

2468

ERNIE P. ERICSON, ET AL.,  
Complainants,  
vs.  
JACK ARD, ET AL.,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
NO. 2468.

Now come the Complainants in the above styled cause, acting by and through their Solicitor, and excepts to the report of the Register, Alice J. Duck, as Register of this Honorable Court heretofore filed by her in this cause and assigns the following separate and several grounds of exception to said report:

1. That the sum of \$1700.00 received as the purchase price for said property does not represent the fair and reasonable market value of the Northeast Quarter of the Southeast Quarter of Section 10, Township 5 South, Range 4 East.

2. That the amount bid at the public sale conducted by said Register by Jack Ard, Jr. as the purchase price is grossly inadequate.

3. That the sum of \$1700.00 is grossly inadequate as the purchase price for the property ordered to be sold.

4. That the lands did not sell for a sum proportionate to the real value thereof.

5. That the reasonable market value of said land is more than \$1700.00

WHEREFORE, Complainants pray that your Honor will enter an order setting a day for the hearing of this exception to said Register's report and for the taking of testimony thereon and will, upon a hearing hereof, order the lands to be re-advertised and re-sold by the Register in compliance with the rules and practices of this Honorable Court.

CHASON & STONE

By: Melvin P. Stone  
Solicitors for Complainants.

# 2768

Ericson v. Ard

Exception to Register's Report

RECORDED

Filed 8-25-51  
A. J. French  
Reg.

*[Handwritten signature]*

ERNIE P. ERICSON, ET AL.,

Complainants,

vs.

JACK ARD, JR., ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 2468

This cause coming on to be heard is submitted for final decree on the Bill of Complaint as last amended and filed on the 26th day of February, 1951, the Answer and Cross-Bill of Jack Ard, Jr., to the Bill of Complaint as last amended, the Answer of the Complainants and Cross-Respondents to the Cross-Bill and the Answer of W. C. Beebe, as guardian ad litem for Charles E. Lambert, Monroe R. Matheny, Leontene Matheny, Earbie A. Matheny, Jr., minor Respondents and upon the testimony taken in open court on July 3, 1951, and upon due consideration thereof, the court is of the opinion that the Complainants are entitled to the relief prayed for in the Bill of Complaint as last amended and that the Cross-Complainant, Jack Ard, Jr., is not entitled to the relief prayed for in his Answer and Cross-Bill

It is therefore ORDERED, ADJUDGED AND DECREED that the lands described in the Bill of Complaint as last amended cannot be equitably divided and that a sale is necessary for a just and proper partition and division of the same.

It is further ORDERED, ADJUDGED AND DECREED that the Cross-Complainant, Jack Ard, Jr. is not entitled to the relief prayed for in paragraph six of his Answer and Cross-Bill and is not entitled to deduct from the amount received at a sale of the property here involved, expenses of maintenance, doctors bills, hospital and funeral bills, or for the pro rata share of taxes paid on said property by the said Respondent and Cross-Complainant.

It is further ORDERED, ADJUDGED AND DECREED that the following named persons are the owners of the Northeast Quarter of the Southeast Quarter of Section 10, Township 5 South, Range 4 East, in the following proportion as appears opposite their names:

Jack Ard, Jr., an undivided one-half ( $\frac{1}{2}$ ) interest  
Grace M. Koeper, an undivided one-twelfth ( $\frac{1}{12}$ ) interest  
Ernie P. Ericson, an undivided one-twelfth ( $\frac{1}{12}$ ) interest  
Fred C. Matheny, an undivided one-twelfth ( $\frac{1}{12}$ ) interest  
Eddie R. Matheny, an undivided one-twelfth ( $\frac{1}{12}$ ) interest  
Luverne S. White, an undivided one-forty eighth ( $\frac{1}{48}$ ) interest  
Harvey L. White, an undivided one-forty eighth ( $\frac{1}{48}$ ) interest  
Franklin M. Lambert, an undivided one-forty eighth ( $\frac{1}{48}$ ) interest  
Charles E. Lambert, an undivided one-forty eighth ( $\frac{1}{48}$ ) interest  
Zeadie E. Matheny, an undivided one-sixtieth ( $\frac{1}{60}$ ) interest  
Norma M. Kelly, an undivided one-sixtieth ( $\frac{1}{60}$ ) interest  
Monroe R. Matheny, an undivided one-sixtieth ( $\frac{1}{60}$ ) interest  
Leontene Matheny, an undivided one-sixtieth ( $\frac{1}{60}$ ) interest  
Earbie A. Matheny, Jr., an undivided one sixtieth ( $\frac{1}{60}$ ) interest.

It is further ORDERED, ADJUDGED AND DECREED by the court that Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, In Equity, shall proceed to sell said property at public outcry, for cash to the highest bidder thereof, at the front door of the Courthouse in Bay Minette, Baldwin County, Alabama, after first giving due and proper notice thereof by advertisement once a week for three consecutive weeks by publication in the Baldwin Times, a newspaper of general circulation published in Bay Minette, Baldwin County, Alabama, and that said sale be held on Friday, August 3, 1951, at 11:00 o'clock A. M., and the said Register is hereby ordered to report her action in the premises after conducting such sale as hereinabove set forth.

It is further ORDERED, ADJUDGED AND DECREED that the said Register shall hold a reference for the purpose of ascertaining the following:

- (1) To ascertain a reasonable attorneys' fee to be paid Chason & Stone, Attorneys at Law, Bay Minette, Alabama, Solicitors for the Complainants and Cross-Respondents for their services in this proceeding.
- (2) To ascertain what each of the owners named above shall receive after deducting from the total purchase price the expenses of said sale, including the court costs hereof and the Solicitors' fee to be paid Chason & Stone.

It is further ORDERED, ADJUDGED AND DECREED that this Court retain jurisdiction of this cause and the same is hereby held open for the rendition of all further orders, judgments and decrees as will be necessary for the final disposition hereof.

Done this 10<sup>th</sup> day of July, 1951.

Jeffrey A. Masterson, Jr.  
Judge

M  
ERNIE P. ERICSON, ET AL.,  
Complainants,  
vs.

JACK ARD, JR., ET AL.,  
Respondents.

