

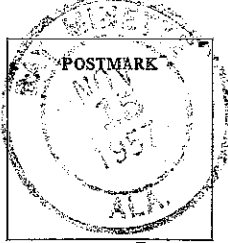
REGISTERED NO. 110

Value \$ None Spec. del'y fee \$ _____

Fee \$ 50 Ret. receipt fee \$ 10

Surcharge \$ _____ Rest. del'y fee \$ 50

Postage \$ 03 Airmail



Postmaster, By B

From Alvin J. Dyeck

Bm, Ala

To Martha Parker

40 Carson Dr. Ft. Walton Fla

POD Form 3806
Sept. 1955

69-16-70493-2

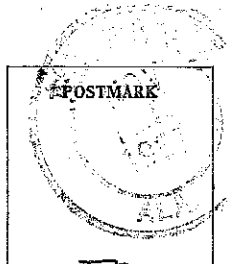
REGISTERED NO. 111

Value \$ None Spec. del'y fee \$ _____

Fee \$ 50 Ret. receipt fee \$ 10

Surcharge \$ _____ Rest. del'y fee \$ 50

Postage \$ _____ Airmail



Postmaster, By B

From Alvin J. Dyeck

Bm, Ala

To Tom Parker

844 W Delaware & Tallahassee

POD Form 3806
Sept. 1955

69-16-70493-2

The sender *is not* required to pay a registration fee providing for full indemnity coverage (up to the limit of \$1,000). However, if the actual value of the matter mailed exceeds \$25, the sender must pay a fee of at least 55 cents. Some matter having no intrinsic value, so far as the registry service is concerned, may involve considerable cost to duplicate if lost or destroyed. The sender is privileged to pay a fee for insurance against costs of duplication if desired.

Domestic registered mail is subject to surcharge when the declared value exceeds the maximum indemnity covered by the fee paid by \$1,000 or more. Claims must be filed within 1 year from date of mailing.

Consult postmaster as to fee chargeable on registered parcel post packages addressed to foreign countries.

GPO c9-16-70493-2

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GPO c9-16-70493-2

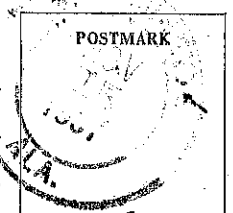
REGISTERED NO. 112

Value \$ none Spec. del'y fee \$ _____

Fee \$ 50 Ret. receipt fee \$ 10

Surcharge \$ _____ Rest. del'y fee \$ 50

Postage \$ _____ Airmail



Postmaster, By [Signature]

From Alice & Duvek
Bm Ala

To Ed Packer Jr
354 Hunter St Assuring Guy

POD Form 3806
Sept. 1955

60-1670493-2

The sender is *not* required to pay a registration fee providing for full indemnity coverage (up to the limit of \$1,000). However, if the actual value of the matter mailed exceeds \$25, the sender must pay a fee of at least 55 cents. Some matter having no intrinsic value, so far as the registry service is concerned, may involve considerable cost to duplicate if lost or destroyed. The sender is privileged to pay a fee for insurance against costs of duplication if desired.

Domestic registered mail is subject to surcharge when the declared value exceeds the maximum indemnity covered by the fee paid by \$1,000 or more. Claims must be filed within 1 year from date of mailing.

Consult postmaster as to fee chargeable on registered parcel post packages addressed to foreign countries.

LORENE PACKER SMITH,

Complainant

vs.

MARTHA PACKER, ED PACKER,
JR., TOM PACKER and NANCY
PACKER,

Respondents.

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

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Complainant, Lorene Packer Smith, files this her
Bill of Complaint against Martha Packer, Ed Packer, Jr., Tom
Packer and Nancy Packer, and respectfully shows unto the Court and
your Honor as follows:

1. Your Complainant is over the age of twenty-one years
and a bona fide resident citizen of Mobile County, Alabama. All
of the respondents are over the age of twenty-one years and their
places of residence are as follows: Martha Packer, 40 Carson
Drive, Fort Walton, Florida; Ed Packer, Jr., 354 Hunter Street,
Ossining, New York; Tom Packer, 844 West Delaware Street,
Tallahassee, Florida; Nancy Packer, Point Clear, Baldwin County,
Alabama.

2. Complainant further shows unto the court and your
Honor that she and the Respondents, except Martha Packer, are the
joint owners or tenants in common of all of the following described
property situated in Baldwin County, Alabama, to-wit:

From the Southwest corner of the Northeast Quarter
of Section 31, Township 6 South, Range 2 East, run
East 1324.5 feet for a point or place of beginning;
run thence East 219 feet to a point; run thence
North 420 feet to a point; run thence West 219 feet
to a point; run thence South 420 feet to the point
or place of beginning.

3. Complainant further shows unto the Court that the
interest of your Complainant and each of the Respondents in the
above described property is as follows:

Lorene Packer Smith, 1/6th
Ed Packer, Jr., 1/6th
Tom Packer, 1/6th
Nancy Packer, 1/2

Complainant further avers that all of the interests of your Complainant and the Respondents is subject to a dower interest in the said property which is owned by Martha Packer, the widow of Ed Packer, who died sometime during the year 1953, owning a one-half ($\frac{1}{2}$) interest in the said property.

4. Complainant further shows that there is no suit pending regarding the title to or possession of said property; that there is a dwelling house situated on the said property and that it is impossible to equitably divide the surface of said property among the various owners and this bill is filed for a sale for partition among the said joint owners.

WHEREFORE, Complainant prays that the process of this Court will issue to Nancy Packer, who is a resident of Baldwin County, Alabama, and that service of notice be had on the remaining Respondents by notice by registered mail, requiring each of said parties to appear and plead, answer or demur to this Bill of Complaint within the time required by law, or in default thereof, a decree pro confesso be rendered against them.

Complainant further prays that on a hearing of this cause, this Honorable Court will determine the interest of each of said parties and that an order be entered showing that said property cannot be divided among the several owners, and ordering that said property be sold, by the Register of this Court and that following said sale, a confirmation be made by this Court if proper and conveyance issued to the purchaser, and the proceeds of said sale be applied to the payment of a reasonable Solicitor's fee for Complainant's Solicitor, as a proper charge against the proceeds of said sale, derived from the work on behalf of all owners, that a reasonable charge be allowed as a part of the costs of court, and after the payment of proper costs of court and other charges, the proceeds be divided among the several owners in accordance with the shares and interest established by the pleading and evidence. Complainant further prays that such further, other or different relief be granted to the Complainant and the owners of said

property, as may be just and proper, the premises considered.


Solicitor for the Complainant.

LORENE PACKER SMITH,) IN THE CIRCUIT COURT OF
 Complainant,) BALDWIN COUNTY, ALABAMA
 vs.) IN EQUITY. NO. 4166.
 MARTHA PACKER, ET AL.,)
 Respondents.)

REPORT OF SALE:

The undersigned, Alice J. Duck, the Commissioner heretofore appointed to sell certain real estate for division and distribution among the joint owners thereof, which said real estate is particularly set forth and described in the decree of sale rendered in this cause and dated December 22, 1958, and also in the commission which was issued in this cause and addressed to the undersigned, which commission is referred to as a part of this report, respectfully represents unto the Court and your Honor that in pursuance of and in strict accordance with the directions of the said commission and the statutes in such cases made and provided, she did, at 11:30 o'clock A. M., on the 20th day of January, 1959, sell at public outcry, in front of the courthouse of this County, the property described in the said commission, which sale was to the highest and best bidder of said property and was fairly conducted in all respects. Parcel Number One of the said property was sold to Willie Mae Wiggins for the sum of \$5.00, and Parcel Number Two of the said property was sold to Willie Mae Wiggins for the sum of \$295.00 and both of the said parcels were sold together to the said Willie Mae Wiggins for the sum of \$300.00. The said property is situated in Baldwin County, Alabama, and is described as follows, to-wit:

PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

The said property described above was sold for an amount greatly less and disproportionate to its real value. The said purchaser has not complied with the terms of the said sale and has not paid the purchase price of the said property so purchased.

