

CHANCERY EXECUTION

BILL OF COSTS

727

No. 726. Mamie Valrie Donald.

Vs. Frank Donald.

Plaintiff

Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward.....	\$
Filing each bill and other papers.....	\$	10	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Issuing each subpoena.....		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof.....		40	Each notice sent by mail to creditor.....	15
Entering each return thereof.....		15	Filing, receipting for and docketing each claim, etc.....	25
For each order of publication.....	1	00	For all entries on subpoena docket, etc.....	50
Issuing writ of injunction.....	1	50	For all entries on commission docket, etc.....	50
For each copy thereof.....		50	Making final record, per 100 words.....	15
Entering each return thereof.....		15	Certified copy of decree.....	1 00
Issuing Writ of Attachment.....	1	00	Report of divorce to State Health Office.....	50
Entering each return thereof.....		15	(Acts 1915)	
Docketing each case.....	1	00	Total Fees of Register.....	5 60.
Entering each appearance.....		25	FEES OF SHERIFF	
Issuing each decree pro confesso on per. ser.....	1	00	Serving and returning subpoena on deft.....	\$1 50
Issuing each decree pro confesso on publication.....	1	00	Serving and returning subpoena for witness.....	65
Each order appointing guardian.....	1	00	Levyng attachment.....	3 00
Any other order by Register.....		50	Entering and returning same.....	25
Issuing commission to take testimony.....		50	Selling property attached.....	75
Receiving and filing.....		10	Impaneling Jury.....	75
Endorsing each package.....		10	Executing writ of possession.....	2 50
Entering order submitting cause.....		50	Collecting execution for costs.....	1 50
Entering any other order of court.....		25	Serving and returning sci. fa., each.....	65
Noting all testimony.....		50	Serving and returning notice.....	65
Abstract of cause, etc.....	1	00	Serving and returning writ of injunction.....	1 50
Entering each decree.....		75	Serving and returning writ of exeat.....	1 50
For every 100 words over 500.....		15	Taking and approving bonds, each.....	75
Taking account, etc.....	3	00	Collecting money on execution.....	
Taking testimony, etc.....		15	Making deed.....	2 50
Each report, 500 words or less.....	2	50	Serving and returning application, etc.....	1 00
For every 100 words over 500.....		15	Serving attachment, contempt of court.....	1 50
Amount claimed less than \$500, etc.....	2	00	Total Fees of Sheriff.....	3 00
Issuing each subpoena.....		25	RECAPITULATION	
Witness certificate, each.....		25	Register's Fees.....	5 60.
Issuing execution, each.....		75	Sheriff's Fees.....	3 00
Entering each return.....		15	Commissioner's Fees.....	
Taking and approving bond, each.....	1	00	Solicitor's Fees.....	
Making copy of bill, etc.....		15	Witness Fees.....	
Each notice not otherwise provided for.....		50	Guardian Ad Litem.....	
Each certificate or affidavit, with seal.....		50	Printer's Fees.....	
Each certificate or affidavit, no seal.....		25	Trial Tax.....	3 00
Hearing and passing on application, etc.....	3	00	Recording Decree in Probate Court.....	
Each settlement with receiver, etc.....	3	00	Total.....	11 60.
Exam'ing each voucher of Receiver, etc.....		10		
Examining each answer, etc.....	3	00		
Recording resignation, etc.....		75		
Entering each cert. to Supreme Court.....		50		
Taking questions and answers, etc.....		25		
For all other ser. relating to such proceedings.....	1	00		
For services in proceeding to relieve minors, etc., same fee as in similar cases.....				
Commission on sales, etc.: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1½ per ct.; all over \$1,000, an dnot exceeding \$20,000, 1 per ct.; all over \$20,000, ¼ of 1 per ct.....				
Sub Total Carried Forward.....	3	60		

The State of Alabama, }
Baldwin County. }

No. 726,

Circuit Court, In Equity — Feb. — Term, 1943

To Any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of _____

Mamie Valrie Donald. Defendant.....

you cause to be made the sum of 11 60 costs only. Dollars,

which case was dismissed. Plaintiff.....

recovered of _____ on the 1st day of Feb. 1943

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____

11 60, only. Dollars,

costs of suit, and have the same to render to the said R S Duck.

and make return of this Writ and the execution thereof, according to law.

Interest from _____ 194_____ to date of collection.

Witness my hand, this 15h, day of March. 1943

R S Duck Register.

