

1043

Eaealnor J. Edmundson.

vs.

Helen I. Stewart.

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 8th day of January, 1944, a copy of the Bill of Complaint filed in this cause was sent to Helen I. Stewart.

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 12th day of January, 1944, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said Helen I. Stewart.

Defendant

This the 21st day of February, 1944

R. S. Deuel

Register.

ELEANOR J. EDMUNDSON
Complainant

Vs.

HELEN I. STEWART
Respondent

NO. 1040

E Q U I T Y

CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

This cause coming on to be heard was submitted for decree on the pleading and decree pro confesso as noted and it appearing to the Court that notice has been given to the Defendant by registered mail and that she has neither pleaded or demurred to the Bill within the time prescribed by law: NOW, upon consideration thereof, the Court is of the opinion that the Complainant Eleanor J. Edmundson is entitled to the relief prayed.

It is therefore ORDERED, ADJUDGED and DECREED that the Defendant Helen I. Stewart has no estate or interest in or encumbrances on the following described land or any part thereof, namely:

LOTS THREE and FOUR and the East thirty-five feet of LOT TWO in BLOCK SEVEN of Ingleside Highlands, a sub-division of the Town of Fairhope, as per plat of said sub-division on record in the Probate Court of Baldwin County, Alabama.

IT IS FURTHER ADJUDGED and DECREED that the full fee simple title to said land as against the said Defendant is vested absolutely in the Complainant, Eleanor J. Edmundson.

IT IS FURTHER ORDERED that the Register of this Court, within thirty days from the rendition of this decree file same in the office of the Probate Judge for record therein and the cost thereof be taxed as a part of the costs of this cause.

It is FURTHER ORDERED that Complainant pay the costs of this cause, for which execution may issue.

Done at Monroeville, Alabama, this 2nd day of March,
1944.

F. W. Hare

Judge

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

March, 2nd,

Term, 194 4

Blanner J. Edmundson,

No. 1043. vs.

Helen J. Stewart.

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court— Docketing Cause, One fee only of.....	1.00	Summoning on Bill, Each Defendant.....	1.50
Issuing Summons on Bill, each.....	.50*	Executing Writ of Injunction, or Ne Exeat, each.....	1.50
Issuing Copies Thereof, each.....	.40	Executing Subpoenas for Witnesses, each.....	.65
Entering Return of Same, each.....	.15	Executing Writs of Possession, each.....	5.00
Orders of Publication to Non-Residents, each.....	1.00*	Executing Scire Facias or Notice, each.....	1.50
Filing Bill or Other Paper, each.....	.10	Taking and Approving Bonds, each.....	1.00
Copies of Same, Per 100 Words.....	.15	Impanelling Jury.....	.75
Entering Appearances, each.....	.25*	Collecting Execution for Costs Only, each.....	1.50
Issuing Writs of Injunction, Ne Exeat, each.....	1.50	Sheriff's Commissions.....	
Issuing Copies Thereof, each.....	.50		
Entering Return of Same, each.....	.15		
Decrees Pro Confesso, each.....	1.00*	Total Sheriff's Fees	
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each.....	.50		
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	.20		
Receiving and Filing Depositions, each pkg.,.....	.10		
Indorsing Depositions Published, each pkg.,.....	.10		
All Entries on Commission Docket, Each Cause.....	.50		
Entering Order Submitting Cases for Decree, each.....	.50		
Other Orders of Court, each.....	.25		
Noting Testimony on Hearing of Cause, each.....	.50		
Entering Decrees, of 500 Words or Less, each.....	.75		
Per 100 words over 500.....	.15		
Taking Accounts, etc., on Ref., per Day.....	3.00*		
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15		
Reference and Reports, each.....	2.00*		
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	.15		
Issuing Subpoenas for Witnesses, each.....	.25		
Issuing Witness Certificates, each.....	.25		
All Entries on Subpoena Docket, each Cause.....	.50		
Taking and Approving Bonds, each.....	1.00		
Making Complete Record, per 100 Words.....	.15		
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee.....	3.00		
Settlements with Receiver or Trustee, each.....	3.00		
Examining Vouchers in Settlements, each.....	.10		
Examining Answers on Exceptions, each Answer.....	3.00		
Removal Disabilities on Non-Age.....			
Commissions on Sales.....			
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales.....			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each.....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each.....	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
Copy Decree.			
Total Register's Fees	9 15		
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	9 15
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	
		Commissioner's Fees.....	
		Guardian Ad Litem.....	
		Publisher's Fees.....	
		Solicitor's Fees.....	
		Court Reporter's Fees, Per Day or fraction thereof.....	5.00
		Trial Tax.....	3.00
		Recording Probate office,	140
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court	15 00
		Total Fees and Costs	
		Judgment	
		Total Fees, Costs, and Judgment	

TO THE

HONORABLE FRANCIS W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA:

IN EQUITY:

Comes ELEANOR J. EDMUNDSON and by this her Bill of Complaint presented against HELEN I. STEWART, respectfully shows:

FIRST: That Complainant is a resident of Fairhope, Baldwin County, Alabama, and over the age of twenty-one years; that the Defendant, HELEN I. STEWART, is over the age of twenty-one years and is a non-resident of the State of Alabama, living at South Bend, Indiana.