The undersigned commissioner having fully complied with the directions of the said commission, submits the foregoing as her report of her actions in the premises and asks that such orders be made and decrees rendered as may be requisite and proper in the premises.



As Commissioner.

Sworn to and subscribed before
me on this the 27th day of
January, 1959.



Notary Public, Baldwin County, Alabama.

REPORT OF SALE

LORENE PACKER SMITH,
Complainant,

vs.

MARTHA PACKER, ET AL.,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4166.


LORENE PACKER SMITH,	↓	IN THE CIRCUIT COURT OF
Complainant,	↓	BALDWIN COUNTY, ALABAMA
vs.	↓	IN EQUITY. NO. 4166.
MARTHA PACKER, ET AL.,	↓	
Respondents.	↓	

DECREE PRO CONFESSO:

In this cause it appears to the Court that a copy of the Bill of Complaint in this cause was mailed to the Respondent, Martha Packer, by registered mail on November 15, 1957, which registered mail was marked, "for delivery only to the person to whom addressed" and that the return receipt requested with the registered mail was returned to the Register of this Court on November 20, 1957, signed "Martha Packer"; that an order of publication was made and entered by this Court on October 2, 1958, which said order of publication was published in the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, for four consecutive weeks beginning with the issue of October 9, 1958, which said order of publication required the said Respondent, Ed Packer, to plead, answer or demur to the Bill of Complaint in this cause by the 10th day of November, 1958, or in default thereof thirty days thereafter a decree pro confesso would be taken against him; and it appears to the court that neither of the said Respondents have filed any pleadings in this cause; it is, therefore,

ORDERED, ADJUDGED AND DECREED that the said Bill of Complaint be and it hereby is taken as confessed against the two said Respondents, Martha Packer and Ed Packer.

ORDERED, ADJUDGED AND DECREED on this the 15th day of December, 1958.


 Register.

LORENE PACKER SMITH,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
vs.)	
MARTHA PACKER, ET AL.,	)	IN EQUITY. NO. 4166.
Respondents.)	

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree on the pleadings filed and decrees heretofore rendered in this cause, and the testimony of the witnesses, and the exhibits thereto, all as noted by the Register, from all of which the court finds as follows:

A. The property involved in this suit has been heretofore sold under the authority of the former orders and decrees rendered in this cause, which sale has been confirmed, for the total sum of \$500.00.

B. The interest of each party to this cause in the net proceeds of the said sale is as follows:

Lorene Packer Smith - one-eighth
 Martha Packer - one eighth
 Ed Packer, Jr. - one eighth
 Tom Packer, - one eighth
 Willie Mae Wiggins, - one eighth
 Lydia Bell, - one eighth
 Callie Malden - one eighth
 Harriat Hubbard - one eighth

C. The court costs incurred in this proceeding, which is a common charge against the parties hereto, amount to \$113.54.

D. The attorney's fee of \$75.00 allowed to James R. Owen, as Solicitor for Complainant, for services rendered by him in this cause, and fixed as hereinafter provided, is also a common charge against all of the parties to this proceeding.

E. The sum of \$500.00, which represents the gross proceeds of the said sale, is now in possession of Alice J. Duck, as Register and Commissioner, and this amount shall be distributed in the manner provided for in this decree and this cause finally settled.

Upon consideration of all of which, it is, therefore,
ORDERED, ADJUDGED AND DECREED by the court as follows:

1. Alice J. Duck, as Register and Commissioner, is hereby authorized, empowered, instructed and directed to pay to herself, as Register, the sum of \$113.54, which amount is all of the court costs incurred in this proceeding.

2. The sum of \$75.00 shall be and it is hereby fixed and allowed James R. Owen, as Solicitor for the Complainant, for services rendered by him as Solicitor for the Complainant in this cause, and the Register is hereby authorized, empowered, instructed and directed to pay to James R. Owen the said sum of \$75.00, take his receipt therefor and file it in this cause.

3. After the amounts heretofore ordered to be paid have been so paid by Alice J. Duck, she will have in her possession for distribution to the parties hereto the sum of \$311.46, which shall be distributed as follows:

Lorene Packer Smith -----	\$38.94
Martha Packer -----	38.94
Ed Packer, Jr.-----	38.93
< Tom Packer-----	38.93
· Willie Mae Wiggins-----	38.93
Lydia Bell-----	38.93
Callie Malden -----	38.93
Harriat Hubbard-----	38.93

The said Register is authorized, empowered, instructed and directed to pay the said amounts to the said parties and take a receipt from each of the said parties and file it in this cause.

Upon compliance with all of the terms and provisions of this decree this cause shall be fully and finally settled,

ORDERED, ADJUDGED AND DECREED on this the 12th day of October, 1959.

Hubert M. Dale

Judge.

STATE OF ALABAMA

BALDWIN COUNTY

QUIT CLAIM DEED
Sold by RIDGOOD STATIONERY CO. Mobile

Know All Men By These Presents, That Me
Mrs Geo A Metzger and Husband Geo Metzger
in consideration of the sum of Fifty Dollars & ⁰⁰/₁₀₀ DOLLARS,
to Me in hand paid by Ed Packer
the receipt whereof is hereby acknowledged, Me do remise, release, quit-claim, and convey to
the said Ed Packer

all Our right title,
interest and claim, in or to the following described real estate (or lands), to-wit:

From Center Section 31, Township 6 South,
Range 2 East, run East on center line of
Section 1320 and 6/10 ft, North 210 feet for
point of beginning, Thence East 105 feet,
North 1210 ft, West 1105 feet, South 210 ft. to
point of beginning.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 12-2-53 1P M
Recorded _____ book _____ page _____
and I certify that the following Property Tax
has been paid.
Used Tax _____ 50 _____
Mortgage Tax _____
By W. P. Street
Judge of Probate

to have and to hold, to the said Ed Packer
his heirs and assigns forever.
GIVEN under my hand and seal, this 14th day of February 19 48

EXECUTED IN PRESENCE OF
Mrs Geo A Metzger (Seal.)
George A Metzger (Seal.)

STATE OF ALABAMA,
Mobile County, at large Class L. Hamburger, a Notary Public

in and for the State of Alabama, Geo A Metzger and Husband do hereby certify that
Mrs. Geo. A. Metzger and Husband, GEO. A. METZGER
whose names are signed to the foregoing conveyance, and who are known to me, ac-
knowledged before me, on this day, 14th being informed of the contents of the said conveyance
they executed the same voluntarily on the day the same were made.

Witness my hand and official seal, this 14th day of February 19 48
Class L. Hamburger,
Notary Public for the State of
Alabama



The State of Alabama,
Baldwin County

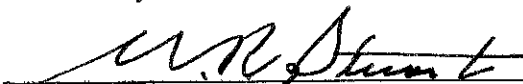
{

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify
that the within and foregoing One photostatic _____ pages
contain a full, true and complete copy of the Deed from George A. Metzger, et al,
to Ed Packer,

as the same appears of record in my office in Deed _____ Book No. 203
page 426.

Given under my hand and seal of office, this 19th day of December, 1958.



Judge of Probate.

filed
9-20-58
Amey J. Amick
Play

THE STATE OF ALABAMA,
BALDWIN COUNTY

BOOK 203 PAGE 424

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of
Twenty Five (\$25.00) dollars

to me in hand paid by Ed Packer and Nancy Paker
the receipt whereof is hereby acknowledged, i. Mrs. H. P. Henries, a widow

do grant, bargain, sell and convey unto the said
Ed Packer and Nancy Paker

the following described lands situated in Baldwin County, Alabama, to-wit:
Beginning at the center of Section 31, Township 6 South, Range 2
East, run east 1324.5 Feet for a point of Beginning; Thence run
east 219 feet; Thence north 420 feet; Thence west 219 feet;
Thence south 420 feet to the point of beginning, containg 2
acres more or less.