\*\*\*\*\*  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 2468  
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DECREE ORDERING SALE  
OF LANDS FOR DIVISION  
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FILED

JUL 10 1951

ALICE J. DUCK, Register

ERNIE ERICSON, ET AL,  
COMPLAINANTS

VS

JACK ARD, ET AL,  
RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
IN EQUITY  
NO. 2468

TO HONORABLE THOMAS J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Now comes, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, and respectfully represents unto Your Honor that on the 3rd day of August, 1951, at eleven o'clock A.M. pursuant to the law in such case and in compliance with the terms and requirements of the decree of this court entered in the premises on the 10 day of July, 1951, she proceeded to sell and did sell at public outcry in front of the court house of said county at Bay Minette, Alabama, the lands set forth and particularly described in said former decree, to-wit:

Northeast quarter of Southeast quarter of Section 10,  
Township 5 South, Range 4 East;

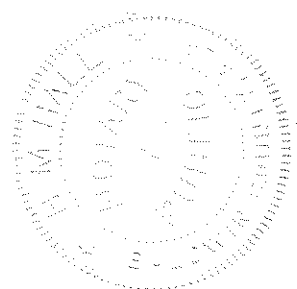
and that said lands was bid off and purchased at said sale by Jack Ard Jr., for the sum of SEVENTEEN HUNDRED (\$1700.00) DOLLARS: that said amount so bid by said Jack Ard Jr., for said lands was the highest, best and last bidder for the same; that said sale was in all respects fairly conducted and that the lands sold for a sum proportionate to its real value; that said Jack Ard Jr., has complied with the terms of said sale by the payment of the purchase price.

WHEREFORE the undersigned respectfully prays that said sale may be in all things confirmed, and that such orders and decrees may be made and entered as may be necessary and authorizing her to make a deed to such purchasers conveying all right, title and interest which the parties, to this cause, have in and to said lands.

Alice J. Duck  
Register, Circuit Court of Baldwin  
County, Alabama.

Sworn to and subscribed before me on this the 3 day of August, 1951.

W. M. Sacc  
Notary Public, Baldwin County, Ala.



ERNIE ERICSON, ET AL  
COMPLAINANTS

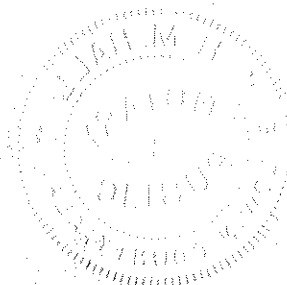
VS

JACK ARD, ET AL,  
RESPONDENTS

REPORT OF SALE

*Filed Aug 3, 1951*

*Register*





ERNIE P. ERICSON, ET AL

COMPLAINANTS

VS.

JACK ARD JR.

RESPONDENT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY: NO. 2468

This cause coming on for hearing is submitted for final decree upon the Respondent's cross bill, answer to cross bill, report of sale of land for division, and Complainants exceptions to Register's report of sale.

The court after understanding the matter is of the opinion that the Respondent cross bill is not well taken and should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the Respondents cross bill to the Complainants original and amended bill of complaint is dismissed.

And it further appearing to the satisfaction of the court from the report of sale filed by the Register and the evidence submitted that the said sale was fairly conducted in strict accordance with law, and that said property sold for an amount not greatly less than its real value, and that all the terms of sale as prescribed by the court have been complied with.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the sale of the said property as reported by the Register of this court, be and the same is hereby confirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck Register of the Circuit Court of Baldwin County, Alabama, be and she is hereby authorized, empowered and directed to make conveyance to Jack Ard, Jr., of all right, title and interest which the said Jack Ard Jr., Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny, Eddie R. Matheny, Luvern S. White, Harvey L. White, Franklin M. Lambert, Charles E. Lambert, Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny, Earbie A. Matheny Jr. joint owners, had in such property particularly described as follows;

Northeast quarter of Southeast quarter of Section 10, Township 5 South, Range 4 East, containing 40 acres, more or less, and subject to right of way for public highway as now established on section and half section lines.

And it further appearing to the court that Chason & Stone are the attorneys of record for the Complainants and entitled to \$150.00, which is in the opinion of the court, a reasonable fee.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Chason & Stone, the sum of \$150.00, as a reasonable attorneys fee for their services in the premises, and which she shall have a receipt against the funds in her hands.

And it further appearing to the court that Alice J. Duck, Register, is entitled to the sum of \$27.00 for services in conducting said sale, which amount in the opinion of the court is reasonable.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, retain out of the funds in her hands the sum of \$27.00 for which she shall have a credit;

And it further appearing to the satisfaction of the court that the costs attending this sale are \$110.90;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Register, Alice J. Duck, retain the sum of \$110.90, as costs, for which she shall have a credit.

And it further appearing to the court that after making the deductions, the fee due the solicitors for the Complainants, the commission due the Register in attending the sale, and the court costs, that the said Alice J. Duck, Register, shall have in her hands the sum of \$1700.00 of said proceeds of sale, for distribution among the joint owners.

And it appearing to the court that the Respondent, Jack Ard Jr., is entitled to the sum of \$706.95, (being one half of the net proceeds of said sale);

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Register pay into the hands of Jack Ard Jr., the sum of \$706.05;

And it further appearing to the court that Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny and Eddie R. Matheny are each entitled to the sum of \$117.68, (being one-twelfth of the net proceeds of said sale;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, be and she is hereby authorized and directed to pay into the hands of Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny and Eddie R. Matheny, each the sum of \$117.68;

And it further appearing to the court that Luverne S. White, Harvey L. White, Franklin M. Lambert, and Charles E. Lambert are each entitled to the sum of \$29.42 (being 1/48 of the net proceeds of said sale);

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Luverne S. White, Harvey L. White, Franklin

M. Lambert, and Charles E. Lambert, each the sum of \$29.42 .

And it further appearing to the court that Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny Jr., are each entitled to the sum of \$23.54 , (being 1/60 of the net proceeds of said sale);

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny Jr., each the sum of \$23.54.