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes MARIE VALREE DONALD and humbly complaining against
FRANK DONALD, respectfully shows unto your Honor as follows:

FIRST.

That your Complainant, Marie Valree Donald, and the said
Frank Donald are both over the age of twenty one years and are both
residents of Baldwin County, Alabama, having resided therein for more
than ten years next preceding the filing of this bill of complaint.

SECOND.

That your Complainant and the said Defendant were married
in the year 1932 in the town of Bay Minette, Alabama, and lived
together as husband and wife until in June, 1935; when the said
Frank Donald voluntarily and without just cause abandoned your Com-
plainant and refused to live with her thereafter, and since said
abandonment has failed and refused to support your Complainant.

WHEREFORE, your Complainant prays that your Honorable Court
will take jurisdiction of this cause and by appropriate process make
the said Frank Donald a party defendant hereto, and require him to
plead, answer or demur to this bill of complaint within the time and
under the penalties prescribed by law and the practice of this Court.

Complainant further prays that upon a final hearing of this
cause your Honor will make and enter a decree, forever dissolving the
bonds of matrimony existing between your Complainant and the said
Frank Donald, and your complainant prays for such other, further or
different relief as in equity and good conscience she is entitled to
receive.

Solicitor for Complainant.

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes MAMIE VALREE DONALD and humbly complaining against
FRANK DONALD, respectfully shows unto your Honor as follows:

FIRST.

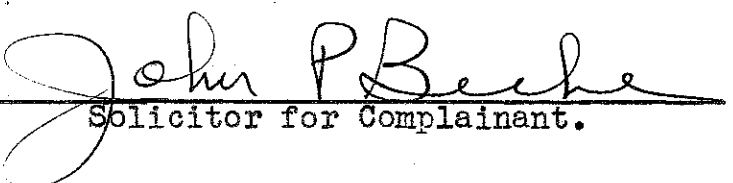
That your Complainant, Mamie Valree Donald, and the said
Frank Donald are both over the age of twenty one years and are both
residents of Baldwin County, Alabama, having resided therein for more
than ten years next preceding the filing of this bill of complaint.

SECOND.

That your Complainant and the said Defendant were married
in the year 1932 in the town of Bay Minette, Alabama, and lived
together as husband and wife until in June, 1933, when the said
Frank Donald voluntarily and without just cause abandoned your Com-
plainant and refused to live with her thereafter, and since said
abandonment has failed and refused to support your Complainant.

WHEREFORE, your Complainant prays that your Honorable Court
will take jurisdiction of this cause and by appropriate process make
the said Frank Donald a party defendant hereto, and require him to
plead, answer or demur to this bill of complaint within the time and
under the penalties prescribed by law and the practice of this Court.

Complainant further prays that upon a final hearing of this
cause your Honor will make and enter a decree, forever dissolving the
bonds of matrimony existing between your Complainant and the said
Frank Donald, and your complainant prays for such other, further or
different relief as in equity and good conscience she is entitled to
receive.


Solicitor for Complainant.

MAMIE VALREE DONALD,
Complainant,
vs
FRANK DONALD,
Defendant.

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

Comes the Defendant, Frank Donald, in the above entitled cause and hereby accepts service of the bill of complaint in said cause and hereby agrees that the same may be set down for hearing immediately and without further notice to him.

The Defendant in answer to the said bill of complaint denies each and every allegation contained therein and demands strict proof thereof.


Defendant.

SUMMONS

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon H. J. Edmonds, Ellen R. Edmonds, Mollie M. Ryan and the Fairhope Single Tax Corporation, a corporation, to appear within thirty days from the service of this writ at the Circuit Court, Equity Side, to be held for said county at the place of holding same, then and there to demur, plead to or answer the Bill of Complaint of the Bank of Fairhope, a Corporation.

Witness my hand this 29th day of May, 1941.

R. S. Duck

Register.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Orator, the Bank of Fairhope, a Corporation, presents this Bill of Complaint against H. J. Edmonds, Ellen R. Edmonds, Mollie M. Ryan and the Fairhope Single Tax Corporation, a Corporation, and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator is a state banking corporation with its principal place of business at Fairhope, in Baldwin County, Alabama; H. J. Edmonds and Ellen R. Edmonds are each over twenty-one years of age and reside at Fairhope, in Baldwin County, Alabama; Mollie M. Ryan is over twenty-one years of age and a resident of 801 Fulton Street, Wausaw, Wisconsin; the Fairhope Single Tax Corporation, is a corporation with its principal place of business at Fairhope in Baldwin County, Alabama.