To Have And To Hold to the said Ed Packer and Nancy Packer
their heirs and assigns forever.

And I do covenant with the said Ed Packer and Nancy Packer
that I seized in fee of the above
described premises; that I have the right to sell and convey the same; that the said
premises are free from all incumbrances, and that I will, and my heirs,
executors and administrators shall forever Warrant and Defend the same to the said

Ed Packer and Nancy Packer
heirs and assigns against the lawful claims of all persons whomsoever.

Witness my hand and seal this 18 day of July 1953

WITNESS James P. P. Henries L. S.

_____ L. S.

State of Alabama, Baldwin County

I, G. E. Perkins, a Notary Public

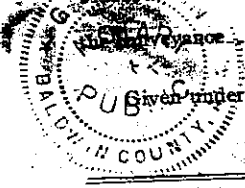
in and for said County and State, hereby certify that Mrs. R. P. Henries

a widow whose name is signed to the foregoing conveyance and who

known to me, acknowledged before me, on this day, that being informed of the contents of

conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18 day of July, A. D., 19 53



G. E. Perkins

State of Alabama, _____ County

I, _____, a _____

in and for said County and State, do hereby certify that on the _____ day of _____ 19____

came before me the within named _____

known to me to be the wife of the within-named _____

who, being examined separate and apart from her husband, touching her signature to the within convey-

ance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint

or threats on the part of the husband.

In Witness Whereof, I hereunto set my hand and official seal this _____ day of _____

_____, 19____

STATE OF ALABAMA, BALDWIN COUNTY
Filed 12-2-53 page 18 M

Recorded _____ book _____
and I certify that the following Privilege Tax
has been paid _____

Deed Tax _____

Mortgage Tax _____

W. P. Stewart
Judge of Probate
By Ep

The State of Alabama, {
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

LORENE PACKER SMITH _____ Complainant

VS.

MARTHA PACKER, ET AL., _____ Respondent

I, Alice L. Miller _____

as ~~Register and~~ Commissioner _____

have called and caused to come before me Tom Packer _____

witness named in the Requirement for Oral Examination, on the 20th day of September _____

19 58, at the office of James R. Owen _____

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

truth, the whole truth, and nothing but the truth, the said Tom Packer _____

doth depose and say as follows:

My name is Tom Packer and I am a brother of Lorene Packer Smith, who is the complainant in the above styled cause. Lorene Packer Smith, Martha Packer, Ed Packer and myself are all over the age of 21 years and of sound mind.

The complainant and the respondents in this cause, except Martha Packer, are the joint owners of tenants in common of the property described in the bill of complaint and the property is owned as shown in the bill of complaint. The interests of the complainant and the respondents are subject to a dower interest in the property which is owned by Martha Packer, the widow of Ed Packer.

No suit is pending regarding the title to or possession of said property.

I was personally acquainted with Edd Packer, sometimes known as Ed Packer, who died during the year 1953, and who was the grantee in the deed recorded in Deed Book 203 at page 426, and one of the grantees in the deed recorded in Deed Book 203 at page 424, Baldwin County, Alabama Records. During the lifetime of Edd Packer, he had three children, Ed Packer, Lorene Packer Smith and myself. When the said Edd Packer died he left surviving him the said three children and Martha Packer, his widow.

Tom Packer
Tom Packer.

ORAL EXAMINATION

I, Alice L. Miller, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition...on Oral Examination was taken down by me in writing in the words of the witness...and read over to him and he signed the same in the presence of myself and James R. Owen

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness... or had proom 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 20th day of September, 1958

Alice L. Miller (s.)

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

vs. Complainant

Respondent

Oral Deposition

Filed _____, 19____



DEC 22 1958
Recorded in _____
Register

Record

Vol. _____ Page _____

Register


The State of Alabama,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify that the within and foregoing Two photostatic pages contain a full, true and complete copy of the Deed from Mrs. R. P. Henries to
Ed Packer, et al,

as the same appears of record in my office in Deed Book No. 203 page 424-25.

Given under my hand and seal of office, this 19th day of December, 1958.


Judge of Probate.

LORENE PACKER SMITH,) IN THE CIRCUIT COURT OF
 Complainant,) BALDWIN COUNTY, ALABAMA
 vs.) IN EQUITY. NO. 4166.
 MARTHA PACKER, ET AL.,)
 Respondents.)

ORDER OF RE-SALE

This day came Alice J. Duck, the commissioner heretofore appointed by the court and reports the sale heretofore made by her in pursuance of the order made on the 22nd day of December, 1958, appointing her commissioner to sell certain property of said joint owners.

And it appearing to the satisfaction of the court from said report and from the evidence now therewith submitted, that said property could not be equitably divided or partitioned without a sale thereof; that the said commissioner had no personal or pecuniary interest in said sale, nor was she directly or indirectly a purchaser at said sale; that said sale was fairly conducted in strict accordance with law and that said property sold for an amount which was greatly less than its real value.

Since the said property sold for an amount which was greatly less than its real value and disproportionate thereto, it is therefore ordered that the said sale not be confirmed and the said property is hereby ordered re-sold for division and for the purpose of effecting such sale, the Register of the Circuit Court of Baldwin County, Alabama, in Equity, shall be, and she is hereby appointed Commissioner to make the sale and is hereby ordered and directed to sell the above described property at public outcry, to the highest bidder for cash, at the front door of the courthouse in Bay Minette, Baldwin County, Alabama, at 11:30 A. M., on the 2 day of ~~February~~ ^{March}, 1959, after first giving notice of the time, place and terms of the said sale and a description of the said property by publication once a week for three successive weeks in the Fairhope Courier, a newspaper published in Fairhope, Baldwin County, Alabama. The said Commissioner shall make a report of said sale to this court within thirty days after said sale is made.

Jurisdiction of this cause is reserved for taking such testimony as may be meet and proper, and for the purpose of making such other orders and decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 28 day of January, 1959.

Hubert M. Hice

Judge.

m
ORDER OF RESALE

LORENE PACKER SMITH,

Complainant,

vs.

MARTHA PACKER, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. No. 4166.

LORENE PACKER SMITH,	|	IN THE CIRCUIT COURT OF
Complainant,	|	BALDWIN COUNTY, ALABAMA
vs.	|	IN EQUITY. NO. 4166.
MARTHA PACKER, ET AL.,	|	
Respondents.	|	

TO: ALICE J. DUCK, GREETING:

WHEREAS, in and by a decree rendered in this cause on this date, you were appointed as Commissioner to sell the following described real property situated in Baldwin County, Alabama, to-wit:

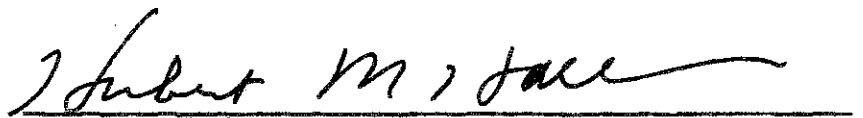
PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31 Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

NOW, therefore, you are directed in pursuance of the said decree and the statutes in said cases made and provided, to sell the above described property at public outcry, to the highest bidder for cash at the front door of the Courthouse in Bay Minette, Baldwin County, Alabama, on the 2nd day of March, 1959, after first giving notice of the time, place and terms of said sale and description of the said property by publication once a week for three successive weeks in the Fairhope Courier, a newspaper published at Fairhope, in Baldwin County, Alabama.

You are further directed to make report to this Court in writing and under oath of your proceedings in this behalf within thirty days after said sale and it shall be duly confirmed and subject to the further orders of this court.

ORDERED, ADJUDGED AND DECREED on this the 28th day of January, 1959.



 Judge.

m

FILED

JAN 26 1959

ALICE J. DUCK, CLERK
REGISTER

LORENE PACKER SMITH,
Complainant,

-VS-

MARTHA PACKER, ED PACKER, JR.,
TOM PACKER and NANCY PACKER,

Respondents.

