

2820

EX PARTE ()
JAMES E. FLOWERS, () IN THE CIRCUIT COURT OF
a minor. () BALDWIN COUNTY, ALABAMA
IN EQUITY

PETITION FOR REMOVAL OF DISABILITY OF NON-AGE

Your petitioner the undersigned, Mamie E. Flowers, respectfully shows unto this Honorable Court the following:

1. That she is over the age of twenty-one years and a resident of Foley, Baldwin County, Alabama.

2. That she is the mother of James E. Flowers, a minor over the age of eighteen years; that the father of said minor is dead, and that the said minor has no legal guardian, and that said minor resides with your petitioner in Baldwin County, Alabama.

3. That the said James E. Flowers became eighteen years of age on January 5, last past, and will not attain the age of twenty-one years until January 5, 1955; that said minor is a legatee and devisee under a Last Will and Testament presently being probated in Cullman County, Alabama from which he will receive benefits and sums of money for which a receipt and acknowledgement of payment must be executed; that said minor is well educated for his years, of sound mind and good judgement, has had some experience with business affairs and is fully capable of transacting his own business affairs, and that it will be to the best interest of said minor to be relieved of the disability of non-age.

WHEREFORE, your petitioner prays this Honorable Court to set this petition down for a day to be heard, and will direct the issuance of notice to the said James E. Flowers of the filing of this petition, and of the day set to hear and determine the same, in manner as provided by law; and that upon the hearing hereof may it please the Court to make and enter a decree unconditionally relieving the said James E. Flowers of the disabilities of non-age; and that this Honorable Court make all such orders and decrees in the premises as to it may seem just and proper.

Mamie E. Flowers
Petitioner.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Cecil G. Chason, a Notary Public, in and for said County and State, personally appeared Mamie E. Flowers, whose name is signed to the foregoing petition, and who by me being first duly sworn deposes and says that the facts set forth in said petition are true.

Mamie E. Flowers

Sworn to and subscribed before me this the 26th day of May, 1952.

Cecil G. Chason
Notary Public, Baldwin County
State of Alabama

STATE OF ALABAMA

BALDWIN COUNTY

The foregoing petition being presented, it is ordered that a copy thereof be served by the Sheriff of Baldwin County, Alabama upon said minor, James E. Flowers, and that upon hearing of said petition that the evidence may be taken by affidavits.

Done this the 5 day of June, 1952.

Julian J. Malbury, Jr.
Judge

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Naomi M. Pilgrim, a Notary Public in this County in said State, personally appeared the undersigned, who is known to me and who after being by me first duly sworn according to law, deposes and says under oath as follows:

That affiant is personally acquainted with James E. Flowers; that the said James E. Flowers is a minor over the age of eighteen years; that Mamie E. Flowers is the mother of said minor and that his father is dead; that the said James E. Flowers is a bona fide resident of Baldwin County, Alabama; that the said James E. Flowers is of mature judgment for his age and is a sober and industrious man and in the opinion of the affiant is competent and capable of transacting matters of business; that in the opinion of the affiant James E. Flowers is competent and capable in every way of handling his own affairs and affiant believes it will be beneficial to remove the disabilities of non-age of the said James E. Flowers, who has been known to the affiant for over ten years.

E. J. Sanders

Sworn to and subscribed before
me, a Notary Public, on this
26th day of May, 1952.

Naomi M. Pilgrim
Notary Public, Baldwin County
State of Alabama

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Naomi M. Pilgrim, a Notary Public in this County in said State, personally appeared the undersigned, who is known to me and who after being by me first duly sworn according to law, deposes and says under oath as follows:

That affiant is personally acquainted with James E. Flowers; that the said James E. Flowers is a minor over the age of eighteen years; that Mamie E. Flowers is the mother of said minor and that his father is dead; that the said James E. Flowers is a bona fide resident of Baldwin County, Alabama; that the said James E. Flowers is of mature judgment for his age and is a sober and industrious man and in the opinion of the affiant is competent and capable of transacting matters of business; that in the opinion of the affiant James E. Flowers is competent and capable in every way of handling his own affairs and affiant believes it will be beneficial to remove the disabilities of non-age of the said James E. Flowers, who has been known to the affiant for over ten years.

Anthony Smith

Sworn to and subscribed before me, a Notary Public, on this 26th day of May, 1952.