2. On to-wit, December 2, 1938, the Respondent, H. J. Edmonds and Ellen R. Edmonds became indebted to your Orator, the Bank of Fairhope, a Corporation, in the sum of Five Hundred Seventeen and 41/100 Dollars (\$517.41) which indebtedness was secured by a promissory waive note bearing the said date, payable to your Orator. The indebtedness evidenced and secured by the said note was not paid and is still now unpaid but has from time to time been renewed and extended by your Orator at the request of the said H. J. Edmonds and Ellen R. Edmonds, and the said indebtedness is now due and unpaid, the present indebtedness being evidenced and secured by a promissory waive note dated December 2, 1938, made by the said H. J. Edmonds and Ellen R. Edmonds and payable to the said Bank of Fairhope in installments commencing on January 10, 1939, in and by which said note the makers waived all rights of exemption as to personal property and agreed to pay a reasonable attorney's fee in the event the said note was placed with an attorney for collection, which note further provided that a failure to pay one installment on said note would cause

the entire balance on the said note to become immediately due and payable. Your Orator further alleges that after the said note became due it was placed with its attorney for collection, after which and on to-wit, December 14, 1940, a suit was filed against the said H. J. Edmonds and Ellen R. Edmonds in the Circuit Court of Baldwin County, Alabama, which is Case Number 633 on the Law Side of the said Court where the same is now pending, which suit was to recover the sum of Three Hundred Seventy-seven and 63/100 (\$377.63) Dollars being the amount due on the said note, together with interest and attorney's fee, all of which is still due and unpaid.

3. At the time the said H. J. Edmonds and Ellen R. Edmonds became indebted to your Orator they represented that they owned a leasehold interest in the following described property of the Fairhope Single Tax Corporation, situated in Fairhope, Baldwin County, Alabama, to-wit:

Lots One (1) and Two (2) Block Fifteen (15), Division Two (2) of the lands of the Fairhope Single Tax Corporation in the Town of Fairhope, Alabama, as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, on September 13, 1911,

and that their interest in this said property was free of and from all liens and encumbrances except a first mortgage to the Baldwin County Building and Loan Association in the approximate sum of \$1350.00. That after the said H. J. Edmonds and Ellen R. Edmonds became indebted to your Orator, and while the said indebtedness to your Orator remained outstanding and unpaid, the said H. J. Edmonds and Ellen R. Edmonds made, executed and delivered to the Respondent, Mollie M. Ryan, also known as Mrs. Thomas H. Ryan, who is the mother of the said Ellen R. Edmonds, a mortgage dated on to-wit, March 26, 1940, filed December 18, 1940 and recorded in Book 86 of Mortgages at page 351, Baldwin County Records, which conveys the above described property, to secure an alleged indebtedness of \$1700.00. Your Orator alleges that this said mortgage was a voluntary conveyance, made for the purpose of hindering, delaying or defrauding your Orator in the collection of the indebtedness due it and further alleges that the said Mortgagee, the said Mollie M. Ryan, had actual knowledge of the

existence of the indebtedness to your Orator at the time her said mortgage was made.

4. Your Orator further alleges that the above described mortgage to the Baldwin County Building and Loan Association is about to be foreclosed and that the said Mollie M. Ryan will become the purchaser of the said property at the foreclosure sale thereof and will then request the Fairhope Single Tax Corporation to transfer the lease on the said property to her which will further tend to hinder, delay or defraud your Orator in the collection of the said indebtedness, due to it.

PRAYER FOR PROCES S.

Your Orator prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given to the Respondents H. J. Edmonds, Ellen R. Edmonds and Mollie M. Ryan (Mrs. Thomas H. Ryan) in the form and manner prescribed by law, requiring them to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law, and the practice of this honorable Court.

PRAYER FOR RELIEF.

Your Orator prays that upon a final hearing of the cause made by this Bill of Complaint this Honorable Court will grant unto it the following relief:

1. That Case Number 633 of the Law Side of the said Court, being the case hereinabove described, be transferred from the Law Side of the said Court to the Equity Side thereof and consolidate it with this cause.

2. That a reference be held to ascertain and report the total amount of the principal, interest and attorney's fee that is due your Orator by the said H. J. Edmonds and Ellen R. Edmonds on the above described note.