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

SUGGESTION OF DEATH OF NANCY PACKER

Comes WILLIE MAE WIGGINS and shows to this court that the respondent, NANCY PACKER, died on to-wit the 24th. day of February, 1958, intestate and a resident of Baldwin County, Alabama.

WILLIE MAE WIGGINS further shows that at the time of NANCY PACKER'S death, she left surviving her four (4) children, namely: Your informant, WILLIE MAE WIGGINS, LYDIA BELL, CALLIE MALDEN and HARRIAT HUBBARD, and that said children constitute all the heirs and next of kin of said, NANCY PACKER.

Wherefore, informant prays that the above named heirs of the late, NANCY PACKER, be made respondents in this case, in the place of NANCY PACKER.

Willie Mae Wiggins

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned notary public, personally appeared, WILLIE MAE WIGGINS, who being first duly sworn, deposes and says, that the facts alleged in the foregoing information are true.

Willie Mae Wiggins
AFFIANT

Subscribed and sworn to, before me, the 26 day of Feb,
1958.

E. G. Rickarby
Notary Public, Baldwin County, Alabama.

E. G. Rickarby
E. G. RICKARBY,
Solicitor for
Heirs of Nancy Packer

4166

LORENE PACKER SMITH,

Complainant,

-VS-

MARTHA PACKER, ED. PACKER, Jr.,

TOM PACKER and NANCY PACKER,

RESPONDENTS.

SUGGESTION OF DEATH OF NANCY
PACKER

FILED

FEB 28 1958

ALICE J. BECK, Register

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

LORENE PACKER SMITH,	‡	IN THE CIRCUIT COURT OF
Complainant,	‡	BALDWIN COUNTY, ALABAMA
vs.	‡	
MARTHA PACKER, ET AL.,	‡	IN EQUITY. NO. 4166.
Respondents.	‡	

REPORT OF SALE:

The undersigned, Alice J. Duck, the Commissioner heretofore appointed to sell certain real estate for division and distribution among the joint owners thereof, which said real estate is particularly set forth and described in the decree of sale rendered in this cause and dated January 28, 1959, and also in the commission which was issued in this cause and addressed to the undersigned, which commission is referred to as a part of this report, respectfully represents unto the court and your Honor that in pursuance of and in strict accordance with the directions of the said commission and the statutes in such cases made and provided, she did, at 11:30 o'clock A. M. on the 2nd day of March, 1959, sell at public outcry, in front of the courthouse of this County, the property described in the said commission, which sale was to the highest and best bidder of said property and was fairly conducted in all respects. The said property sold to G. Ernest Raggi for the sum of \$500.00. The said property is situated in Baldwin County, Alabama and is described as follows, to-wit:

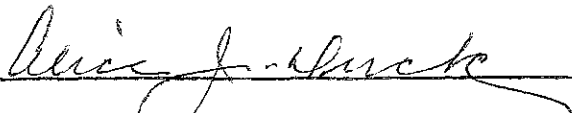
PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

The said property described above was sold for an amount not greatly less and disproportionate to its real value. The said


purchaser has complied with the terms of the said sale and has paid the purchase price of the said property so purchased.

The undersigned commissioner having fully complied with the directions of the said commission, submits the foregoing as her report of her actions in the premises and asks that such orders be made and decrees rendered as may be requisite and proper in the premises.



Commissioner.

Sworn to and subscribed before
me on this the 2nd day of
March, 1959.



Notary Public, Baldwin County, Alabama.

LORENE PACKER SMITH,
Complainant,

vs.

MARTHA PACKER,
Respondents.


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

ORDER SUBSTITUTING PARTIES RESPONDENT:

This cause coming on to be heard is submitted on the suggestion of the death of Nancy Packer, one of the Respondents in this cause, from which it appears that the said Nancy Packer died on the 24th day of February, 1958, intestate, and left surviving her as her sole and only heirs, four children, Willie Mae Wiggins, Lydia Bell, Callie Nalden and Harriat Hubbard, and that the said children should be substituted as parties respondents in place of the Respondent, Nancy Packer.

It is therefore, ORDERED, that Willie Mae Wiggins, Lydia Bell, Callie Malden and Harriat Hubbard, be and they hereby are substituted as parties respondents in place of the Respondent, Nancy Packer.

ORDERED, ADJUDGED AND DECREED on this the 23rd day of June, 1958.


Judge.

LORENE PACKER SMITH,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
vs.)	
MARTHA PACKER, ET AL.,	)	IN EQUITY. NO. 4166.
Respondents.)	

ORDER CONFIRMING COMMISSIONER'S SALE:

This day came Alice J. Duck, the Commissioner heretofore appointed by the court and moves the court that sale of the property of the joint owners thereof, heretofore made by said Commissioner in pursuance of the order made on the 28th day of January, 1959, appointed her Commissioner to sell certain property of said joint owners and by her duly reported to this court on March 2, 1959, be now confirmed by an order of this court.

And it further appearing to the satisfaction of the court from said report and from the evidence now therewith submitted that said property could not be equitably divided or partitioned without said sale; that the said Commissioner had no personal or pecuniary interest in said sale, nor was she directly or indirectly a purchaser at said sale; that 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 of the terms of the said sale, as prescribed by the court, have been complied with.

And it further appearing from the report that said property was sold to G. Ernest Raggi, and that he has paid the purchase money in full and that the property sold was situated in Baldwin County, Alabama, and is described as follows:

PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run

thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

It further appears to the court that the purchase price for the said property was \$500.00.

It is, therefore, hereby ordered by the court that said sale be confirmed and that Alice J. Duck, the Commissioner, make conveyance to the purchaser aforesaid of all right, title and interest which the said joint owners had in such property, which property was particularly described in the preceding paragraph above.

The court reserves jurisdiction of this cause for such other and further orders and decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 4th day of August, 1959.

Hubert M. Hall

Judge.

FILED
8-4 59
ALICE J. DUCK, CLERK
REGISTER

LORENE PACKER SMITH,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
vs.)	
MARTHA PACKER, ET AL.,	)	IN EQUITY. NO. 4166
Respondents.)	

NOTE OF TESTIMONY

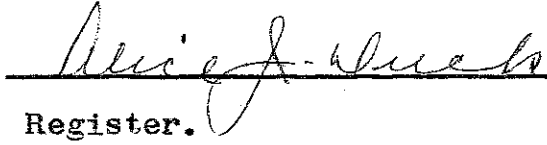
This cause coming on to be heard on this date is submitted for a final decree on the part of the complainant upon the following:

1. Original Bill of Complaint.
2. Suggestion of death of Nancy Packer.
3. Motion for decree pro confesso dated December 15, 1958.
4. Order substituting parties respondent dated June 23, 1958.
5. Answer and Waiver of Tom Packer.
6. Order of publication dated October 2, 1958.
7. Decree pro confesso dated December 15, 1958.
8. Commission to take deposition dated September 16, 1958.
9. Commission to take deposition dated September 19, 1958.
10. Testimony of Tom Packer.
11. Testimony of Willie Mae Wiggins and the exhibits thereto.
12. Order dated January 28, 1959.
13. Proof of publication of notice of sale dated January 8, 1959.
14. Proof of publication of notice of sale dated February 20, 1959.
15. Notice of sale dated December 22, 1958.
16. Report of sale dated January 27, 1959.
17. Decree dated December 22, 1958.
18. Order dated December 22, 1958.
19. Order of re-sale dated January 28, 1959.

20. Report of sale dated March 2, 1959.

21. Order confirming commissioner's sale.

DATED this 4th day of August, 1959.



Register.

JAMES R. OWEN,
Solicitor for Complainant.

LORENE PACKER SMITH,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
vs.	)	IN EQUITY. NO. 4166.
MARTHA PACKER, ET AL.,)	
Respondents.)	