Naomi M. Pilgrim
Notary Public, Baldwin County
State of Alabama

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

25 June, 1952

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

Dear Mrs. Duck:

The enclosed petition for the removal of the disabilities of non-age was returned to me as the minor is now out of the State of Alabama. Section 15 of Title 27 of the Code provides that in the event the minor is absent from the state he may be served by registered mail. Please mail the copy of the enclosed petition to him at--Company 0457, U. S. Naval Training Center, San Diego 33, California--with a return receipt requested and marked for delivery to the addressee only.

Yours very truly,



C. G. Chason

CGC:fs

Enclos.

STATE OF ALABAMA

BALDWIN COUNTY

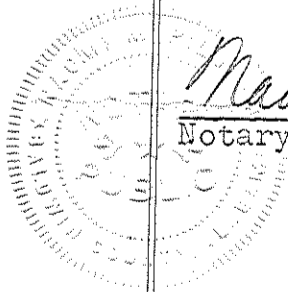
Before me, Naomi M. Pilgrim, a Notary Public in this County in said State, personally appeared the undersigned, who is known to me and who after being by me first duly sworn according to law, deposes and says under oath as follows:

That affiant is personally acquainted with James E. Flowers; that the said James E. Flowers is a minor over the age of eighteen years; that Mamie E. Flowers is the mother of said minor and that his father is dead; that the said James E. Flowers is a bona fide resident of Baldwin County, Alabama; that the said James E. Flowers is of mature judgment for his age and is a sober and industrious man and in the opinion of the affiant is competent and capable of transacting matters of business; that in the opinion of the affiant James E. Flowers is competent and capable in every way of handling his own affairs and affiant believes it will be beneficial to remove the disabilities of non-age of the said James E. Flowers, who has been known to the affiant for over ten years.

Sam Schuler

Sworn to and subscribed before
me, a Notary Public, on this
26th day of May, 1952.

Naomi M. Pilgrim
Notary Public, Baldwin County
State of Alabama



EX PARTE

()

JAMES E. FLOWERS,

()

a minor.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

This cause coming on to be heard on the served petition of Mamie E. Flowers as the mother of James E. Flowers for the removal of the disabilities of non-age of the said James E. Flowers, this being the day set to hear and determine said petition.

Now comes the petitioner and the testimony of the witnesses having been taken by affidavit pursuant to the direction of the Court and as noted by the Register and the Court finding that the facts stated in the said petition are true; that the said Mamie E. Flowers resides in the town of Foley, Baldwin County, Alabama; that the said James E. Flowers resides with petitioner; that the father of the said James E. Flowers is dead, and that the said James E. Flowers is over the age of eighteen years and will reach his twenty-first birthday on, to-wit, January 5, 1955, and the Court being satisfied that it will be to the best interest of said minor to be relieved from the disabilities of non-age and that a copy of said petition and of the decree or order of this Court has been served upon the minor by Registered Mail with return receipt demanded marked "For delivery to addressee only" and that no objections have been filed to the granting of said petition, it is, therefore,

Considered, ordered, adjudged and decreed that the prayer of said petition be and hereby is granted; that it will be to the interest of said minor, James E. Flowers to be relieved from the disabilities of non-age unconditionally and without restriction.

It is further considered, ordered, adjudged and decreed that the said James E. Flowers be and hereby is relieved from the disabilities of non-age unconditionally and without restriction, and that he be and hereby is invested with the right to sue and be sued, contract, buy, sell and convey real estate and generally do and perform all acts which he could lawfully do if twenty-one years of age; that a duly certified copy of this decree be filed for record in the office of the Judge of Probate of Baldwin County,

Alabama; and that the petitioner pay the costs in this behalf incurred.

Done this the 29th day of July, 1952.

Jelfair J. MacLisberry, Jr.

Judge

EX PARTE

JAMES E. FLOWERS, a minor

vs.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Affidavits of E. F. Sanders, Anthony Smith and Gus Schultz, letter by registered mail to James E. Flowers,

and in behalf of Defendant upon

[Handwritten signature]

[Handwritten signature]
Register.

No. 2820

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

EX PARTE

JAMES E. FLOWERS

vs.

NOTE OF TESTIMONY

Filed in Open Court this 29th
day of July, 1945

Alice J. Duck

Register.

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