suitability, and encouraging church members to check out books.

Mrs. Hall's granddaughter, Lori Ann Neeley, brought her grandmother from Hartselle where she now resides with Lori Ann, for the occasion. The event was attended by Mountain Hill Baptist friends, as well as many others from the Mt. Carmel Community. Party food and cake, fellowship, and greetings to the birthday girl were enjoyed by all present.



## SAV-A-LIFE MINISTRY TO HOLD ANNUAL WALK FOR LIFE

Sav-A-Life Montgomery is gearing up for its annual Walk for Life, the second-largest fundraiser for the ministry each year.

The Walk will be on Saturday, May 2, at Young Meadows Presbyterian Church on Vaughn Rd.

It's a family-friendly event, and dogs, bikes, skates, and strollers are welcome for this easy, one-mile walk.

After the Walk, there will be festivities for all, with music, food and children's activities like inflatables and face painting. There is no charge for this event, but participants are encouraged to recruit family and friends who will sponsor them as they walk for Sav-A-Life.

More information and details

are available on the Sav-A-Life Montgomery web site—[www.savlifemtg.org](http://www.savlifemtg.org)—including links to our event page where walkers can pre-register and begin their own personal fundraising page if they want.

Sav-A-Life Montgomery, Inc.  
Bethany Garth  
Advancement Director  
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bethany@firstchoicewmc.com



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- Founded in 2000 - Celebrating our 15th year!
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- Keeping our readers informed is our goal.
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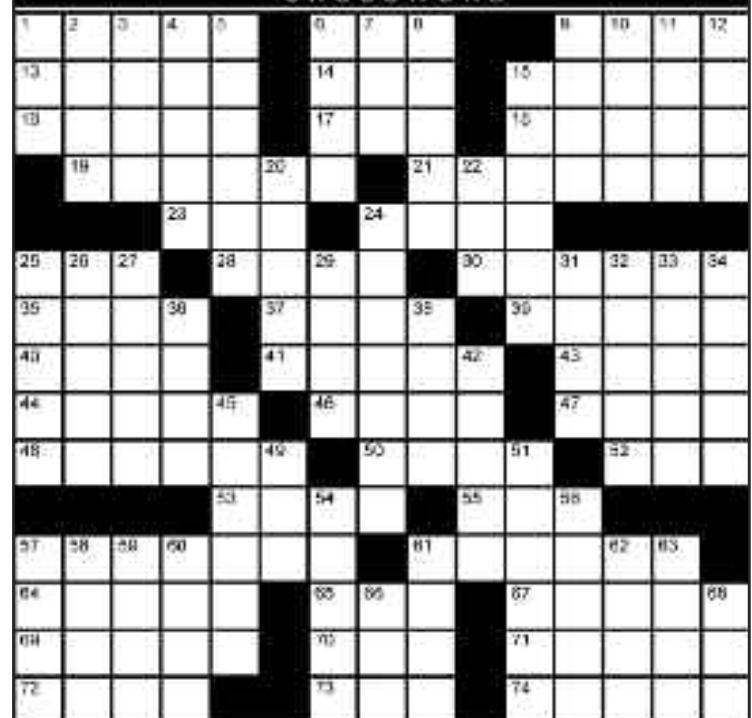
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# RELAX! JUST FOR FUN!

### CROSSWORD



- |   |                              |   |
|---|------------------------------|---|
| 14. 7   | 61. *Small shovel            | 26. Spanish monkeys                     |
| 15. Wassailing composition                    | 64. Brag                     | 27. Denoting the final end or purpose   |
| 16. Hundred Acre Wood creator                 | 65. Williams sister's return | 29. Back talk                           |
| 17. "___ show time!"                          | 67. Was rebroadcasted        | 31. *Develops after touching poison ivy |
| 18. Bizet creation                            | 69. George or Jennifer       | 32. Ticked off                          |
| 19. *Type of garden bed                       | 70. Follow ems               | 33. Convex molding                      |
| 21. *Comes from certain refuse                | 71. Exclude                  | 34. *Unwanted plants                    |
| 23. *Plant need                               | 72. Barely got by            | 36. "Musical" constellation             |
| 24. Deal with it                              | 73. *Nutrient-dense ___ soil | 38. *Tulip starter                      |
| 25. Greenwich time                            | 74. Winter driving hazard    | 42. Bode Miller, e.g.                   |
| 28. Not final or absolute                     |                              | 45. Cheap substitution                  |
| 30. Mourner's emotion                         |                              | 49. Afghan monetary unit                |
| 35. Lyric: "___, born is the King of Israel!" |                              | 51. Saws logs                           |
| 37. Low-___ diet                              |                              | 54. Florida Key, e.g.                   |
| 39. Lacking guile                             |                              | 56. Persistently complain about         |
| 40. Orbison's "___ the Lonely"                |                              | 57. "Willing and ___"                   |
| 41. Asci, sing.                               |                              | 58. Barnes & Noble reader               |
| 43. ___ gin                                   |                              | 59. Back of neck                        |
| 44. Silk fabric with wavy pattern             |                              | 60. Second-hand                         |
| 46. Loser's reaction                          |                              | 61. Recipe description                  |
| 47. Kept together                             |                              | 62. PA city and lake                    |
| 48. Protective embankmen                      |                              | 63. Use a ladle                         |
| 50. Wading bird                               |                              | 66. Lennon's partner                    |
| 52. Old operating system                      |                              | 68. *Protector from bird                |
| 53. Birthday ___                              |                              |   |
| 55. Last word of a story                      |                              |   |
| 57. *Begonias & zinnias, e.g.                 |                              |   |