TO: ALICE J. DUCK, GREETING:

WHEREAS, in and by a decree rendered in this cause on this date, you were appointed as Commissioner to sell the following described real property situated in Baldwin County, Alabama, to-wit:

PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

NOW, therefore, you are directed in pursuance of the said decree and the statutes in said cases made and provided, to sell the above described property at public outcry, to the highest bidder for cash, at the front door of the Courthouse in Bay Minette, Baldwin County, Alabama, on the 20th day of January, 1959, after first giving notice of the time, place and terms of said sale and description of the said property by publication once a week for three successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama.

You are further directed to make report to this Court in writing and under oath of your proceedings in this behalf within thirty days after said sale and it shall be duly confirmed and subject to the further orders of this court.

ORDERED, ADJUDGED AND DECREED on this the 22 day of December, 1958.

Hubert M. Hesse
 Judge.

FILED

DEC 22 1958

ALICE J. DUCK, CLERK
REGISTER

Handwritten signature

LORENE PACKER SMITH, ¶ IN THE CIRCUIT COURT OF
 Complainant, ¶
 vs. ¶
MARTHA PACKER, ET AL., ¶ IN EQUITY. NO. 4166.
 Respondents. ¶

RECEIPT:

I, Tom Packer, do hereby acknowledge receipt of the sum of \$38.93 in full payment of my distributive share of the proceeds of the sale in the above styled cause.

DATED this 17 day of October, 1959.



Tom Packer.

LORENE PACKER SMITH,

Complainant,

vs.

MARTHA PACKER, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 4166.

RECEIPT:

I, Ed Packer, do hereby acknowledge receipt of the sum of \$38.93 in full payment of my distributive share of the proceeds of the sale in the above styled cause.

DATED this 21 day of October, 1959.

Ed Packer
Ed Packer

LORENE PACKER SMITH,

Complainant,

vs.

MARTHA PACKER, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 4166.

RECEIPT:

I, Martha Packer, do hereby acknowledge receipt of the sum of \$38.94 in full payment of my distributive share of the proceeds of the sale in the above styled cause.

DATED this 29 day of October, 1959.

Martha Packer
Martha Packer

LORENE PACKER SMITH,) IN THE CIRCUIT COURT OF
Complainant,)
vs.) BALDWIN COUNTY, ALABAMA
MARTHA PACKER, ET AL.,) IN EQUITY. NO. 4166.
Respondents.)

RECEIPT:

I, Callie Malden, do hereby acknowledge receipt of the sum of \$38.93 in full payment of my distributive share of the proceeds of the sale in the above styled cause.

DATED this 29 day of October, 1959.

Callie Malden

Callie Malden

E. G. RICKARBY

392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA

October 30, 1959

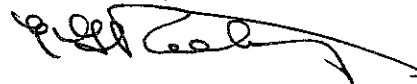
Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Smith vs. Packer, et al
File: 4322

Here is another Receipt in your case #4166. This
receipt is from Callie Malden.

Yours very truly,



EGE/ts
Encl.

LORENE PACKER SMITH,) IN THE CIRCUIT COURT OF
Complainant,)
vs.) BALDWIN COUNTY, ALABAMA
MARTHA PACKER, ET AL.,) IN EQUITY. NO. 4166.
Respondents.)

RECEIPT:

I, Harriat Hubbard, do hereby acknowledge receipt of the sum of \$38.93 in full payment of my distributive share of the proceeds of the sale in the above styled cause.

DATED this 27 day of October, 1959.

Harriat Hubbard

Harriat Hubbard

LORENE PACKER SMITH,	|	IN THE CIRCUIT COURT OF
Complainant,	|	BALDWIN COUNTY, ALABAMA
vs.	|	
MARTHA PACKER, ET AL.,	|	IN EQUITY. NO. 4166.
Respondents.	|	

Pursuant to the terms and provisions of a decree rendered in this cause on December 22nd, 1958, the undersigned, as Commissioner, will sell at public outcry, to the highest bidder for cash, at the front door of the Courthouse in Bay Minette, Baldwin County, Alabama, at 11:30 o'clock A. M. on the 20th day of January, 1959, the following described property situated in Baldwin County, Alabama, to-wit:

PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

The said sale will be made for the purpose of making a division among the joint owners of said property.

DATED this 22nd day of December, 1958.

Alice J. Duck
ALICE J. DUCK,
As Commissioner.

JAMES R. OWEN
Solicitor for Complainant.

LORENE PACKER SMITH,)	
	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
	)	IN EQUITY. NO. 4166.
vs.)	
MARTHA PACKER, ET AL.,)	
Respondents.)	

ANSWER AND WAIVER:

Now comes Tom Packer, one of the Respondents in the above styled cause and accepts service of the Bill of Complaint in said cause and waives notice of the date set for hearing the same.

The said Respondent admits the allegations contained in the Bill of Complaint and consents and agrees that the said cause be set for hearing and that such decrees be rendered as may be requisite and proper, all without further notice to him.

Filed
Dec. 17, 1958

Tom Packer

Tom Packer.

FILED
DEC 17 1958
ALICE J. DUCK, Register

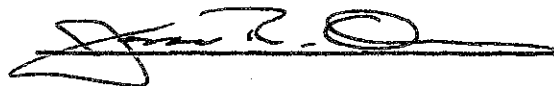
LORENE PACKER SMITH,
Complainant,
vs.
MARTHA PACKER, ET AL.,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4166.

AFFIDAVIT:

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn, deposes and says:

That he is the Solicitor of Record for the Complainant in the above styled cause; that he is informed and believes and upon such information and belief states that Ed Packer, one of the Respondents in the above styled cause, is a non-resident of the State of Alabama, and that his place of residence and Post Office address is unknown and cannot be ascertained after reasonable efforts and further, that in his belief the said Respondent is over the age of twenty-one years.



Sworn to and subscribed before
me on this the 2nd day of October,
1958.



Notary Public, Baldwin County, Alabama.

*Filed
Oct. 2, 1958*

AFFIDAVIT

LORENE PACKER SMITH,

Complainant,

vs.

MARTHA PACKER, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 4166.

FILED

OCT 21 1966

ALICE J. DUCK, CLERK
REGISTER

LORENE PACKER SMITH,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
vs.	)	IN EQUITY. NO. 4166.
MARTHA PACKER, ET AL.,)	
Respondents.)	

ORDER OF PUBLICATION:

In this cause, it appearing to the Register from the affidavit of James R. Owen, Solicitor for Complainant, that the residence and Post Office address of the Respondent, Ed Packer, are unknown and further, that in the belief of said affiant, the Respondent, Ed Packer, is over the age of twenty-one years;

It is therefore, ORDERED by the Register that publication be made once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Ed Packer to plead, answer or demur to the Bill of Complaint in this cause by the 10th day of November, 1958, or in default thereof, thirty days thereafter a decree pro confesso may be taken against the said Respondent.

ORDERED on this the 2nd day of October, 1958.

*Filed
Oct. 2, 1958*

Alice J. Duck

ALICE J. DUCK,
Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

ORDER OF PUBLICATION

LORENE PACKER SMITH,
Complainant,

vs.

MARTHA PACKER, ET AL.,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4166.

FILED
OCT 21 1966
MARG J. BOOK CLERK
REGISTER

LAW OFFICES
E. G. RICKARBY
P. O. BOX 71
FAIRHOPE, ALABAMA
TELEPHONE WA 8-9836

June 18, 1958

Mr. James R. Owen
Attorney at Law
Bay Minette, Alabama

Dear Jimmy:

Inre: Smith vs. Packer
Our File: 4322

Please review this Packer file again. I looked through my file and found copies of the enclosed suggestion of death of the respondent and appearance of me for the heirs of the deceased, Nancy Packer. If that thing is not in the file, goodness knows where it is, because my carbon shows that on February 26th I mailed it up there and sent you a copy of it.

Hope we can do something after you return from camp.

Personal regards.

Yours very truly,

EGR/sl
cc: Mrs. Alice Duck
Enclosure

LORENE PACKER SMITH,

Complainant,

-VS-

MARTHA PACKER, ED PACKER, JR.,
TOM PACKER and NANCY PACKER,

Respondents.