SECOND: That Complainant is the owner of and in actual physical possession and occupancy of lots 3 and 4 and the east thirty-five feet of Lot 2 in Block 7 of Ingleside Highlands, a sub-division of the Town of Fairhope, Baldwin County, Alabama, and a plat of which sub-division is on record in the Probate Court of Baldwin County.

THIRD: That Defendant, HELEN I. STEWART, is reputed to claim some right, title or interest to or claim in the property above described.

FOURTH: That no suit is pending affecting or tending to determine the claim of any party to said lands.

THE PREMISES CONSIDERED, Complainant prays that HELEN I. STEWART be made party Defendant to this Bill and being a non-resident be given notice by registered mail, requiring her to plead, answer or demur to the Bill of Complaint within the time prescribed by law and abide by such orders or decrees as may be made in the premises.

Complainant further prays that upon hearing of this cause a decree be rendered declaring that the said HELEN I. STEWART has no claim, right or interest in the above described property and forever quieting all claim or demand on her part against the same. Complainant further prays for such other, further or different relief as to equity may seem meet.


Solicitor for Complainant

STATE OF ALABAMA

COUNTY OF BALDWIN

Before me, the undersigned Notary, personally appeared this day ELLIOTT G. RICKARBY who, being sworn, says that he is the solicitor of record for the complainant in the foregoing cause and that he is reliably informed, and on such information, states that Helen I. Stewart is a non-resident of the State of Alabama, residing near South Bend, Indiana on Rural Route #3, Box 78, out of said South Bend, so that personal service of notice of this proceeding cannot be had upon her, and that for said reason, service of notice by registered mail is necessary.

Elliott G. Rickarby

Subscribed and sworn to before me this the 6th day of January, 1944.

~~*[Signature]*~~
Notary Public, Baldwin County, Alabama.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, } No. 1043.
BALDWIN COUNTY

CIRCUIT COURT BALDWIN COUNTY

January, TERM, 194 4

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You are hereby commanded to summon HELEN I STEWART

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

HELEN I STEWART. Respondant. XXXXXXXX, Defendant

by ELEANOR J EDMUNDSON,

Complainant. PLAINK

194 4

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Sheriff

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Sheriff

Sheriff

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. 1040

Circuit Court, In Equity.

ELEANOR J. EDMUNDSON,

Complainant

Vs.

H HELEN I. STEWART,

Defendant

Motion is hereby made for a Decree Pro Confesso against _____

Helen I. Stewart

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons by registered mail and receipt for same returned upon said Defendant _____; and that said summons was duly served according to law, /and that said Defendant _____ ha^s failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 19th day of February 1914.

Elaine S. Rinkley Solicitor.

R. J. Luck

BAY MINETTE, ALA., MAR 2 - 1944 194

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>Mrs. Eleanor Edmunds to Helen O. Stewart</i>					<i>65</i>
<p><i>Paid</i> MAR 9 1944 <i>from</i></p>					

RECEIPT FOR REGISTERED ARTICLE No. 1327

15 fee paid. 1 class postage paid. 1-8, 1943 (Date)

Declared value, \$ none Surecharge paid, \$ _____

From B. M. (Sender)

Addressed to Mrs. Helen J Stewart (Post office and State)

Rt. 3 Box 78 (Street and number) South Bend, Ind (Post office and State)



Accepting employee will place initials in space below, indicating restricted delivery
Return receipt fee in person _____ Special delivery fee _____
Delivery restricted to addressee or order _____ Postmaster, per W. H. R.
Fee paid 1.0

16-42069

RETURN RECEIPT

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

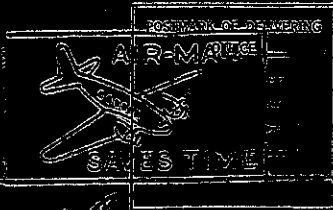
Signature of addressee (to be written in ink) _____
(Signature to return of addressee)

Signature of addressee's agent (agent should write addressee's name on line above) _____

Date of delivery 1/8/43

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE COSTS



Return to K. S. Duck
(NAME OF SENDER)

Circuit Clerk
(Street and Number, or Post Office Box)

REGISTERED ARTICLE

No. 1327 Post Office

INSURED PARCEL

No. State

16-1424