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1. Like something fit for a king  
6. \_\_\_ Testament  
9. \*Some cities turn abandoned ones into gardens  
13. Savory taste sensation  
14. 7  
15. Wassailing composition  
16. Hundred Acre Wood creator  
17. "\_\_\_ show time!"  
18. Bizet creation  
19. \*Type of garden bed  
21. \*Comes from certain refuse  
23. \*Plant need  
24. Deal with it  
25. Greenwich time  
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40. Orbison's "\_\_\_ the Lonely"  
41. Asci, sing.  
43. \_\_\_ gin  
44. Silk fabric with wavy pattern  
46. Loser's reaction  
47. Kept together  
48. Protective embankmen  
50. Wading bird  
52. Old operating system  
53. Birthday \_\_\_  
55. Last word of a story  
57. \*Begonias & zinnias, e.g.  
61. \*Small shovel  
64. Brag  
65. Williams sister's return  
67. Was rebroadcasted  
69. George or Jennifer  
70. Follow ems  
71. Exclude  
72. Barely got by  
73. \*Nutrient-dense \_\_\_ soil  
74. Winter driving hazard  
DOWN  
1. Cuba Libre ingredient  
2. Arab ruler  
3. Apple variety  
4. Embryo sacs  
5. A dead body that \_\_\_ state  
6. "Metamorphoses" poet  
7. English course  
8. Studio 54 genre  
9. Member of nomadic Scandinavian people  
10. Black and white treat  
11. High rocky hills  
12. \*Some use fences of it around their gardens  
15. Chop-chop  
20. Writer \_\_\_ Jong  
22. Activities, as in military  
24. Type of court  
25. \*Garden ornament  
26. Spanish monkeys  
27. Denoting the final end or purpose  
29. Back talk  
31. \*Develops after touching poison ivy  
32. Ticked off  
33. Convex molding  
34. \*Unwanted plants  
36. "Musical" constellation  
38. \*Tulip starter  
42. Bode Miller, e.g.  
45. Cheap substitution  
49. Afghan monetary unit  
51. Saws logs  
54. Florida Key, e.g.  
56. Persistently complain about  
57. "Willing and \_\_\_"  
58. Barnes & Noble reader  
59. Back of neck  
60. Second-hand  
61. Recipe description  
62. PA city and lake  
63. Use a ladle  
66. Lennon's partner  
68. \*Protector from bird

See solution on page 11B

# Pike Road News

Town of Pike Road  
 9575 Vaughn Road  
 Pike Road, AL 36064  
 Gordon Stone, Mayor  
 Mary Catherine Barganier,  
 Communication Director  
 (334) 272-9883



It's the time of year again  
**Pike Road Community Yard**  
 Sale is just around the corner!  
 Mark your calendars  
**Saturday, April 11th!**

You don't want to miss this HUGE event!  
 Why go through the hassle of having a  
 Yard Sale at your house?  
 Let us provide the location and take care of the advertising!  
 Take advantage of hundreds of buyers who just  
 might be interested in your unwanted stuff!  
 Reserve a booth today by calling  
 Tosha Thomley at 272-9883 or  
 by emailing her at [tosha@pikeroad.us](mailto:tosha@pikeroad.us).  
 Don't delay, these spaces sell out every year!  
 All booth proceeds benefit the Pike Road Lions Club.  
 We look forward to supporting  
 this great event and seeing YOU here bright  
 and early that Saturday morning!



The Town of Pike Road is joining with thousands of other municipalities across the country in proclaiming April as **Child Abuse Prevention Month**. Blue ribbons were placed throughout the town in honor of those who have undergone the tragedy of child abuse. People were invited to wear blue and join neighbors Thursday, April 2, at 6:00 p.m. for a special ceremony outside of Pike Road Town Hall. They were joined by Executive Director of Child Protect Children's Advocacy Center, Jannah Bailey who spoke on the importance of child abuse prevention month.

The Pike Road VFD Ladies Auxiliary is calling for Pike Road to take a turn in supporting the community's children and families in an effort to promote positive childhood outcomes and ensure that every child benefits from a happy, healthy and safe childhood. They are partnering with Child Protect to celebrate the important role that communities play in protecting children.



Visit us on Face Book – Pike Road VFD Ladies Auxiliary



# UNCLE ZEB

## Redneck Dictionary

- LOT - adjective. Luminescent.  
Usage: "I dream of Jeanie in the lot-brown hair."
- FARN - adjective. Not local.  
Usage: "I cudnt unnerstand a wurd he sed ... must be from some farn country."
- DID - adjective. Not alive.  
Usage: "He's did, Jim."
- EAR - noun. A colorless, odorless gas (unless you are in LA).  
Usage: "He can't breathe ... give 'em some ear!"
- BOB WAR - noun. A sharp, twisted cable.  
Usage: "Boy, stay away from that bob war fence."
- JU-HERE - a question.  
Usage: "Juhere that former Dallas Cowboys' coach Jimmy Johnson recently toured the University of Alabama?"
- HAZE - a contraction.  
Usage: "Is Bubba smart?" "Nah ... haze ignert."
- SEED - verb, past tense.  
VIEW - contraction: verb and pronoun.  
Usage: "I ain't never seed New York City ... view?"
- HEAVY DEW - phrase. A request for action.  
Usage: "Kin I heavy dew me a favor?"



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an Allstate company

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	3			2	4		7	
	9						1	
6						2		
1		9			2			5
			1		8			
7			5			1		4
		2						3
	4						9	
	7		3	6			2	

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Fill in the blank squares in the grid, making sure that every row, column and 3-by-3 box includes all digits 1 through 9.