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

ANSWER OF NANCY PACKER

Comes the Respondent, NANCY PACKER, and in answer to the Bill of Complaint filed against her says:

1. Respondent admits that she is over the age of twenty-one years and a resident of Point Clear, Baldwin County, Alabama, but has no knowledge of the other facts alleged in said paragraph.

2. Respondent denies the allegations in paragraph 2, and says that she claims to own said property.

3. Respondent denies the allegations in paragraph 3, and says that she claims to own all of said property, claiming a one-half interest in said property by a deed from MRS. R. P. HENRIES, conveying the property to herself, and her deceased husband, ED PACKER, and she claims her one-half interest in her own right and the other one-half interest as the widow of said deceased, ED PACKER.

4. Respondent admits that there is no suit pending regarding the title to the possession of said property, and admits that there is a dwelling house situated on said property, but claims her one-half interest in her own right and the one-half interest belonging to her deceased husband, as his widow.

5. In further answer to Complainant's bill, Respondent shows that she is in possession of said property, claiming to own same as the widow of the said ED PACKER, and has in good faith and without any intention of embarrassing the co-tenants, or hindering petition, or gaining an advantage thereby, improved said property, paid taxes on same, where the co-tenants have neglected their claim thereto; and that this Respondent spent large sums of money in re-

pairing said property, to-wit:


For four (4) rolls of roofing paper...\$75.00
For labor in having same applied..... 35.00
For building a wash shed..... 15.00
For painting the inside of premises... 35.00
TOTAL COST.....\$160.00

And the Respondent alleges that the value of said property has been increased by reason of said improvements.

6. Respondent further shows that said property was owned by herself and ED PACKER, her husband, who dies on November 6th, 1953, a resident of this state, and was their homestead, and that said property does not exceed in value SIX THOUSAND DOLLARS (\$6000.00) and in area, ONE HUNDRED AND SIXTY (160) acres; and that she is the widow, and that there are no minor children, and that she claims her one-half interest in her own right and his one-half interest for her benefit during her life, as exempted from administration and payment of debts.

Respondent prays that on a hearing of this cause, the Court ascertain the facts herein shown and find that she is the widow of said ED PACKER, who died a resident of this state, and dismiss this bill with the costs expended; or, if she be incorrect in her statement that she is the widow of said deceased, the Court will ascertain the value of the improvements which she put on said premises, and order that she be reimbursed for said improvements before the proceeds of the sale of this property is divided among the co-tenants in accordance with their respective interests.

*Filed
Dec. 19, 1957*


E. G. RICKARBY,
Solicitor for the Respondent.

4166

FILED

DEC 19 1957

ALICE J. BOCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County



Circuit Court

TO: ALICE L. MILLER

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine **Tom Packer**

a witness in behalf of **Lorene Packer Smith** in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein **Lorene Packer Smith**

, Complainant

and **Martha Packer, et al.,**

Respondent

on oath, to be by you administered, upon **Tom Packer**
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness **19th** day of **September**

, 195 **8**

Alice L. Miller
Register.

Commissioner's Fee, \$

Witness' Fees, \$

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: SUE S. LYNN

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Willie Mae Wiggins

a witnesses in behalf of Martha Packer, et al., in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Lorene Packer Smith

Complainant and Martha Packer, et al.,

Respondent on oath, to be by you administered, upon Willie Mae Wiggins to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 16th day of September, 1958

Register.

Commissioner's Fee, \$

Witness' Fees, \$

E. G. RICKARBY

BANK BUILDING
FAIRHOPE, ALABAMA

February 26, 1958

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

Dear Mrs. Duck:

Inre: Smith vs. Packer
Case Number 4166

Enclosed find pleadings that I have filed in Packer vs. Packer, Case Number 4166.

Copy of which Suggestion has been this day mailed to Mr. James R. Owen, Attorney for Complainant.

Yours very truly,



EGR/nmk

cc: Mr. James R. Owen
Attorney at Law
Bay Minette, Ala.

E. G. RICKARBY

BANK BUILDING
FAIRHOPE, ALABAMA

January 27, 1959

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

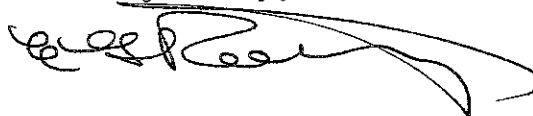
Dear Mrs. Duck:

Inre: Packer Property
Our File: 4322

With this we are sending you Cashier's Check for \$300.00 for the bid of Willie Mae Wiggins in that Packer petition suit.

If you want to have me draw up a report, I shall be glad to do so.

Yours very truly,



EGR/ts
Encl.

cc: Mr. James R. Owen
Attorney at Law
Bay Minette, Alabama

Is 7 of 4 weeks notice to be given?

LEGAL NOTICE

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4166.
LORENE PACKER SMITH,
Complainant,

vs.
MARTHA PACKER, ET AL.,
Respondents.

ORDER OF PUBLICATION

In this cause, it appearing to the Registrar from the affidavit of James R. Owen, Solicitor for Complainant, that the residence and Post Office address of the Respondent, Ed Packer, are unknown and further, that in the belief of said affiant, the Respondent, Ed Packer, is over the age of twenty-one years;
It is therefore, ORDERED by the Registrar that publication be made once a week

EY

in the Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Ed Packer to plead, answer or demur to the Bill of Complaint in this cause by the 10th day of November, 1958, or default thereof, thirty days thereafter a decree pro confesso may be taken against the said Respondent.
ORDERED on this the 2nd day of October, 1958.

ALICE J. DUCK,
Registrar of the Circuit
Court of Baldwin County,
Alabama, in Equity. 39-41c

THE BALDWIN TIMES

ma's Best County's Best Newspaper

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

**STATE OF ALABAMA.
BALDWIN COUNTY.**

E. R. Moursissette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Lorene Packer Smith vs. Martha Packer, Et. Al.

COST STATEMENT

170 WORDS @ 6 1/2cents \$ 11.05

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

E. R. Moursissette, Jr.
Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication October 9, 1958 Vol. 70 No. 39

Date of 2nd publication October 16, 1958 Vol. 70 No. 40

Date of 3rd publication October 23, 1958 Vol. 70 No. 41

Date of 4th publication October 30, 1958 Vol. 70 No. 42

Subscribed and sworn before the undersigned this 5 day of Nov, 1958.

Dorothy Martin
Notary Public, Baldwin County.

E. R. Moursissette, Jr.
Editor.

416 G

FILED

NOV 21 1909

ALICE J. DUCK, CLERK
REGISTER

The Fairhope Courier

E. B. GASTON ESTATE, PUBLISHER

P. O. BOX 268

Telephone WA8-9188 Established 1894



Fairhope, Alabama February 25, 1959

Mrs. Alice J. Duck, Register

Bay Minette

Alabama

Legal Notice

Re. Lorene Packer Smith vs
Martha Packer, et al

274 words

Feb. 5-12-19

1370

The Fairhope Courier

Publishers and Printers

ESTABLISHED 1894

E. B. GASTON ESTATE, PUBLISHERS

P. O. BOX 268

PHONE WA8-9182

FAIRHOPE, ALABAMA

"On Mobile Bay"

This is to certify that the attached legal notice appeared in The Fairhope Courier, a weekly newspaper published in the City of Fairhope, County of Baldwin, State of Alabama on the dates of Feb. 5 - 12 - 19, 1959.

Francis G. Crawford
Editor

State of Alabama
County of Baldwin

Sworn to and subscribed this 20th day of Feb A. D. 1959., before me.

Alice J. Duck
Notary Public, Baldwin County

Legal Notice

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY. No. 4166.

Lorené Packer Smith, Complainant, Vs. Martha Packer, Et Al, Respondents.

Pursuant to the terms and provisions of a decree rendered in this cause on January 28, 1959, the undersigned, as Commissioner, will sell at public outcry, to the highest bidder for cash, at the front door of the Courthouse in Bay Minette, Baldwin County, Alabama, at 11:30 o'clock A. M., on the 2nd day of March, 1959, the following described property situated in Baldwin County, Alabama, to-wit:

PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run North 210 feet to a point; run West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point, run thence South 210 feet to the point or place of beginning.