3. That the said mortgage from H. J. Edmonds and Ellen R. Edmonds to Mollie M. Ryan be declared a fraudulent conveyance, made to hinder, delay or defraud your Orator in the collection of its

said indebtedness and that the said mortgage be set aside.

4. That the amount necessary to redeem the above described property from the aforesaid mortgage to the Baldwin County Building and Loan Association be ascertained and your Orator allowed to redeem the said property.

5. Your Orator further prays for such other, further and general relief as it may be equitably entitled to the premises considered.



Solicitor for Complainant.

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT IN EQUITY
NO. 727

BANK OF FAIRHOPE, a)
Corporation.)
Complainant)
VS)
H. J. SIMMONS, ET ALS)
Respondents)

I, R. S. Duck Register in Chancery of the Circuit Court in Baldwin County Alabama, certify that on October 22nd, 1941, the above styled case was dismissed without prejudice, and the cost paid.

Signed

Register

LIS PENDENS NOTICE.

STATE OF ALABAMA

BALDWIN COUNTY

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Bank of Fairhope, a Corporation, did on the 29th day of May, 1941, file its Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, against H. J. Edmonds, Ellen R. Edmonds, Mollie M. Ryan and the Fairhope Single Tax Corporation, which Bill of Complaint alleges in substance that the said H. J. Edmonds and Ellen R. Edmonds are justly indebted to the Complainant and that while so indebted made a mortgage to Mollie M. Ryan, also known as Mrs. Thomas H. Ryan, which mortgage is dated March 26, 1940, filed for record December 18, 1940 and recorded in Book Number 86 of Mortgages at page 351, Baldwin County Records, which conveys mortgagors' leasehold interest in the following described property of the Fairhope Single Tax Corporation:

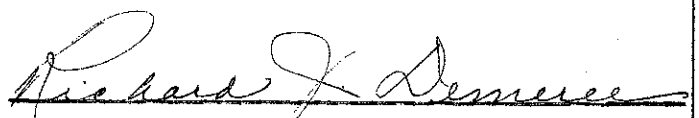
Lots One (1) and Two (2) Block Fifteen (15), Division Two (2) of the lands of the Fairhope Single Tax Corporation in the Town of Fairhope, Alabama, as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, on September 13, 1911,

which mortgage is alleged to be a voluntary conveyance, made for the purpose of hindering, delaying or defrauding the Complainant in the collection of the indebtedness due it.

The Bill of Complaint prays, among other things that the said mortgage be decreed to be a voluntary conveyance and that it be cancelled and set aside.

All persons are cautioned against purchasing the said property except subject to the rights of the Complainant as set out in its said Bill of Complaint.

Dated this 29th day of May, 1941.


Solicitor for Complainant.

Anson + Wainor

RECORDED

Filed May 28, 1941
R. S. Durb, Registrar

726
— **RECORDED**

Bill of Complaint

Mamie Valerie Donald,
Complainant

vs-

Frank Donald,
Respondent

Filed May 29, 1941
R. S. Duch, Registrar

BILL OF COMPLAINT.

RECORDED

BANK OF FAIRHOPE, a Corporation,
Complainant,

VS.

H. J. EDMONDS, et al,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Executed this the
29th day of May
1941 by serving
copies of the within
Bill of Complaint
on Ellen R. Edmonds,
Mellie M. Ryan and
C.A. Gaston as manager
of the Fairhope Single
Tax Corporation,

J.H. Edmonds
not found in Baldwin
County

W.A. Hunt
Sheriff

By
A.P. Pruitt
DS

Filed May 29, 1941
R.S. Dush, Register

RECORDED

THE BANK OF FAIRHOPE, a Corp.
Complainant,

VS.

H. J. EDMONDS, ET ALS,
Respondent.

DEMURRER

*Filed June 12, 1941
R. S. Dub. Register.*

LIS PENDENS NOTICE.

¹³
BANK OF FAIRHOPE, a Corporation,

Complainant,

VS.

⁵⁻²⁹⁻⁴¹

H. J. EDMONDS, ELLEN R. EDMONDS,
MOLLIE M. RYAN, also known as ⁹⁷
MRS. THOMAS H. RYAN, and the
FAIRHOPE SINGLE TAX CORPORATION,
a Corporation, ¹³

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

STATE OF ALABAMA, BALDWIN COUNTY

Filed MAY 29 1941 ^{2:15 P M}

Recorded his Record book 1 page 195

and I certify that the following Privilege Tax has
been paid.