**Sudoku Solution**

5	7	8	3	6	9	4	2	1
3	4	6	2	5	1	8	9	7
8	1	2	8	4	7	6	5	3
7	2	3	5	9	6	1	8	4
4	6	5	1	7	8	9	3	2
1	8	9	4	3	2	7	6	5
6	5	7	9	1	3	2	4	8
2	9	4	7	8	5	3	1	6
8	3	1	6	2	4	5	7	9

**Crossword Solution**

REGAL	OLD	LOT	LOVE	LET	TOP	DEB	REB	REB	REB
LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET
BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR
LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET
BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR
LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET
BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR
LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET
BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR	BOB	WAR
LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET	LOVE	LET

*From CountryHumor.com*

# C LASSIFIED...

Paid Advertisement by Jim Davis

## Help Me, Alabama



Section 43 of our State's Constitution concerning the separation of the legislative, executive and judicial powers ends by stating, "to the end that it may be a government of laws and not of men."

This is a true story and legal battle which has transpired over the past six years. The family of Jim Davis needs help to pursue this further. If you are an attorney with expertise in this matter please contact:

*Floyd or Rosa Robbins@ (931)952-8467.*

What has happened to the Scales of Justice?



My dear wife **Patsy Ruth Davis** passed away **April 18, 2009**. While we had agreed we would be cremated upon our passing and placed together, when she was on her death bed, Patsy cried. She confided in me that she feared cremation and wished to be laid to rest on the property we had called home for over thirty-five years. Since she had been home bound due to a debilitating and chronic illness for so many years, this home was her whole world.

I promised her that I would abide by her wishes and she passed with a comfort in that hope. **I went to the Jackson County Health Department in Scottsboro to find what was required to bury my wife's remains on our property as she wished.**

I was given paperwork, but due to my poor eyesight I could not read the print. The supervisor explained to me the procedures I had to follow and referred to the front page of the paperwork which was of a larger print than the remaining pages. Before I left I filed to have the County's assesment of the site started.

According to these instructions, **I approached the City of Stevenson, Alabama and explained that I wanted to bury my wife on my property which is located within the incorporated limits of Stevenson.** I requested a special meeting in which I asked to go ahead with the burial before the assesment was completed with the intent that all requirements would be met. At the special called meeting, **April 20, 2009 the city refused**, saying they could not vote since the application to the health department was necessary and was not completed.

Learning from the **Jackson County Health Department, on April 30, 2009, they had approved the application, I returned to the next regularly scheduled city meeting, on May 14, 2009,** to request permission since the County's paperwork stated the City would base their decision on the Board of Health's findings.

I was asked by the mayor if I was there for a status update or a vote. Since the paperwork I was given by the Board of Health stated the city would

**grant or deny the petition based on the findings of County Board of Health,** I asked for the vote. The council asked who would care for the cemetery. I told them I and my family would. They discussed citizen's complaints, but did not specify any issues of complaint. The city attorney told me I needed certain things but would not specify what things. I tried to find out but he said they could not tell me what I needed. Then, **contrary to Robert's Rules of Order which the mayor had invoked at the onset of the meeting, one of the council members called out to vote against it and they did.**

**When I first approached City Hall, I asked if they had any ordinances concerning burials or cemeteries within the city and was told NO,** but I requested permission from the city anyway because of the instructions from the Health Department.

After their refusal, **I was told by many citizens that no ordinances existed prohibiting or regulating any use of property within the city.** I realized that the city, without an ordinance, had no grounds to refuse my use of property to bury my late wife so I laid her to rest.

I did return to the city to see if paperwork had been completed and accepted so the **James E. Davis Family Cemetery** could be registered into any official records or city maps that might need to be kept. **They said they had already voted and that I had illegally buried my wife so they would not vote again.**

**I spent the days maintaining my property and the grave site. On June 23, 2009 I received a summons from the Jackson County Court in which the City asked for Declaratory and Injunctive relief.** I hired an attorney practicing in Huntsville, Alabama.

I explained the situation to the attorney and gave him a copy of the paperwork from the Health Department and a copy of the application written by the city when I applied for their permission and pictures of unkempt properties and livestock kept within the cities limits. **I told him I wanted a jury trial but he said the County would not pay for a jury for a case like this.** I told him **Stevenson had no ordinance pertaining to a cemetery.** We discussed,



the judge in my case and he said **“He knew of her.” He told me this would be “a slam dunk”**. Within a few days I received a letter confirming his representation as my council.

On the evening of **November 16, 2010** I received a phone call from a local news reporter asking if he could attend the hearing set for the next morning. I told him there was no hearing but he assured me there was. I called my daughter and the following morning we arrived to the courtroom fifteen minutes before the scheduled hearing.

**My attorney was not present but the judge, court reporter, city mayor and the attorney for the city were seated casually at the plaintiff's table laughing and talking.** I left the courtroom to contact my attorney.

My attorney's reaction was **“Why was I not informed?”** He was angry and said he was on his way down the steps and to his car when we ended the conversation. When he arrived he said his computer had been worked on and the date of my hearing had been moved to the following year, only mine and nothing else. That was why he didn't know.

I told him of the scene of the judge sitting with the city's mayor and attorney. **I was concerned about the judge's impartially and told my attorney I would like to have another judge.** He did not answer me on the subject. In the days following the hearing, I discussed this with a number of citizens in Stevenson and they told me **she had been the city's attorney before becoming a circuit court judge.**

**I went to Stevenson City Hall and requested information on who had been city attorneys for the last twenty years but they refused to give me the information and said my attorney must ask for it.** I called my attorney and explained this to him. He told me he would take care of the matter.