Dated At Bay Minette, Baldwin County, Alabama, this the 20th day of  
October, 1951

*Telfair J. Mashburn, Jr.*  
Telfair J. Mashburn, Jr.  
JUDGE

SUMMONS:

STATE OF ALABAMA )

BALDWIN COUNTY )

IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Jack Ard, Jr., a resident of Rosinton, Baldwin County, Alabama, to appear and plead answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny and Eddie R. Matheny, as Complainants, against Jack Ard, Jr., as Respondent.

Witness my hand this 17<sup>th</sup> day of May, 1950.

Archie J. Daniels  
Register.

ERNIE P. ERICSON,  
GRACE M. KOEPER,  
FRED C. MATHENY and  
EDDIE R. MATHENY,

Complainants,

vs.

JACK ARD, JR.,

Respondent.

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

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN  
EQUITY, AND TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF  
THE 28TH JUDICIAL CIRCUIT OF ALABAMA:

Come your Complainants, Ernie P. Ericson, Grace M. Koepfer  
Fred C. Matheny and Eddie R. Matheny, and respectfully represent and  
show unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainants are all over the age of twenty-one  
years and of sound minds and are residents of Escambia County,  
Florida, their more particular addresses being as follows:

Ernie P. Ericson  
350 South "D" Street  
Pensacola, Florida

Grace M. Koepfer  
115 South De Villiers Street  
Pensacola, Florida

Fred C. Matheny  
350 South "D" Street  
Pensacola, Florida

Eddie R. Matheny  
350 South "D" Street  
Pensacola, Florida.

SECOND:

Your Complainants further show unto your Honor that they  
are all of the heirs at law and next of kin of Emma Ard, who died  
intestate on March 12th, 1950, and who, at the time of her death  
owned an undivided one-half ( $\frac{1}{2}$ ) interest in the following described  
real property situated and lying in Baldwin County, Alabama, of  
which property they and the Respondent are the joint owners and  
tenants in common, to-wit:-

The Northeast Quarter of the Southeast Quarter  
(NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Ten (10), Township Five  
(5) South, Range Four (4) East, containing 40  
acres, more or less, and subject to right of way  
for public highway as now established on Section  
and half Section lines.

THIRD:

Your Complainants further show unto your Honor that their interest, together with the interest of the Respondent named herein, was derived in the following manner: That at the time of her death, Emma Ard owned an undivided one-half ( $\frac{1}{2}$ ) interest in the above described property, together with Jack Ard, Jr., the Respondent named herein, and that Emma Ard had no children living at the time of her death nor were her parents then living; that your Complainants are all of the brothers and sisters of the said Emma Ard who were living at the time of her death.

FOURTH:

Your Complainants further show unto your Honor that the above described property cannot be equitably divided by metes and bounds and that, in order to bring about an equitable partition, the land should be ordered sold by the Register of this Court after due notice, at public outcry, to the highest bidder for cash and the proceeds of said sale, after deduction of the costs thereof, divided among the joint owners as their interests appear.

FIFTH:

Your Complainants further show unto your Honor that in order to bring about a partition and division of said land as herein set out that it has been necessary for your Complainants to employ Solicitors for this purpose and to that end they have employed Chason & Stone of Bay Minette, Alabama, as such Solicitors to prosecute this proceeding.

PRAYER FOR PROCESS

To the end that equity may be had in the premises, your Complainants pray that your Honor will cause the usual writ of process to be issued to the Respondent named herein, requiring him to plead, answer or demur to this Complaint within the time and in the manner prescribed by law and by the rules of this Honorable Court.

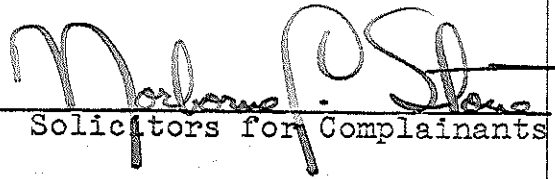
PRAYER FOR RELIEF:

The premises considered, your Complainants pray that on a final hearing of this cause that your Honor will make and enter an appropriate decree ordering the Register of this Court to proceed

to sell the aforesaid lands for partition and division among the joint owners thereof, after giving due notice of the time and place of such sale as provided by the laws of the State of Alabama, and the rules of this Honorable Court, and that said sale be held in front of the Courthouse door of Baldwin County, Alabama, and be made to the highest bidder for cash, during the legal hours of sale. Your Complainants further pray that your Honor will order that an Abstract of Title be prepared covering the above described real property to the end that the purchaser thereof may be furnished with the same and provide him with an opportunity to have the above described property examined. Your Complainants further pray that your Honor will order a reference by the Register of this Court to ascertain what would be a reasonable compensation to be paid to Chason & Stone, as Solicitors for your Complainants in connection with the prosecution of this suit and consummation of a sale of said lands and a distribution of the proceeds thereof among the joint owners. And your Complainants pray for such other, further, different and general relief as in equity will be meet and proper.

Chason & Stone

By:

  
Solicitors for Complainants

ERNIE P. ERICSON, ET AL

COMPLAINANTS

VS.

JACK ARD JR.

RESPONDENT

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IN THE CIRCUIT COURT OF

BAWDWIN COUNTY, ALABAMA

IN EQUITY: NO. 2468

This cause coming on for hearing is submitted for final decree upon the Respondent's cross bill, answer to cross bill, report of sale of land for division, and Complainants exceptions to Register's report of sale.

The court after understanding the matter is of the opinion that the Respondent cross bill is not well taken and should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the Respondents cross bill to the Complainants original and amended bill of complaint is dismissed.

And it further appearing to the satisfaction of the court from the report of sale filed by the Register and the evidence submitted that the said sale was fairly conducted in strict accordance with law, and that said property sold for an amount not greatly less than its real value, and that all the terms of sale as prescribed by the court have been complied with.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the sale of the said property as reported by the Register of this court, be and the same is hereby confirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck Register of the Circuit Court of Baldwin County, Alabama, be and she is hereby authorized, empowered and directed to make conveyance to Jack Ard, Jr., of all right, title and interest which the said Jack Ard Jr., Ernie P. Ericson, Grace M. Koepfer, Fred C. Matheny, Eddie R. Matheny, Luvern S. White, Harvey L. White, Franklin M. Lambert, Charles E. Lambert, Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny, Earbie A. Matheny Jr. joint owners, had in such property particularly described as follows;

Northeast quarter of Southeast quarter of Section 10, Township 5 South, Range 4 East, containing 40 acres, more or less, and subject to right of way for public highway as now established on section and half section lines.