Deed Tax _____

Mortgage Tax _____

[Signature]
Judge of Probate

By _____

[Signature] (50)

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama.
(In Equity)

MAMIE VALRIE DONALD

COMPLAINANT

vs.

FRANK DONALD

RESPONDENT

I, Nan Alice Thompson,

Deputy
as Register and Commissioner

have called and caused to come before me Mamie Valrie Donald

witness named in the requirement for Oral Examination, on the 2nd day of July

194 1, at the office of R. S. Duck, Register in Chancery

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said

Mamie Valrie Donald, doth depose and say as follows:

TESTIMONY OF MAMIE VALRIE DONALD:-

My name is Mamie Valrie Donald. I am over the age of 21 years and a resident of Baldwin County, Alabama. I have lived in Baldwin County all of my life. I was married to Frank Donald some time in the year 1932 in the Town of Bay Minette, and we lived together as husband and wife until June, 1933, when Frank Donald, my husband, voluntarily and without just cause, abandoned me, and since that time, he has refused to live with me, and has also refused to support me.

Mamie Valrie Donald
Mamie Valrie Donald, Complainant

I, NANALICE THOMPSON Deputy
 as/Register and Commissioner hereby certify
 that the foregoing deposition on Oral Examination was taken down in writing by me in the words of
 the witness _____ and read over to her and she signed the same in the presence of my-
 self and J. P. Beebe
 at the time and place herein mentioned; that I have personal knowledge of personal identity of said
 witness _____ or had proof made before me of the identity of said witness _____; that I am not of
 counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

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

Given under my hand and seal, this 2nd day of July 1941.

 (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
 BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed July 1, 1941

R. S. Hunt, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes MAMIE VALREE DONALD and humbly complaining against
FRANK DONALD, respectfully shows unto your Honor as follows:

FIRST.

That your Complainant, Mamie Valree Donald, and the said
Frank Donald are both over the age of twenty one years and are both
residents of Baldwin County, Alabama, having resided therein for more
than ten years next preceding the filing of this bill of complaint.

SECOND.

That your Complainant and the said Defendant were married
in the year 1932 in the town of Bay Minette, Alabama, and lived
together as husband and wife until in June, 1935, when the said
Frank Donald voluntarily and without just cause abandoned your Com-
plainant and refused to live with her thereafter, and since said
abandonment has failed and refused to support your Complainant.

WHEREFORE, your Complainant prays that your Honorable Court
will take jurisdiction of this cause and by appropriate process make
the said Frank Donald a party defendant hereto, and require him to
plead, answer or demur to this bill of complaint within the time and
under the penalties prescribed by law and the practice of this Court.

Complainant further prays that upon a final hearing of this
cause your Honor will make and enter a decree, forever dissolving the
bonds of matrimony existing between your Complainant and the said
Frank Donald, and your complainant prays for such other, further or
different relief as in equity and good conscience she is entitled to
receive.

Solicitor for Complainant.

SUMMONS

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon H. J. Edmonds, Ellen R. Edmonds, Mollie M. Ryan and the Fairhope Single Tax Corporation, a corporation, to appear within thirty days from the service of this writ at the Circuit Court, Equity Side, to be held for said county at the place of holding same, then and there to demur, plead to or answer the Bill of Complaint of the Bank of Fairhope, a Corporation.

Witness my hand this 29th day of May, 1941.

R. S. Ruck

Register.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Orator, the Bank of Fairhope, a Corporation, presents this Bill of Complaint against H. J. Edmonds, Ellen R. Edmonds, Mollie M. Ryan and the Fairhope Single Tax Corporation, a Corporation, and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator is a state banking corporation with its principal place of business at Fairhope, in Baldwin County, Alabama; H. J. Edmonds and Ellen R. Edmonds are each over twenty-one years of age and reside at Fairhope, in Baldwin County, Alabama; Mollie M. Ryan is over twenty-one years of age and a resident of 801 Fulton Street, Wausaw, Wisconsin; the Fairhope Single Tax Corporation, is a corporation with its principal place of business at Fairhope in Baldwin County, Alabama.