**On August 17, 2011,** at the motion to reconsider the denial of motion for partial summary judgement my attorney requested summary judgement on the declaratory judgement. **“...But I believe summary judgement is appropriate now on the declaratory judgement, because all I'm asking for is for the court to interpret the statute...” “But I think because we've requested it, and there's no fact that it's just a pure statutory interpretation, it can be done now. And in the end it's going to have to be done... it will have to be part of a jury charge at trial.” “Well, we're just asking you to interpret the statute and what's required under the statute.”**

The judge answered, **“Well I think the interpretation... what are you asking me to say about the statute?”** My attorney clarified, **“Whatever-- what is required by the statute.”** The judge answered, **“Well, I think it depends on the facts of the case. And therefore, that's the denial for the partial summary judgement. I want to hear the facts and then apply the statute to the facts of the case, and then decide whether they've been compliant with the law.”**

My attorney stated, **“Okay, and just so we're clear judge, like I said, our contention was that we were just asking you to interpret the statute plainly, without considerations of the facts.”** The judge answered **“What particular question are you asking me?”** My attorney answered **“What are the respective obligations of the parties under the statute for the application of that.”** The judge closed the the hearing after stating **“Okay, what I think I need to do is decide whether the statute has been followed in this particular case. And therefore, I want to hear the evidence.”** So my case continued on blindly without clarification of what is the law.

I asked friends to attend the trial because I felt things were not right so they came to the **first day of trial, February 2, 2012.** I introduced them to my family and my attorney before asking him if he had received a response from the city concerning the judge's service as attorney. His response was **“Oh, I asked a couple of friends and they didn't know so I guess she wasn't.”** I followed him into the courtroom and told him, **“I asked for a jury, but I know I'm not going to get one, but I want another judge!”** He answered me by saying, **“No, no, Jim, we want this judge. My family worked on her campaign. I went to school with her son. I've been to her house!”** I told him I did not care, she is too close to the case. He then told me to not say anything at trial, just to answer the questions. **He said the judge doesn't like you, so not to talk in court. She would charge me with contempt. I was afraid so I stayed quiet and waited for the trial to begin.** He came to get me a few minutes later.

My friends, at my request, accompanied myself and my daughters as he led us into the plaintiff's conference room. There he said **the city had offered me a deal.**

**It was offered that they would allow my wife to remain interred there until my death and then she could be removed. I refused this offer** because if she could remain there until I passed away which could be ten, twenty or even up to thirty years then why is the city bringing this to court. Any harm that the city alleged could be done, would be done by then.

**My attorney was very angry when I refused this offer.** He continued to press my daughters but they were not the ones to make the decision. **I felt this showed the motives of the mayor and council were not to serve the city but more personal and only disguised as their governing duties since I had run for office against the mayor.**

After the judge approached the bench, before seating herself, she held her hand toward the court reporter in a “wait” gesture and stated to me **“Mr. Davis, I suggest you take this deal because I don't want to make you dig up you wife.” Then she said this deal could not be mentioned at trial.**

My attorney's argument was **the city said they denied permission for the cemetery because they did not have the report from the Health Department but by Statute 22-20-4 of Alabama they had to wait until they had the report to take the vote so they did not follow procedure.**

My argument, which I was occasionally able to have my attorney sometimes argue, was **THE CITY HAD NO ORDINANCE TO JUSTIFY THEIR REFUSAL.** The city's argument was, in the complaint they did not have the report from the health department, then at trial, it was that they had the report but there were citizen's complaints (of no specific nature by no specific citizen), the size of my lot (which was acceptable under the county and state requirements), it's location on a main street (?), a restaurant across from the grave site (on the other side of my house and the grave unseen by patrons), danger to the water supply (which was found not to exist by the county and state's assessment; while the city cemetery sits on top of a steep hill with neighborhoods below) and the lack of a **perpetual care bond in the amount of \$25,000.00 given to them by me which they said was discussed with me at the city meet-**

**ing(who's going to care for the grave site? actually meant it's required that you give us \$25,000.00.)**

On one occasion my friends accompanied me to see my attorney so they could view the news videos my attorney had subpoenaed of the city meetings in which I asked the city for permission to bury my wife. They agreed that the offer made before trial led them to suspect the city's motives. **These videos showed the animosity that I faced at these meetings. When I asked my attorney for the videos he said they had been misplaced. We discussed the offer with him and the suspicion of the city's motives** but when I left the room he told my friends **it would not be ten or twenty years but three, maybe five at the most before I passed away.** At that point my friends began to help me search for another attorney but even with them making many calls we could not find one.

**On the second day of the trial, March 1, 2012,** I joined them in their car to ride from Stevenson to the courthouse. I brought newspaper articles for them to see and one found paperwork mixed in with them. As we neared the courthouse she read some numbers and **a definition of cemetery which at the end excluded family burial plots from being considered cemeteries and she read commentary that followed which talked about checking to see if a municipality had any ordinances prohibiting them and concerns of future respect from descendants.**

I rushed into the courtroom and gave this to my attorney. I could not see the print and could not remember what to call it so I said I have one of these things and pointed at the definition. He read it but the judge entered the courtroom and we had to be seated. I waited for the entire hearing for my attorney to raise this issue so I could speak of it but the only time I had the chance was during questioning from the city's attorney. **He skipped the definition and only read the commentary.** Because I could not see to read it and did not remember what to call it he skipped the definition. **I was expecting my attorney to address this discovery but he never did. He asked me only two questions. Then the trial ended.**

**The judge found in favor of the city citing Alabama case law, Alosi vs. Jones, 174 So. 774 (1937) stated “the owner of property within the corporate limits of a city has no unqualified right to use his property for purposes of a cemetery.”** She found the size of my lot was a factor, the location on a main street, perpetual care, and citizens complaints were also factors.

I wrote to my attorney that these factors were arbitrary in that the **size of my lot met the requirements of the state and county. The location on a main street is irrelevant and not against any Alabama law, my family will provide the perpetual care since it is located on our privately owned property and no citizen's complaints were ever explained to me or at trial.**

Before the hearing of Motion for Relief from Order my friend found on the internet, after typing “cemetery alabama” into the search window, **Alabama Code Section 8-30-1(4)** which is the definition that was found by his wife on the way to court. The numbers she read were Alabama Code numbers but we did not know this at that time.