And it further appearing to the court that Chason & Stone are the attorneys of record for the Complainants and entitled to \$150.00, which is in the opinion of the court, a reasonable fee.



IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Chason & Stone, the sum of \$150.00, as a reasonable attorneys fee for their services in the premises, and which she shall have a receipt against the funds in her hands.

And it further appearing to the court that Alice J. Duck, Register, is entitled to the sum of \$27.00 for services in conducting said sale, which amount in the opinion of the court is reasonable.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, retain out of the funds in her hands the sum of \$27.00 for which she shall have a credit;

And it further appearing to the satisfaction of the court that the costs attending this sale are \$110.90;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Register, Alice J. Duck, retain the sum of \$110.90, as costs, for which she shall have a credit.

And it further appearing to the court that after making the deductions, the fee due the solicitors for the Complainants, the commission due the Register in attending the sale, and the court costs, that the said Alice J. Duck, Register, shall have in her hands the sum of \$1700.00 of said proceeds of sale, for distribution among the joint owners.

And it appearing to the court that the Respondent, Jack Ard Jr., is entitled to the sum of \$706.95, (being one half of the net proceeds of said sale);

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Register pay into the hands of Jack Ard Jr., the sum of \$706.05;

And it further appearing to the court that Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny and Eddie R. Matheny are each entitled to the sum of \$117.68, (being one-twelfth of the net proceeds of said sale;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, be and she is hereby authorized and directed to pay into the hands of Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny and Eddie R. Matheny, each the sum of \$117.68;

And it further appearing to the court that Luverne S. White, Harvey L. White, Franklin M. Lambert, and Charles E. Lambert are each entitled to the sum of \$29.42 (being 1/48 of the net proceeds of said sale);

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Luverne S. White, Harvey L. White, Franklin

8246  
Lambert, and Charles E. Lambert, each the sum of \$29.42.

And it further appearing to the court that Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny Jr., are each entitled to the sum of \$23.54, (being 1/60 of the net proceeds of said sale);

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Buck, Register, pay into the hands of Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny Jr., each the sum of \$23.54.

Dated At Bay Minette, Baldwin County, Alabama, this the 20th day of October, 1951

Telfair J. Mashburn, Jr.  
JUDGE

ERNIE P. ERICSON, ET AL,  
Complainants,  
vs.  
JACK ARD, JR., ET AL.,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
CASE #2468.

In this cause it is made to appear to the Register by the Amended Bill of Complaint heretofore filed, that the Respondents, Charles E. Lambert, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, Jr., are minors, over the age of 14 years; and that a Summons and Bill of Complaint were served upon the said Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, Jr., and upon Daisy Bell M. Sunday, the person with whom said minor Respondents reside, and that the said minor Respondents have not nominated a guardian ad litem to represent and protect their interest; and it further appearing that a Summons and Bill of Complaint were served upon Charles E. Lambert and Mathis T. Lambert, the person with whom said minor resides, on the third day of July, 1951, and that the said Charles E. Lambert has nominated and appointed W. C. Beebe, a practicing attorney of Bay Minette, Alabama, to represent and protect his interest and it further appearing that the said W. C. Beebe is in all respects, a suitable person to act as guardian ad litem for all the said minor Respondents; and the said W. C. Beebe having filed a consent in writing to act as such;

It is therefore ORDERED by the Register that W. C. Beebe be, and he is hereby, appointed guardian ad litem in this cause for the said minor Respondents named above.

WITNESS my hand this 3rd day of July, 1951.

Archie J. Erick  
Register.

I, W. C. Beebe, hereby accept the above appointment as guardian ad litem and consent to act as such in the above cause; I do hereby deny each and every allegation of the Amended Bill of Complaint heretofore filed in this cause and of the Cross-Bill heretofore filed by the Respondent, Jack Ard, Jr.

July 2, 1951

W. C. Beebe  
As Guardian ad litem for Charles E. Lambert, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, Jr.

ERNIE P. ERICSON,  
ET AL.,

Complainants,

vs.

JACK ARD, JR.,  
ET AL,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY. NO. 2468

ANSWER


Now come the Complainants and Cross-Respondents and for answer to the cross bill heretofore filed by the Respondent and Cross-Complainant Jack Ard, Jr., say as follows:

That they deny each and every allegation of the said cross bill and demand strict proof thereof.

Respectfully submitted,

CHASON & STONE

By

  
Attorneys for Complainants and  
Cross-Respondents

Ericson, et al.

v.

Ard, et al.

ANSWER TO CROSS-  
BILL

RECORDED

Filed June 27, 1957

Alice J. Duck,  
Register

ERNIE P. ERICSON, ET AL	0	IN THE CIRCUIT COURT OF
COMPLAINANTS	0	BALDWIN COUNTY, ALABAMA,
VS	0	IN EQUITY
JACK ARD JR.	0	NO. 2468
RESPONDENT	0	

This cause coming on for hearing is submitted for final decree upon the Respondent's cross bill, answer to cross bill, report of sale of land for division, and Complainants exceptions to Register's report of sale.

The court after understanding the matter is of the opinion that the Respondent cross bill is not well taken and should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the Respondents cross bill to the Complainants original and amended bill of complaint is dismissed.

And it further appearing to the satisfaction of the court from the report of sale filed by the Register and the evidence submitted that the said sale was fairly conducted in strict accordance with law, and that said property sold for an amount not greatly less than its real value, and that all the terms of sale as prescribed by the court have been complied with.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the sale of the said property as reported by the Register of this court, be and the same is hereby confirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck Register of the Circuit Court of Baldwin County, Alabama, be and she is hereby authorized, empowered and directed to make conveyance to Jack Ard Jr., of all right, title and interest which the said Jack Ard Jr., Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny, Eddie R. Matheny, Luvern S. White, Harvey L. White, Franklin M. Lambert, Charles E. Lambert, Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny, Earbie A. Matheny Jr. joint owners, had in such property particularly described as follows:

Northeast quarter of Southeast quarter of Section 10, Township 5 South, Range 4 East, containing 40 acres, more or less, and subject to right of way for public highway as now established on section and half section lines.