2. On to-wit, December 2, 1938, the Respondent, H. J. Edmonds and Ellen R. Edmonds became indebted to your Orator, the Bank of Fairhope, a Corporation, in the sum of Five Hundred Seventeen and 41/100 Dollars (\$517.41) which indebtedness was secured by a promissory waive note bearing the said date, payable to your Orator. The indebtedness evidenced and secured by the said note was not paid and is still now unpaid but has from time to time been renewed and extended by your Orator at the request of the said H. J. Edmonds and Ellen R. Edmonds, and the said indebtedness is now due and unpaid, the present indebtedness being evidenced and secured by a promissory waive note dated December 2, 1938, made by the said H. J. Edmonds and Ellen R. Edmonds and payable to the said Bank of Fairhope in installments commencing on January 10, 1939, in and by which said note the makers waived all rights of exemption as to personal property and agreed to pay a reasonable attorney's fee in the event the said note was placed with an attorney for collection, which note further provided that a failure to pay one installment on said note would cause

the entire balance on the said note to become immediately due and payable. Your Orator further alleges that after the said note became due it was placed with its attorney for collection, after which and on to-wit, December 14, 1940, a suit was filed against the said H. J. Edmonds and Ellen R. Edmonds in the Circuit Court of Baldwin County, Alabama, which is Case Number 633 on the Law Side of the said Court where the same is now pending, which suit was to recover the sum of Three Hundred Seventy-seven and 63/100 (\$377.63) Dollars being the amount due on the said note, together with interest and attorney's fee, all of which is still due and unpaid.

3. At the time the said H. J. Edmonds and Ellen R. Edmonds became indebted to your Orator they represented that they owned a leasehold interest in the following described property of the Fairhope Single Tax Corporation, situated in Fairhope, Baldwin County, Alabama, to-wit:

Lots One (1) and Two (2) Block Fifteen (15), Division Two (2) of the lands of the Fairhope Single Tax Corporation in the Town of Fairhope, Alabama, as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, on September 13, 1911,

and that their interest in this said property was free of and from all liens and encumbrances except a first mortgage to the Baldwin County Building and Loan Association in the approximate sum of \$1350.00. That after the said H. J. Edmonds and Ellen R. Edmonds became indebted to your Orator, and while the said indebtedness to your Orator remained outstanding and unpaid, the said H. J. Edmonds and Ellen R. Edmonds made, executed and delivered to the Respondent, Mollie M. Ryan, also known as Mrs. Thomas H. Ryan, who is the mother of the said Ellen R. Edmonds, a mortgage dated on to-wit, March 26, 1940, filed December 18, 1940 and recorded in Book 86 of Mortgages at page 351, Baldwin County Records, which conveys the above described property, to secure an alleged indebtedness of \$1700.00. Your Orator alleges that this said mortgage was a voluntary conveyance, made for the purpose of hindering, delaying or defrauding your Orator in the collection of the indebtedness due it and further alleges that the said Mortgagee, the said Mollie M. Ryan, had actual knowledge of the

existence of the indebtedness to your Orator at the time her said mortgage was made.

4. Your Orator further alleges that the above described mortgage to the Baldwin County Building and Loan Association is about to be foreclosed and that the said Mollie M. Ryan will become the purchaser of the said property at the foreclosure sale thereof and will then request the Fairhope Single Tax Corporation to transfer the lease on the said property to her which will further tend to hinder, delay or defraud your Orator in the collection of the said indebtedness, due to it.

PRAYER FOR PROCES S.

Your Orator prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given to the Respondents H. J. Edmonds, Ellen R. Edmonds and Mollie M. Ryan (Mrs. Thomas H. Ryan) in the form and manner prescribed by law, requiring them to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law, and the practice of this honorable Court.

PRAYER FOR RELIEF.

Your Orator prays that upon a final hearing of the cause made by this Bill of Complaint this Honorable Court will grant unto it the following relief:

1. That Case Number 633 off the Law Side of the said Court, being the case hereinabove described, be transferred from the Law Side of the said Court to the Equity Side thereof and consolidate it with this cause.

2. That a reference be held to ascertain and report the total amount of the principal, interest and attorney's fee that is due your Orator by the said H. J. Edmonds and Ellen R. Edmonds on the above described note.

3. That the said mortgage from H. J. Edmonds and Ellen R. Edmonds to Mollie M. Ryan be declared a fraudulent conveyance, made to hinder, delay or defraud your Orator in the collection of its

RS Duck

Bay Minette, Ala., 5/29 1941

In Account With
G. W. ROBERTSON
Judge of Probate, Baldwin County

Please Return Bill With Remittance

Recording	from	to	Privilege Tax	Rec. Fee	Total
<i>LIP</i>	<i>By Shoppe</i>	<i>W. J. Edwards &</i>			<i>50</i>
		<i>Rec'd 5/29/41 [Signature]</i>			