My friend helped me draft a letter telling my attorney about **Section 8-30-1(4) and how what I actually wanted was a family burial plot and was mistakenly directed to apply to the city for a cemetery permit by the health department's supervisor.** I also told him, again, to drop the argument of the voting before they received the report. They had received the letter of approval from the health department. **It was the report. A detailed report was only required if it were denied.**

**My attorney did enter 8-30-1(4) but it was dismissed by the judge as being located under the “commercial law and consumer protection” title of the Code saying it pertained only to commercial businesses. My attorney returned to Section 22-20-4 and that the vote was taken before they received the report. He also argued that the city had no ordinances but provided no supporting information.**

In her order denying my motion, she said the defendant having lost at trial changed his position. **This was not true. Section 8-30-1(4) was not known to me to be Code until after trial but was still admissible in the motion for relief. Yet she denied my motion for relief from order and required a supersedes bond in the amount of \$10,000.00 to be secured for the appeal.**

**On or about July 15, 2013,** again my friends accompanied me to my attorney's law firm. **He argued with me that 8-30-1(4) did not apply to my case and because they voted to deny my application before considering the report was still the argument to make to the appeals court.** He stood face to face with me saying fire me, fire me! I had no money to hire another attorney nor could I find one so I conceded even though I was afraid he would lose the Supreme Court appeal if he did not listen.

My friends had gathered a number of Alabama Codes and case laws which **supported the argument that I had a family burial plot, also Alabama Codes clarifying the perpetual care issue and Alabama Codes which state that an incorporated municipality must enact ordinances to acquire the authority and powers granted to them by the state.**

I asked to meet with one of the senior attorneys at the firm that I made the checks out to and was listed on the letterheads of all the correspondences from my attorney. I was going to see if they could just review my case and help my attorney since he was refusing to do as I suggested. We waited all day but they never came out to speak with me and never offered to make an appointment with me so I could explain my concerns and show them the Codes and case law that my attorney pushed away and refused to view when he later argued with me about the vote/report issue.

**In the Codes taken to and refused by my attorney were Alabama Code Sections:**

**8-30-2,** which begins with; **'All cemeteries organized under the laws of this state shall have.....'**

**27-17A-47**

**(a) Every cemetery authority operating an endowment care cemetery shall establish an endowment care fund which shall be placed with and held by a bank, trust company, savings and loan association, or other financial institution authorized to provide trust services under Title 5, as amended, or under the applicable laws of the United States or any other state, or a board of trustees, consisting of at least three members, who shall reside in the State of Alabama, one of whom is engaged in outside cemetery management, and**

each of whom shall be bonded to honestly perform the duties of trustee under a formal trust agreement.

(b) The amount of each bond shall be a minimum of twenty-five thousand dollars (\$25,000).

27-17A-46 Any cemetery now existing or hereafter established, excluding those operated by governmental agencies or religious institutions, shall be an endowment care cemetery, except those which do not charge fees.

11-47-40 All cities and towns of this state shall have the power to own, regulate, improve, lay out, and control town or city cemeteries and permit additions thereto and the establishment of new ones, either within or without the town or city limits, and to sell burial lots in the same, and to regulate or prohibit the establishment or use of private cemeteries within the police jurisdiction of a city or town elsewhere than in the city or town cemeteries. (The city used this during trial and the judge cited it in her orders.)

11-40-3 Affirmative action shall not be necessary for cities and towns to acquire the rights, power, and authority granted in this title. Municipalities shall, however, hold such elections and pass such ordinances and resolutions as are required by this title.

11-47-41 Any incorporated city or town having within its corporate limits an ancient family cemetery or burial ground or owning a cemetery or burial ground may make and enter into a contract with any interested party or parties obligating and binding the city or town to forever protect, maintain, and properly care for such cemetery or burial ground or for graves of individuals in the cemeteries or burial grounds owned by such city or town, upon terms and conditions as may be agreed upon and for such compensation as it may see fit to accept.

11-47-42 All contracts made under the provisions of Section 11-47-41 shall be by ordinance, which shall state all the terms and conditions of the contract, and the same shall be passed and approved as other ordinances of such city or town and recorded upon the minutes thereof.

11-45-1 Municipal corporations may from time to time adopt ordinances and resolutions not inconsistent with the laws of the state to carry into effect or discharge the powers and duties conferred by the applicable provisions of this title and any other applicable provisions of law and to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of the inhabitants of the municipality, and may enforce obedience to such ordinances.

11-43A-74 The municipality shall have all the powers granted to municipal corporations by the constitution and the laws of this state together with all the implied powers necessary to carry into execution all the powers granted. The municipality may acquire property within or without its corporate limits for any municipal purpose, any lesser interest or estate, by purchase, in fee simple or gift, devise, lease or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interests may require; and, except as prohibited by the constitution and the laws of this state or restricted by this article, the municipality shall and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever. The enumeration of particular powers by this article shall not be deemed to be exclusive, but in addition to the powers herein enumerated or hereby implied or appropriate to the exercise of such powers, and it is intended that the municipality shall have and may exercise all powers granted to municipalities under the constitution and the laws of this state.

11-45-7 The council may provide at any time it may deem proper for the revision and codification of its ordinances or for the adoption of a code by ordinance.

One day my friend was looking through the paperwork from the county. The first page was the larger print of general steps to follow. Pages two through about eleven were examples of an application for a family cemetery to the probate judge of their county. The next three pages, twelve through fifteen, was the **Alabama Procedural Guidelines for Cemetery Development**, listing specific requirements of soil content, water levels, distances from boundary lines and at the bottom of page fourteen and continuing on page fifteen was **Section 8-30-1(4)** followed by **Section 22-20-4**, on the bottom half of the page, which was what the city and judge said gave the city authority to deny my application.