The said sale will be made for the purpose of making a division among the joint owners of said property.

Dated this 28th day of January, 1959.

Alice J. Duck,
As Commissioner

James B. Owen

4166

FILED

FEB 20 1999

MADE J. DICK, CLERK
REGISTER

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

December 17, 1957

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

Dear Mrs. Duck:

Inre: Smith vs. Packer
Our File: 4322

Enclosed find answer of Nancy Packer .

Please file and oblige. Copy of which has been
this day sent to Mr. Owen, Solicitor for Complain-
ant.

Yours very truly,



EGR/nmk
Encl.

cc: Mr. James R. Owen

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA
February 9, 1959

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Packer Property
Our File: 4322

Please return my \$300.00 or rather Willie Mae Wiggins
\$300.00 which she put up for bid.

Yours very truly,



EGR/sl
cc: Mr. James Owens

LORENE PACKER SMITH,

Complainant

-VS-

MARTHA PACKER, ED PACKER,
JR. TOM PACKER and NANCY
PACKER,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

TESTIMONY OF WILLIE MAE WIGGINS :

WILLIE MAE WIGGINS being first duly sworn testifies as follows:

My name is WILLIE MAE WIGGINS, and I live at Point Clear, Baldwin County, Alabama. I am over the age of twenty-one and am one of the four children of NANCY PACKER, the other children are; LYDIA BELL, whose address is Point Clear, Alabama, CALLIE MALDEN, whose address is 816 West Loyd Street, Pensacola, Florida, and HARRIAT HUBBARD, whose address is 600 Constance Street, Valdosta, Georgia.

My mother only had four children, namely: myself and my three sisters named above. All of these children are over the age of twenty-one years and when my mother died she did not leave a will and we are her only heirs and next of kin.

She owned ^{a $\frac{1}{2}$ interest in} the property described in the suit of LORENE PACKER SMITH versus MARTHA PACKER being case number 4166 in the Circuit Court in Equity of Baldwin County, Alabama. That property is described as follows:

From the Southwest corner of the North-east Quarter of Section 31, Township 6 South, Range 2 East, run East 1,324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 219 feet to a point; run thence South 420 feet to the point or place of beginning.

My three sisters and I appeared in that case as Respondents as the heirs of NANCY PACKER and we are the heirs of NANCY PACKER.

The property that has been named in that suit for division is a lot TWO HUNDRED AND NINETEEN (219) feet by FOUR HUNDRED AND TWENTY (420) feet and it has two small dwelling houses on it. As this property has to be divided between the three heirs of ED PACKER

Inre: Packer vs Packer
con't.

Sr. and the four heirs of my mother, NANCE PACKER, I find that it would be impossible to cut up the property so that it could be equally divided without destroying the value of the houses and my sisters and my self want the property sold and the money divided. We understand that the expenses of this procedure will have to be deducted from the sale price of this property.

After Ed Paeker died, my mother, Nancy Packer, spent some money for improving the place and I know that she paid SEVENTY FIVE DOLLARS (\$75.00) for four rolls of roofing paper and she paid THIRTY FIVE DOLLARS (\$35.00) to have that roofing put on. I remember this because she had JOE FORD, Ed Paeker's cousin to make this repair, and he charged THIRTY FIVE DOLLARS (\$35.00) for it, and she had a wash shed built on the premises that cost her FIFTEEN DOLLARS (\$15.00) and painted the inside of the house at a cost of THIRTY FIVE DOLLARS (\$35.00), making a cost of ONE HUNDRED AND SIXTY DOLLARS (\$160.00) for improvements that my mother put on this property which added to its value at least ONE HUNDRED AND SIXTY DOLLARS (\$160.00).

Willie Mae Wiggins

Subscribed and sworn to before me on this the 17th
day of September, 1958.

Sue S. Lyon
Commissioner

FILED

DEC 22 1958

ALICE J. DICK, CLERK
REGISTER

LORENE PACKER SMITH,	|	IN THE CIRCUIT COURT OF
Complainant,	|	
vs.	|	BALDWIN COUNTY, ALABAMA
MARTHA PACKER, ET AL.,	|	IN EQUITY. NO. 4166.
Respondents.	|	

MOTION FOR DECREE PRO CONFESSO

Now comes the Complainant, by her Solicitor, and shows unto the Court that on November 15, 1957, the Register of the Circuit Court of Baldwin County, Alabama, in Equity, mailed, by registered mail, to the Respondent, Martha Packer, a copy of the Summons and Bill of Complaint in this cause, which said registered mail was marked, "for delivery only to the person to whom addressed"; that a return receipt was received by the Register of the Circuit Court in Equity on November 20, 1957, signed by Martha Packer; that an order of publication was made in this cause on October 2, 1958, and published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, for four consecutive weeks, beginning with the issue of October 9, 1958, which order of publication required the Respondent, Ed Packer, to plead, answer or demur to the Bill of Complaint in this cause by the 10th day of November, 1958, or in default thereof thirty days thereafter a decree pro confesso would be taken against him; and the said Respondents having failed to the date hereof to plead, answer or demur to the said Bill of Complaint:

WHEREFORE, Complainant moves the Court to enter a decree pro confesso against the two said Respondents and each of them.

DATED this 15th day of December, 1958.


Solicitor for Complainant.

FILED

DEC 17 1958

ALICE J. DUCK, Register

LORENE PACKER SMITH,) IN THE CIRCUIT COURT OF
 Complainant,)
 vs.) BALDWIN COUNTY, ALABAMA
 MARTHA PACKER, ET AL.,) IN EQUITY. NO. 4166.
 Respondents.)

DECREE:

This cause coming on to be heard on this day is submitted for a decree upon the original Bill of Complaint; Suggestion of death of the Respondent, Nancy Packer; Order Substituting parties respondent; Motion for decree pro confesso; Decree pro confesso; Answer and waiver of Tom Packer; Answer of Nancy Packer; Testimony of Willie Mae Wiggins; Testimony of Tom Packer and the Exhibits introduced by the Complainant; upon consideration of all of which the Court is of the opinion that the allegations of facts set out in the said Bill of Complaint are true and that the Complainant is entitled to the relief prayed for therein, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The Complainant, Lorene Packer Smith, and the Respondents, Ed Packer, Jr. and Tom Packer, are joint tenants or tenants in common of the following described land situated in Baldwin County, Alabama, to-wit:

From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning,

and that the Complainant and the said Respondents named above each own an undivided interest in the said property in the shares and proportions as follows:

Lorene Packer Smith,	1/3;
Ed Packer, Jr.	1/3;
Tom Packer,	1/3;

The interest of the said Lorene Packer Smith, Ed Packer, Jr. and Tom Packer is subject to the dower interest of the Respondent, Martha Packer.

The Complainant, Lorene Packer Smith and the Respondents, Ed Packer, Jr., Tom Packer, Willie Mae Wiggins, Lydia Bell, Callie Malden, and Harriat Hubbard are joint owners or tenants in common of the land described in the Bill of Complaint situated in Baldwin County, Alabama, described as follows, to-wit:

From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning,

and that the Complainant and the Respondents named above each own an undivided interest in the said property in the shares and proportions as follows:

Lorene Packer Smith,	1/6;
Ed Packer, Jr.,	1/6;
Tom Packer,	1/6;
Willie Mae Wiggins,	1/8;
Lydia Bell,	1/8;
Callie Malden,	1/8;
Harriat Hubbard,	1/8;

The interest of the said Lorene Packer Smith, Ed Packer, Jr., and Tom Packer is subject to the dower interest of the Respondent, Martha Packer. The said property cannot be equitably divided among the joint owners thereof without a sale and division of the proceeds and that such sale is to the best interest of all parties interested in this proceeding.