And it further appearing to the court that Chason & Stone are the attorneys of record for the Complainants and entitled to \$ 150.<sup>00</sup>, which is in the opinion of the court, a reasonable fee.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Chason & Stone, the sum of \$ 150.<sup>00</sup>, as a reasonable attorneys fee for their services in the premises, and which she shall have a receipt against the funds in her hands.

And it further appearing to the court that Alice J. Duck, Register, is entitled to the sum of \$ 27.<sup>00</sup> for services in conducting said sale, which amount in the opinion of the court is reasonable.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, retain out of the funds in her hands the sum of \$ 27.<sup>00</sup> for which she shall have a credit;

And it further appearing to the satisfaction of the court that the costs attending this sale are \$ 110.<sup>90</sup>;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Register, Alice J. Duck, retain the sum of \$ 110.<sup>90</sup>, as costs, for which she shall have a credit.

And it further appearing to the court that after making the deductions, the fee due the solicitors for the Complainants, the commission due the Register in attending the sale, and the court costs, that the said Alice J. Duck, Register, shall have in her hands the sum of \$ 1700.<sup>00</sup> of said proceeds of sale, for distribution among the joint owners.

And it appearing to the court that the Respondent, Jack Ard Jr., is entitled to the sum of \$ 706.<sup>05</sup>, (being one half of the net proceeds of said sale);

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Register pay into the hands of Jack Ard Jr., the sum of \$ 706.<sup>05</sup>;

And it further appearing to the court that Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny and Eddie R. Matheny are each entitled to the sum of \$ ~~117.<sup>68</sup>~~ <sup>117.<sup>68</sup></sup>, (being one-twelfth of the net proceeds of said sale;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, be and she is hereby authorized and directed to pay into the hands of Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny and Eddie R. Matheny, each the sum of \$ ~~55.<sup>84</sup>~~ <sup>117.<sup>68</sup></sup>;

And it further appearing to the court that Luverne S. White, Harvey L. White, Franklin M. Lambert, and Charles E. Lambert are each entitled to the sum of \$ 29.42 (being  $1/48$  of the net proceeds of said sale);

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Luverne S. White, Harvey L. White, Franklin M. Lambert and Charles E. Lambert, each the sum of \$ 29.42

And it further appearing to the court that Zeadie E. Matheny, Norma M. Kelly, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny Jr., are each entitled to the sum of \$ 23.54 (being  $1/60$  of the net proceeds of said sale);

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that Alice J. Duck, Register, pay into the hands of Zeadie E. Matheny, Norma M. Kelley, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny Jr., each the sum of \$ 23.54

Dated at Bay Minette, Baldwin County, Alabama, this the 20<sup>th</sup> day of October, 1951.

Telfair J. Mashburn, Jr  
JUDGE

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and enrolled in my office.  
WITNESS MY HAND AND SEAL THIS THE 20<sup>th</sup> day of Oct, 1951

Alice J. Duck  
Register of Circuit Court, in Equity



JIMMY FAULKNER  
EDITOR AND PUBLISHER

# the BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER  
BAY MINETTE, ALABAMA

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.  
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Sale of Land

### NOTICE OF SALE ALABAMA COUNTY

of a decree of the Honorable

Mashburn, Jr., Judge of the Circuit of Baldwin County, Alabama, made and entered on the 10th day, 1951, ordering the land below to be sold by the undersigned Alice J. Duck, Register of the Baldwin County, Alabama, in the person named in said decree and property will sell to the highest bidder for cash, at the front door of the house in Bay Minette, Baldwin County, Alabama, Friday, Aug. 3, 1951 at 10 o'clock A. M. the following described property situated in Baldwin County, Alabama:

Northeast Quarter of the South Quarter (NE 1/4 of SE 1/4) of Section (10) Township Five (5) South, Range Four (4) East, containing 40 acres more or less, subject to right of way for public roads.

IN WITNESS WHEREOF I have hereunto set my hand and seal on this the 10th day, 1951.

Alice J. Duck, Register of Circuit Court of Baldwin County, Alabama. 25-3tc.

### COST STATEMENT

190 WORDS @ 3 1/2 cents — — — \$ 6 65

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

Jimmy Faulkner  
Publisher.

Was published in said newspaper for 3 consecutive weeks in the following issues:

Date of 1st publication July 12, 1951 Vol. 62 No. 25

Date of 2nd publication July 19, 1951 Vol. 62 No. 26

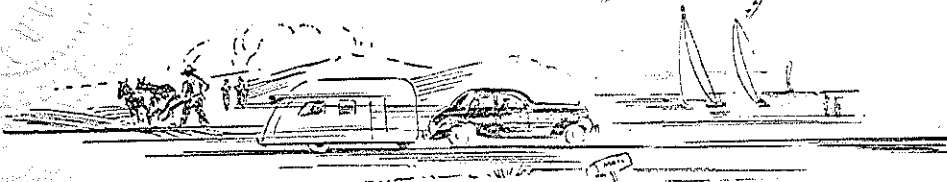
Date of 3rd publication July 26, 1951 Vol. 62 No. 27

Date of 4th publication \_\_\_\_\_, 194 Vol. \_\_\_\_\_ No. \_\_\_\_\_

Subscribed and sworn before the undersigned this 26 day of July, 1951

Dorothy Martin  
Notary Public, Baldwin County.

Jimmy Faulkner  
Publisher.



ERNIE P. ERICSON, ET AL.,	I	IN THE CIRCUIT COURT OF
Complainants,	I	BALDWIN COUNTY, ALABAMA
vs.	I	IN EQUITY.
JACK ARD, JR., ET AL.	I	CASE #2468.
Respondents.	I	

Now comes Charles E. Lambert, a minor, more than 14 years of age, and in accordance with Title No. 7, Section 181 of the 1940 Code of Alabama, nominates W. C. Beebe, an attorney at law, practicing in Baldwin County, Alabama, to be his guardian ad litem and to represent him on the hearing of the above styled cause in which he is a respondent, and does hereby request that the court appoint W. C. Beebe as his guardian ad litem for said purpose.