This paperwork was the first thing I handed to the city and the first thing I presented to my attorney when I first met with either of them concerning my desire to bury my late wife on our property. It was **given to me by the Jackson County Health Department**. Everyone had it all along, even I did, but I could not read the print and relied on the direction of the county supervisor, and the city officials to do their jobs according to the laws of the state of Alabama. I hired and relied on my attorney to research the documents and laws pertaining to my case (He said he spent thousands of hours researching it.).

**On both the appeal to the Court of Appeals and the appeal to the State Supreme Court the case was refused to be heard.** I could not afford the \$200,000.00 my attorney said it would cost to appeal to federal court so I returned to circuit court to beg.

It did no good. **During the hearing of November 13, 2013, I was forced by the court to agree to keep my wife's cremated remains inside my home or to have agents of the city come onto my property and remove my wife's remains and take them away.**

**The hearing was on a Wednesday November 13, 2013. It was required that she be removed from her grave by that Friday, November 15, 2013.**

News and a picture of the disinterment was posted in the local paper underneath the announcement of the city attorney's election by the city council members to the position of municipal judge. **The vote took place Thursday, November 14, 2013.**

I paid for and received copies of the transcripts of my case and requested copies of all the documents which my lawyer had. **My friends began to help me read them and we began to study the Code of Alabama, the Alabama Canons of Judicial Ethics, the Ethics as put forth by the Alabama Bar Association and most importantly, the Constitutions of both the State of Alabama and our United States of America.**

We discovered:

\* The minutes of the two city meetings in which I asked for permission to bury my wife included in the Summons/Complaint filed by the city attorney do not

match the minutes which are on file in Stevenson City Hall. Copies of the official minutes were faxed from City Hall to my attorney in discovery.

**Alabama Code Section 11-43-52** The council shall determine the rules of its own proceedings and keep a journal thereof, which shall be open to the inspection and examination of all citizens and shall have the force and effect of a record, and a copy thereof, certified by the clerk, shall be prima facie evidence in any court or elsewhere.

**Alabama Code Section 6-5-101** Misrepresentations of a material fact made willfully to deceive, or recklessly without knowledge, and acted on by the opposite party, or if made by mistake and innocently and acted on by the opposite party, constitute legal fraud.

\* The city attorney entered the Procedures/Guidelines for Cemetery Development into evidence but it had been altered to contain only one page.

This was discovered during trial and it was corrected but remains important since we have discovered the city faxed copies of **Alabama Code Section 22-20-4** taken from a book to the Jackson County Health Department when they had already read **22-20-4** in the paperwork given to them by me which I had been given by the county. Since these were faxed to the health department with documents from the city pertaining to my application they were included in my files and then used in the complaint instead of the copy from the county that also contained **Alabama Code Section 8-30-1(4)** which addressed family burial plots. Copies of **Section 22-20-4** were not required to be sent to the health department by the application process.

\* **In the Canons of Judicial Ethics** it states that a judge should recuse himself/herself if there is even just the appearance of impropriety. I searched a Scottsboro newspaper archive, since the city would not provide a list of former city attorneys, and found the judge's campaign ad which boasts of her eleven plus years of service to the City of Stevenson as prosecutor.

\* **Alabama Code Section 1-1-14** The word "jury" or "juries" include courts or judges in all cases when a jury trial is waived, or when the court or judge is authorized to ascertain the facts as well as the law.

**Alabama Code Section 12-16-1** Whenever the statutes or laws of this state authorize or require the jury to ascertain or determine certain facts, to make certain findings or to fix the amount of damages, the value of property or the value of the use, hire or rent of property and a jury trial is waived or the court or judge trying the case is authorized to find and determine the facts as well as the law, then the word "jury" or "juries" shall be held to include the court or judge so trying the case.

**Alabama Code Section 6-11-22** Argument or mention, in the presence of the jury, of the classifications or limitations established in Section 6-11-21 is not permissible and shall be ground for a mistrial. ("Mr. Davis, **I recommend you take this deal...**"(stated before the first day of trial by the judge (jury), February 2, 2012) "...but I also must say, you have not been very reasonable from day one. - You haven't listened. **We--** I mean, **There was an offer made at the very beginning of this case and you refused it...**"stated by the judge (jury) during the conference call hearing, October 18, 2013).

\* In the order of March 30, 2012 and the order denying my motion for relief from order, July 16, 2012 the judge cites Alosi vs. Jones,174 So. 774(1937) Her quote was incorrect. In Alosi it states that "the owner of property within the corporate limits of a city has no unqualified right to use his property for the purpose of a **Public** cemetery". The judge omitted the word public. This is important as I was only planning to have the grave site for my wife and myself.

\* **Section 143 of the Constitution of the State of Alabama** The circuit court shall have original jurisdiction in all matters civil and criminal within the state not otherwise excepted in this Constitution; but in civil cases, other than suits for libel, slander, assault and battery, and ejection, it shall have no original jurisdiction except where the matter or sum in controversy exceeds fifty dollars.

**Alabama Code Section 12-11-30** (1) CIVIL. The circuit court shall have exclusive original jurisdiction of all civil actions in which the matter in controversy exceeds ten thousand dollars (\$10,000), exclusive of interest and costs, and shall exercise original jurisdiction concurrent with the district court in all civil actions in which the matter in controversy exceeds three thousand dollars (\$3,000), exclusive of interest and costs.

**Alabama Code Section 12-11-31** The powers and jurisdiction of circuit courts as to equitable matters or proceedings shall extend:

(1) To all civil actions in which a plain and adequate remedy is not provided in the other judicial tribunals.

**Alabama Code Section 12-11-33** Circuit courts, when exercising equitable jurisdiction, must take cognizance of the following cases:

(1) When the defendants reside in this state.

(2) Against nonresidents, when the object of the action concerns an estate of, lien or charge upon lands or the disposition thereof, or any interest in, title to, or encumbrance on personal property within this state, or where the cause of action arose, or the act on which the civil action is founded was to have been performed in this state.