Charles Edward Lambert

STATE OF ALABAMA

BALDWIN COUNTY

I, Norborne C. Stone, hereby certify that Charles E. Lambert personally appeared before me on this 3rd day of July, 1951, and signed the foregoing nomination.

Norborne C. Stone  
Notary Public, Baldwin County,  
Alabama

ERNIE P. ERICSON, ET AL,

COMPLAINANTS

VS

JACK ARD JR., ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA, IN EQUITY

NO. 2468

~~Now comes the Respondent, Jack Ard Jr., and for answer to the original~~

bill of complaint and each paragraph thereof, separate and severally  
says:

1.

The Respondent denies each and every allegation contained therein,  
not herein expressly admitted, and demands strict proof of the same.

2.

He admits the allegations contained in paragraph first.

3.

That in addition to the parties named in paragraph first in the  
bill of complaint there is another heir Daisy Matheny Flowers, whom this  
Respondent is advised is entitled to share in the estate of Emma Ard  
deceased.

The Respondents admits the other allegations contained in paragraph  
second.

4.

This Respondent is not advised as to the allegations contained in  
paragraph third and therefore neither admits nor denies the same.

5.

He admits the allegations contained in paragraph fourth.

6.

He knows nothing about the allegations contained in paragraph fifth  
and therefore neither admits nor denies the same, and further answering  
the bill of complaint, and praying that this be taken as his cross bill  
he says:

(a) That he was divorced from the said Emma Matheny Ard on to-wit,  
in 1941; that subsequent to that time the said Emma Matheny Ard had no

place to live and came to his place and lived with him and he necessarily had to supply her with a home and with the necessities of life; that the heirs mentioned in the bill of complaint contributed nothing toward the support and maintenance of the said Emma Matheny Ard; that this Respondent in addition to supplying the said Emma Matheny Ard with a home and with the necessities of life also had to bear all the expenses for doctor bills, and expenses of her last illness, hospital and funeral expenses; that the parties herein named have contributed nothing toward the said expenses incurred by this respondent for the welfare of the said Emma Matheny Ard; that he has also had to pay all taxes on said property.

WHEREFORE, the premises considered, this respondent, Jack Ard Jr., prays that this be taken as his answer and cross bill; that this court will order a reference to determine the amount to which this respondent, Jack Ard Jr., is entitled for the expenses of maintaining, caring and providing for the said Emma Matheny Ard, and also the expenses incurred by him as doctor bills, hospital and funeral expenses, and also for the pro-rata share of taxes paid on said property by this Respondent, Jack Ard Jr.

This Respondent Jack Ard Jr., prays for such other, further, different or general relief as he may be entitled to in the premises.



Solicitor for the Respondent and  
Cross Complainant, Jack Ard Jr.

ERNIE ERICSON, ET AL

COMPLAINANTS

VS

JACK ARD JR., ET AL,

RESPONDENTS

RECORDED

ANSWER AND CROSS BILL

FILED

MAR 24 1951

ALICE J. BUCK, Register

S U M M O N S

STATE OF ALABAMA     )  
                              )  
BALDWIN COUNTY        )

IN THE CIRCUIT COURT - IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Jack Ard, Jr., a resident of Rosinton, Baldwin County, Alabama, Charles E. Lambert, a minor, residing at 4117 West Pottery Road, Pensacola, Florida, Monroe R. Matheny, a minor, Leontene Matheny, a minor, and Earbie A. Matheny, Jr., a minor, all residing at 4117 West Pottery Road, Pensacola, Florida, to appear and plead, answer or demur within thirty days from the service hereof, to the Amended Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by Ernie P. Ericson, Grace M. Koeper, Fred C. Matheny, Eddie R. Matheny, Luverne S. White, Harvey L. White, Franklin M. Lambert, Zeadie E. Matheny and Norma M. Kelly, as Complainants against Jack Ard, Jr., Charles E. Lambert, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, as Respondents.

Witness my hand this 26<sup>th</sup> day of February, 1951.

David J. Henrich  
Register.

ERNIE P. ERICSON,  
ET AL.,

Complainants,

vs.

JACK ARD, JR.,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 2468.

Comes your Complainants and amend the Bill of Complaint heretofore filed in this cause so that the same shall read as follows:

ERNIE P. ERICSON, GRACE M.  
KOEPEL, FRED C. MATHENY,  
EDDIE R. MATHENY, LUVERNE  
S. WHITE, HARVEY L. WHITE,  
FRANKLIN M. LAMBERT, ZEADIE  
E. MATHENY and NORMA M.  
KELLY,

Complainants,

vs.

JACK ARD, JR., CHARLES E.  
LAMBERT, a minor, MONROE  
R. MATHENY, a minor,  
LEONTENE MATHENY, a minor,  
and EARBIE A. MATHENY, JR.,  
a minor,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 2468.

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY  
AND TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE THEREOF:

Comes your Complainants Ernie P. Ericson, Grace M. Koeper,  
Fred C. Matheny, Eddie R. Matheny, Luverne S. White, Harvey L.  
White, Franklin M. Lambert, Zeadie E. Matheny and Norma M. Kelly,  
and respectfully represent and show unto your Honor and unto this  
Honorable Court as follows:

FIRST:

That your Complainants are all over the age of twenty-one years  
and of sound mind and are residents of Escambia County, Florida,  
their more particular address being as follows: Your Complainants  
Ernie P. Ericson, Fred C. Matheny, Eddie R. Matheny, Luverne S.  
White and Franklin M. Lambert all reside at 350 South "D" Street,  
Pensacola, Florida; your Complainants Zeadie E. Matheny and Norma  
M. Kelly reside at 4117 West Pottery Road, Pensacola, Florida; your  
Complainant Grace M. Koeper resides at 115 South DeVilliers Street,

Pensacola, Florida.

SECOND:

Your Complainants further show unto your Honor that they, together with the minor heirs named as Respondents herein, are all of the heirs at law and next of kin of Emma Ard, who died intestate on March 12, 1950, and who, at the time of her death, owned an undivided one-half interest in the following described real property situated and lying in Baldwin County, Alabama, of which property they, together with the minor named Respondents herein are the joint owners and tenants in common with the Respondent Jack Ard, Jr., to-wit:-

The Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Ten (10), Township Five (5) South, Range Four (4) East, containing 40 acres, more or less, and subject to right of way for public highway as now established on Section and half Section lines.