**!!! So Section 143 of Alabama's Constitution** limits original jurisdiction of circuit court to a minimum monetary amount.

**Alabama Code Section 12-11-30** limits the original jurisdiction of the circuit court to a minimum monetary amount.

**Alabama Code Section 12-11-31** gives equitable jurisdiction to the circuit court when adequate remedies can not be had in other courts. It does not say when relief can not be sought in other courts.

**Alabama Code Section 12-11-33** says the court can exercise the equitable jurisdiction (allowed to them by 12-11-31)when the defendant resides in the state or if the property or action in question is located or took place within the state. So, the equitable jurisdiction exercised by circuit court in this case could only have been initiated by appeal from a lower court.!!!!

**Alabama Code Section 6-6-221** This article is declared to be remedial; its purpose is to settle and to afford relief from uncertainty and insecurity with respects to rights, status, and other legal relations and is to be liberally construed and administered. This article shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it and to harmonize, as far as possible, with federal laws and regulations

on the subject of declaratory judgments.

**Alabama Code Section 6-6-222** Courts of record, within their respective jurisdictions, shall have power to declare rights, status, and other legal relations whether or not further relief is or could be claimed. No action or proceeding shall be open to objection on the ground that a declaratory judgment is requested. The declaration may be either affirmative or negative in form and effect, and such declarations shall have the force and effect of a final judgment.

**Alabama Code Section 6-6-223** Any person interested under a deed, will, written contract, or other writings constituting a contract or whose rights, status, or other legal relations are affected by a statute, municipal ordinance, contract, or franchise may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract, or franchise and obtain a declaration of rights, status or other legal relations thereunder.

**Alabama Code Section 6-6-228** When a proceeding under this article involves the determination of an issue of fact, such issue may be tried and determined in the same manner as issues of fact are tried and determined in other civil actions in the court in which the proceeding is pending.

**Alabama Code Section 6-6-229** The court may refuse to enter a declaratory judgment where such judgment, if entered, would not terminate the uncertainty or controversy giving rise to the proceeding.

**Alabama Code Section 6-6-230** Further relief based on a declaratory judgment may be granted whenever necessary or proper. The application therefor shall be by petition to a court having jurisdiction to grant the relief. If the application is deemed sufficient, the court shall, on reasonable notice, require any adverse party whose rights have been adjudicated by the declaratory judgment to show cause why further relief should not be granted forthwith.

**Section 144** of Alabama's Constitution states A circuit court, or a court having the jurisdiction of the circuit court, shall be held in each county in the state at least twice in every year, and judges of the several courts mentioned in this section may hold court for each other when they deem it expedient, and shall do so when directed by law. The judges of the several courts mentioned in this section shall have power to issue writs of injunction, returnable to the courts of chancery, or courts having the jurisdiction of courts of chancery.

**!!!Alabama Code Section 6-6-222** says a court of record (circuit court) has the power to declare rights( declaratory judgments) while **Section 6-6-223** states that anyone interested under a contract, etc... or affected by an ordinance, statute,etc... may obtain a declaration of rights. **Section 6-6-228** states that issues of facts may be tried as other issues of facts in the court which has the jurisdiction of the proceedings. While the court has the right to refuse to enter a declaratory judgment as stated in **6-6-229**, it does not restrict the right of the person to obtain the declaration of rights. The facts of the case must be tried in a court having jurisdiction.

This is supported by **Section 6-6-230** in that it requires any further relief granted, which is based on a declaratory judgment, to be petitioned in a court having jurisdiction. So circuit court has jurisdiction concerning declaratory judgments but the issues of fact must be tried in a court having jurisdiction and the court having jurisdiction may refuse to enter the declaratory judgment but any relief granted must be applied in the court having jurisdiction. Since the circuit court had no original jurisdiction to try the facts of this case or to issue an injunction returnable to itself, and the injunction was not returnable to a lower court then the injunction issued by the judge in this case was invalid by law!!!! Declaratory judgment does not by itself order any action by a party, or imply damages or an injunction, although it may be accompanied by one or more other remedies. The only power of the circuit court was to declare the rights under the statute in this case. The trying of the facts of the case was not within the "original" jurisdiction of the circuit court nor was the injunction.

This explains why it states in the Code that an incorporated municipality must take affirmative action through enactment of ordinances and repeats this throughout the codes concerning incorporated municipalities and how they acquire their powers.

In my case, the city had no ordinances prohibiting the establishment of cemeteries so no court had original jurisdiction except the Circuit Court's power to declare the meaning of **Code Section 22-20-4**. Because there was no law adopted by ordinance in the municipality to initiate action in the municipal court, the question of rights granted by **Section 22-20-4** was the only issue to be addressed by the circuit court.

**Section 143 of the State Constitution** denies the circuit court original jurisdiction.

While **Rule 81(a) of the Alabama Rules of Civil Procedure** states, In the following proceedings, these rules shall be applicable to the extent that the practice in such matters is not provided by statute, **subdivision 81(a) 16** In actions by or against a municipality or against it's officers, agents or employees. The practice of this procedure is covered by **Alabama Code Section 6-6-502** No temporary restraining order or preliminary injunction shall ever issue to any municipality of this state, its officers, agents, or employees, enjoining or restraining the enforcement of any ordinance of such municipality, whether valid or invalid, or any proceedings thereunder, until a time and place have been set for the hearing of the application for such temporary restraining order or preliminary injunction, and notice of such time and place, together with a copy of the complaint, has been served upon the mayor or other chief executive officer of such municipality at least 24 hours prior to the time set for such hearing.

For the city to request an injunction according to Rule 81(a)16 of the Alabama Rules of Civil Procedures it had to do so to enjoin the enforcement of an ordinance.

While **Code Section 6-5-143** allows that:

(a) Such action shall be commenced in the circuit court of the county in which the property is located.

(b) At or before the commencement of the action, a verified copy of the complaint alleging the facts constituting the nuisance shall be filed in the office of the probate judge of the county, together with a notice of the pendency of the action, containing the name of the court, the names of the parties, the object of the action, and a brief description of the property affected thereby. The probate judge shall be paid the usual fee for recording such lis pendens and shall immediately record such notice and 11-47-117 states All cities and towns of this state shall have the power to prevent injury or annoyances from anything dangerous or offensive or unwholesome and to cause all nuisances to be abated and assess the cost of abating the same against the person creating or maintaining the same;

**Alabama Code Section 11-43A-74** requires a municipality to exercise this power through the adoption of the law by ordinance. This can be contested by **Code Section 6-5-120**, which defines a nuisance as; A "nuisance" is anything

that works hurt, inconvenience or damage to another. The fact that the act done may otherwise be lawful does not keep it from being a nuisance. The inconvenience complained of must not be fanciful or such as would affect only one of a fastidious taste, but it should be such as would affect an ordinary reasonable man.

**Code Section 11-47-118** states, Municipalities may maintain a civil action to enjoin and abate any public nuisance, injurious to the health, morals, comfort, or welfare of the community or any portion thereof. **A gravesite is not injurious to the health, is not morally corrupt, causes no discomfort, and can not be proven in this case to injure the welfare of the public.** "You can have five big hogs in your yard." Quoted from a statement by the mayor during a city meeting on November 17, 2008 and acknowledged to have happened by the city attorney in a statement to the judge during the last day of trial, March 1, 2012.

In my case there was no proof of hurt, inconvenience or damage nor proof to show that hurt, inconvenience or damage could be caused by the gravesite on my property. If it were to be proven then should it not also include the municipality's cemetery which would then be considered an area of ground in which hundreds of nuisances were contained. The reason the city petitioned the courts was a declaratory judgement on the grounds that my gravesite was "illegal" and not on the grounds of it being a nuisance although they made alligations of hurt, inconvenience or damage but these were not supported by evidence and were no more than heresay.

**Code Section 11-47-30** states, All cities and towns in this state shall have the power to maintain the health and cleanliness of the city or town within its limits and within the police jurisdiction thereof.

**11-47-131** states In addition to the powers granted to them by the applicable provisions of this title or any other provisions of law, all cities and towns of this state shall have the following powers, and the councils or other governing bodies of such cities and towns may provide by ordinance or resolution for the exercise or enforcement of the same: (3) To adopt such ordinances and regulations as the council or other governing body may deem necessary to insure good sanitary condition in public places or in private premises in the cities and towns.

*Many more incidents occurred during this "trial", such as the judge and city attorney giggling and laughing, my late wife being referred to multiple times as "ole" mama with the term appearing no where in the transcript. The judge/jury passed the time by tapping her fingers, rolling her eyes while sighing impatiently and texting on her cell phone during my testimony.*

*I sent detailed complaints concerning the actions, behaviors and personal connections(Facebook) of the parties listed above to:  
The Alabama Judicial Ethics Committee  
The Alabama Bar Association  
The Alabama Attorney General's Office  
The State of Alabama Ethics Committee  
The United States Attorney's Office In the Northern District of Alabama  
I even went to the American Civil Liberties Union.*

*The ethics committee forwarded the complaint to the state attorney general but only because I requested it of them and they did so with a "disclaimer" but it was more than any of the others did.*

*I received letters from the Judiciary and Bar saying they would do nothing and would not be addressing the matter again. I was told by the local district attorney's office, in Jackson County that it's our county, our judge and it's a civil matter.*

*I was told in a letter from the attorney general's investigator to get an attorney. I was told by the United States attorney's office to get an attorney.*

*I have been searching for an attorney since before my trial ended. They say I do not have a case after a five minute phone conversation or I should find an attorney closer to home. We don't even get as far as not being able to afford them. The representative of the ACLU moved a few of my papers around on his desk, and told me good-by.*

*So!! It seems I am mistaken in believing uttering falsified documents into evidence and interfering with due process is against the law. It seems I am mistaken in believing because there is a very long document entitled The Canons of Judicial Ethics that any writing contain therein has any meaning whatsoever. It seems I am mistaken in believing it might be hard to pass the bar exam in the state of Alabama.*

*It seems to me I am mistaken in my knowledge of the family used as example in the paperwork handed out by the county with the Procedures/Guidelines for Cemetery Development were not required to submit an application to the probate judge to establish their family "cemetery" because their cemetery is viewed in the Code to be a family burial plot and not "organized under the laws of this state".*

*It seems that I am mistaken in believing the laws listed in the Code of Alabama are more than groups of words listed beneath headings, titles and numbers for the convenient reference of people who do not bother to look and believing the Higher Courts of our land are the guardians of our system of law.*

*It seems that I am mistaken in my belief that Sections 143 and 144 of my State's Constitution are there for more than to just fill in the spaces between Sections 142 and 145. It seems I am mistaken in believing this is not a government of the judges, for the judges, by the judges and there is such a thing as due process.*

***But the worst of it all is it seems I am mistaken in expecting to find justice.***

*There are documents verifying all statements contained herein. If you are a licensed attorney and would be interested in representing Mr. James E. Davis, please contact Floyd or Rosa Robbins, (931)952-8467. We will forward your information to Mr. Davis. If you are a member of the general public and wish to help Mr. Davis - please pray. Thank you, Alabama.*

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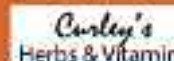
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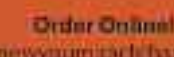
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—Laurie Magers

Executive Assistant to Zig Ziglar, Plano, TX



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—Jeff Hensley, Montgomery, AL

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