THIRD:

Your Complainants further show unto your Honor that their interest, together with the interest of the minor heirs names as Respondents herein, was derived in the following manner: That at the time of her death Emma Ard owned an undivided one-half interest in the above described property and that the said Emma Ard was not then married and she had no children living at the time of her death nor were her parents then living; that your Complainants Grace M. Koeper, Ernie P. Ericson, Fred C. Matheny and Eddie R. Matheny are all of the brothers and sisters of the said Emma Ard who were living at the time of her death; that the Complainants Luverne S. White, Harvey L. White and Franklin M. Lambert are the children of Katie W. Lambert, a sister of the said Emma Ard, who predeceased her; that Zeadie E. Matheny and Norma M. Kelly are children of Earbie A. Matheny, a brother of the said Emma Ard, who predeceased her. That the Respondent Charles E. Lambert, is a minor son of the above named Katie W. Lambert, who resides with his father Mathis T. Lambert, at 4117 West Pottery Road, Pensacola, Florida. That the Respondents Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, Jr., are minor children of the above named Earbie A. Matheny, a brother of the said Emma Ard, who predeceased her and said Respondents reside with their mother, Daisy Bell Sunday at 4117 West Pottery Road, Pensacola, Florida. That the



Respondent, Jack Ard, Jr., owns an undivided one-half interest in said property by virtue of the Warranty Deed executed to he and Emma Ard on January 22, 1941, by Baldwin County Land Association, which deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 76 N. S. at pages 234-5.

FOURTH:

Your Complainants further show unto your Honor that the above described property cannot be equitable divided by metes and bounds and that, in order to bring about an equitable partition of the same, the lands should be ordered sold by the Register of this Court after due notice, at public outcry, to the highest bidder for cash and the proceeds of said sale, after deducting the costs thereof, divided among the joint owners as their interest appear.

FIFTH:

Your Complainants further show unto your Honor that in order to bring about a partition and division of said land as herein set out that it has been necessary for your Complainants to employ Solicitors for this purpose and to that end they have employed the law firm of Chason & Stone of Bay Minette, Alabama, as such Solicitors to prosecute this proceeding.

PRAYER FOR PROCESS:

To the end that equity may be had in the premises your Complainants pray that your Honor will cause the usual writ or process to Jack Ard, Jr. requiring him to plead, answer or demur to this Amended Bill of Complaint within the time and in the manner prescribed by law and the rules of this court. Your Complainants further pray that service of this Amended Bill of Complaint be had upon the Respondents Charles E. Lambert, a minor, under equity rule 5, Section 20, Code of Alabama, by the Register mailing a copy of this Amended Bill of Complaint, together with a summons to the said Charles E. Lambert at 4117 West Pottery Road, Pensacola, Florida, and to Mathis T. Lambert, the father of the said minor Respondent at the same address. Your Complainants further pray that service of process be had upon Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, Jr., minor Respondents named herein by the Register mailing a copy of this Bill of Complaint, together with a Summons to the said minor Respondents personally, at 4117

West Pottery Road, and to their mother, Daisy Bell M. Sunday, at the same address, under the provisions of equity rule 5, Section 20, Code of Alabama, and your Complainants further pray that on a hearing of this cause that this Honorable Court will appoint a suitable person to act as guardian ad litem for the above named minor Respondents who are not represented in this action by a guardian and make such orders as the court deems proper for the protection of said minors.

PRAYER FOR RELIEF:

The premises considered, your Complainants pray that on a final hearing of this cause that your Honor will make and enter an appropriate decree ordering the Register of this Court to proceed to sell the aforesaid lands for partition and division among the joint owners thereof, after giving due notice of the time and place of such sale as provided by the laws of the State of Alabama, and the rules of this Honorable Court, and that said sale be held in front of the Courthouse door of Baldwin County, Alabama, and be made to the highest bidder for cash, during the legal hours of sale. Your Complainants further pray that your Honor will order that an Abstract of Title be prepared covering the above described real property to the end that the purchaser thereof may be furnished with the same and provide him with an opportunity to have the above described property examined. Your Complainants further pray that your Honor will order a reference by the Register of this Court to ascertain what would be a reasonable compensation to be paid to Chason & Stone, as Solicitors for your Complainants in connection with the prosecution of this suit and consummation of a sale of said lands and a distribution of the proceeds thereof among the joint owners and will tax such compensation as a part of the costs of this proceeding. Your Complainants pray for such other further, different and general relief as in equity will be meet and proper.

CHASON & STONE

BY:


  
Solicitors for Complainants.

STATE OF ALABAMA


BALDWIN COUNTY

Before me, Alice L. Miller, a Notary Public, in and for said State and County, personally appeared Norborne C. Stone, Jr., who is known to me and who, after being by me first duly and legally sworn did depose and say as follows:

That his name is Norborne C. Stone, Jr., and that he is one of the Attorneys for the Complainants in the cause of Ernie P. Ericson et al v. Jack Ard, Jr., et al. That the residence and Post Office Address of Charles E. Lambert, Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, Jr., all minors and named as Respondents in the above styled cause, is 4117 West Pottery Road, Pensacola, Florida. That the name of the parent of Charles E. Lambert is Mathis Lambert and his Post Office address is 4117 West Pottery Road, Pensacola, Florida. That the name of the parent of Monroe R. Matheny, Leontene Matheny and Earbie A. Matheny, Jr., is Daisy Bell M. Sunday and her Post Office address is 4117 West Pottery Road, Pensacola, Florida.

  
Norborne C. Stone, Jr.,  
Attorney for Complainants.

Sworn to and subscribed  
before me this 26th day  
of February, 1951.

  
Notary Public, Baldwin County,  
Alabama.

Executed this Day  
by serving copy  
to Jack Ard Jr  
2-28-51

Taylor Wilkins Sheriff  
Herty - Hodges D. G.

AMENDED BILL OF COMPLAINT

ERNIE P. ERICSON ET AL,  
Complainants,  
vs.  
JACK ARD, JR., ET AL.  
Respondents.

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

RECORDED  
FILED  
FEB 26 1951  
ALICE J. DUCK, Register

I have executed the within  
summons and complaint  
by serving a copy there-  
of on Mathis T. Lambert  
and Charles E. Lambert, a  
minor, who resides with  
Mathis T. Lambert.  
This 3<sup>rd</sup> day of July, 1951  
Taylor Wilkins, Sheriff  
By George Herty  
Deputy

## APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed; or the known or estimated cost of duplication in the case of nonnegotiable securities and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct.

(Signature of sender)

RECEIVED from Alice J. Quirk the following-described  
pieces of Registered mail.  
(Insert "Registered" or "Registered C. O. D.")

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of one cent for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and indorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	(3) CLASS	(4) Postage (exclusive of other charges or fees)	(5) Registry fee	(6) Fee paid for return receipt	(7) Special delivery fee	(8) Amount due sender if C. O. D.	(9) *Indorse- ment on article if fragile	(10) Delivery restricted —Fee paid	(11) Value of any contents on which surcharge is based on value only or value and length of haul instead of cost of duplication. If of no value, so state	(12) Known or esti- mated cost of du- plication of con- tents on which surcharge is based on cost of dupli- cation, as dis- tinguished from the full value	(13) Total of items 11 and 12	(14) Total surcharge on entire contents of article	(15) Total contents covered by commercial insurance in amount of—	(16) Remarks
5086 <sup>1</sup>	Monroe R. Matheny, Pensacola, Fla.	1		25	05				20						
5087 <sup>2</sup>	Lionel Jones	1		25	05				20						
5088 <sup>3</sup>	Earlie A. Jones	1		25	05				20						
5089 <sup>4</sup>	Daisy Bell, Sunday	1		25	05				20						
5090 <sup>5</sup>	Madis J. Lumbert	1		25	05				20						
5091 <sup>6</sup>	Charles E. Lumbert	1		25	05				20						
7															
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14															
15															

\* Mark "F" if "Fragile."

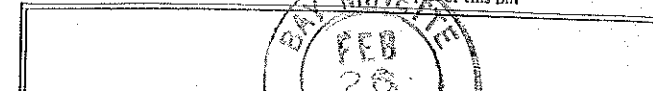
NOTE.—Diagonal mark must be drawn through lines not used.

Affix stamp here for additional copies of this bill

Total number of pieces listed by sender

(Write number here in words)

6



Form 3811  
Rev. 1-4-40

## RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

**Deliver to Addressee Only**

1

*Daisy Bell Sunday*  
(Signature or name of addressee)

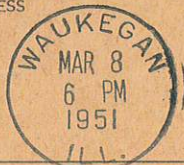
2

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery *2-78*, 194*51*

**FILED**  
**MAR 3 1951**  
**ALICE T. DUCK REGISTER**

Post Office Department  
OFFICIAL BUSINESS



2468  
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

(GPO)

POSTMARK OF DELIVERING

OFFICE

Return to

*Alice J. Duck*

(NAME OF SENDER)

Street and Number,  
or Post Office Box,

REGISTERED ARTICLE

NO. *5086*

Post Office

*Bay Minette*

INSURED PARCEL

State *Ala.*

NO.

16-12421



Form 3811  
Rev. 1-4-40

## RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Deliver to Addressee Only

*Memor, R. M. M. 426 2202*  
(Signature or name of addressee)

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

**FILED**  
MAR 12 1941  
ALICE J. DUCK, REGISTERED  
Date of delivery *3/8*, 194*1*

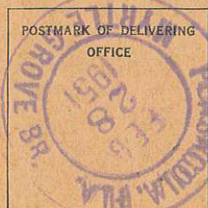


2468

Post Office Department  
OFFICIAL BUSINESS

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

(GPO)



Return to Alice J. Duck  
(NAME OF SENDER)

Street and Number, }  
or Post Office Box, }

REGISTERED ARTICLE

No. 5087

Post Office

Bay Minette

INSURED PARCEL

No. \_\_\_\_\_

16-12421

State

Ala.

Post Office Department  
OFFICIAL BUSINESS

2468

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

(GPO)

POSTMARK OF DELIVERING  
OFFICE



Return to

*Alice J. Duck*

(NAME OF SENDER)

Street and Number, }  
or Post Office Box, }

REGISTERED ARTICLE

No.

*5089*

Post Office

*Bay Minette*

INSURED PARCEL

No.

16--12421

State

*Ala.*

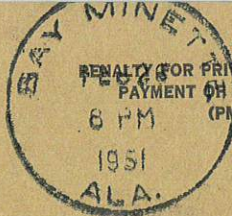
POST OFFICE DEPARTMENT

POST OFFICE

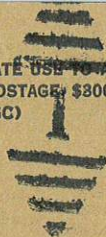
Bay Minette, Ala

OFFICIAL BUSINESS

(No. 4)



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



Alice J. Duck  
City





ALICE J. DUCK, Circuit Clerk

*Baldwin County*

BAY MINETTE, ALA.



Deliver to Addressee Only

*Noted  
2/28/51  
[Signature]*

MAR 5-1951

Second Notice. No Reply  
To First Notice Mailed *2-28-51*  
*[Signature]*

Mathis T. Lambert  
4117 West Pottery Road  
Pensacola, Florida



RETURN RECEIPT REQUESTED

REGISTERED

For Delivery Only to Person  
To Whom Addressed

Return Receipt Requested



ALICE J. DUCK, Circuit Clerk

*Baldwin County*  
BAY MINETTE, ALA.

Deliver to Addressee Only

*Robert B. [unclear]*

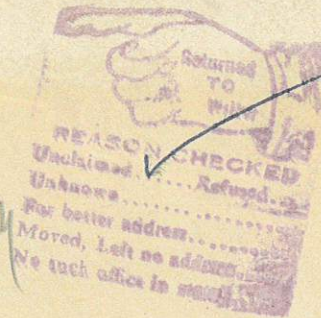
Charles E. Lambert  
4117 West Pottery Road,  
Pensacola, Florida

REGISTERED

For Delivery Only to Person  
To Whom Addressed

Return Receipt Requested

RETURN RECEIPT REQUESTED



MAR 5 - 1951  
Second Notice. No Reply  
To First Notice Mailed 2-28-51  
*ETA*