The said property is hereby ordered sold for division and for the purpose of effecting such sale, the Register of the Circuit Court of Baldwin County, Alabama, in Equity, shall be, and she is hereby appointed Commissioner to make the sale and is hereby ordered and directed to sell the above described property at public outcry, to the highest bidder for cash, at the front door of the Courthouse in Bay Minette, Baldwin County, Alabama, at 11:30 A. M. on the 20th day of January, 1959, after first giving notice of the time, place and terms of the said sale and a description of the said property by publication once a week for three successive weeks in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama. The said Commissioner shall make a report of said sale to this Court within thirty days after the said sale is made.

3. The Register of this Court shall file a copy of this decree for record in the Office of the Judge of Probate of Baldwin County, Alabama, and tax the cost of such recording as a part of the costs of this proceeding.

4. That the amount of \$160.00 heretofore paid by the Respondent, Nancy Packer, for repairs to the improvements situated on the said property, be paid to the Respondents, Willie Mae Wiggins, Lydia Bell, Callie Malden and Harriat Hubbard as her sole and only heirs and that this sum be paid from the proceeds of the sale of the said property.

5. Jurisdiction of this cause is reserved for the purpose of taking testimony relative to an attorney's fee to be paid the Complainant's attorney or solicitor for his services rendered and to be rendered in this cause; for the purpose of taking testimony relative to the amount of taxes paid on said property and by whom the said taxes were paid and other testimony as may be meet and proper and for the purpose of making such other orders and decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 22 day of December, 1958.

Hubert M. Jones

Judge.

FILED
DEC 22 1958
ALICE J. DUCK, *clerk*

secret

FILED
DEC 22 1958
ALICE L. DUCK, CLERK
REGISTER

DUCK, CIRCUIT CLERK

Winn County
MINETTE, ALA.



LN 12c
11/14/57

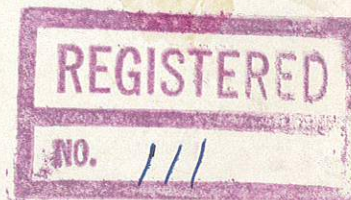
Deliver to Addressee Only

RETURN RECEIPT REQUESTED

Send every only to Person from Addressee

Receipt Requested

Tom Packer,
844 West Delaware Street,
Tallahassee, Florida



Second Notice. No Reply
To First Notice Mailed
NOV 29 1957

4166

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 4166

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MARTHA PACKER, ED PACKER, JR., TOM PACKER AND
NANCY PACKER

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 MARTHA PACKER, ED PACKER, JR.,
TOM PACKER AND NANCY PACKER, Defendant

by LORENE PACKER SMITH
....., Plaintiff.....

Witness my hand this 11th day of November 1957.....

Beice J. Huch, Clerk

Defendant lives at

THE STATE OF ALABAMA
BALDWIN COUNTY

RECEIVED IN OFFICE

CIRCUIT COURT

LOUIS PAKER SMITH

_____, 19.....

_____, Sheriff

I have executed this summons

Plaintiffs

this _____, 19.....

vs.

by leaving a copy with

MARTHA PAKER, ED PAKER, JR.,

TON PAKER AND NANCY PAKER

Defendants

SUMMONS and COMPLAINT

Filed 11/11/51 _____, 19.....

Alice J. Duck _____, Clerk

Plaintiff's Attorney

Defendant's Attorney

_____, Sheriff

_____, Deputy Sheriff

LORENE PACKER SMITH,
Complainant

vs.

MARTHA PACKER, ED PACKER,
JR., TOM PACKER and NANCY
PACKER,

Respondents.

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

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Complainant, Lorene Packer Smith, files this her
Bill of Complaint against Martha Packer, Ed Packer, Jr., Tom
Packer and Nancy Packer, and respectfully shows unto the Court and
your Honor as follows:

1. Your Complainant is over the age of twenty-one years
and a bona fide resident citizen of Mobile County, Alabama. All
of the respondents are over the age of twenty-one years and their
places of residence are as follows: Martha Packer, 40 Carson
Drive, Fort Walton, Florida; Ed Packer, Jr., 354 Hunter Street,
~~Brooklyn, New York; Tom Packer, 844 West Delaware Street,~~
Tallahassee, Florida; Nancy Packer, Point Clear, Baldwin County,
Alabama.

2. Complainant further shows unto the court and your
Honor that she and the Respondents, except Martha Packer, are the
joint owners or tenants in common of all of the following described
property situated in Baldwin County, Alabama, to-wit:

From the Southwest corner of the Northeast Quarter
of Section 31, Township 6 South, Range 2 East, run
East 1324.5 feet for a point or place of beginning;
run thence East 219 feet to a point; run thence
North 420 feet to a point; run thence West 219 feet
to a point; run thence South 420 feet to the point
or place of beginning.

3. Complainant further shows unto the Court that the
interest of your Complainant and each of the Respondents in the
above described property is as follows:

Lorene Packer Smith, 1/6th
Ed Packer, Jr., 1/6th
Tom Packer, 1/6th
Nancy Packer, 1/2

Complainant further avers that all of the interests of your Complainant and the Respondents is subject to a dower interest in the said property which is owned by Martha Packer, the widow of Ed Packer, who died sometime during the year 1953, owning a one-half ($\frac{1}{2}$) interest in the said property.

4. Complainant further shows that there is no suit pending regarding the title to or possession of said property; that there is a dwelling house situated on the said property and that it is impossible to equitably divide the surface of said property among the various owners and this bill is filed for a sale for partition among the said joint owners.

WHEREFORE, Complainant prays that the process of this Court will issue to Nancy Packer, who is a resident of Baldwin County, Alabama, and that service of notice be had on the remaining Respondents by notice by registered mail, requiring each of said parties to appear and plead, answer or demur to this Bill of Complaint within the time required by law, or in default thereof, a decree pro confesso be rendered against them.

Complainant further prays that on a hearing of this cause, this Honorable Court will determine the interest of each of said parties and that an order be entered showing that said property cannot be divided among the several owners, and ordering that said property be sold, by the Register of this Court and that following said sale, a confirmation be made by this Court if proper and conveyance issued to the purchaser, and the proceeds of said sale be applied to the payment of a reasonable Solicitor's fee for Complainant's Solicitor, as a proper charge against the proceeds of said sale, derived from the work on behalf of all owners, that a reasonable charge be allowed as a part of the costs of court, and after the payment of proper costs of court and other charges, the proceeds be divided among the several owners in accordance with the shares and interest established by the pleading and evidence. Complainant further prays that such further, other or different relief be granted to the Complainant and the owners of said

property, as may be just and proper, the premises considered.


Solicitor for the Complainant.

FILED
NOV 14 1891
VINCE T. BARKER, Register

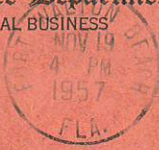
heretofore mentioned premises and property as may be just and proper, the premises considered.


Notarior for the Comptroller.

FILED
NOV 14 1957
ALICE J. BOCK, Register

Post Office Department

OFFICIAL BUSINESS



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

(GPO)

POSTMARK OF DELIVERING OFFICE

Return to

Alice J. Duck, Bay
(NAME OF SENDER)

Street and Number,
or Post Office Box,

Box 239

REGISTERED ARTICLE

No.

110

Post Office

Bay Minette

INSURED PARCEL

No.

16-12421

State

Ala.

4166

Form 3811
Rev. 1-52

RETURN RECEIPT

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

1 Tommy Jack
(Signature or name of addressee)

2 Deliver to Addressee Only
(Signature of addressee's agent. Agent should enter addressee's name on line ONE above)

Date of delivery NOV 19 1957

B

FILED
NOV 20 1957
AIRC MAIL REGISTER

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER
PUBLISHER

LEGAL NOTICE

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 4166.
LORENE PACKER SMITH,
Complainant,

vs.

MARTHA PACKER, ET AL.,
Respondents.

Pursuant to the terms and provisions of a decree rendered in this cause on December 22nd, 1958, the undersigned, as Commissioner, will sell at public outcry, to the highest bidder for cash, at the front door of the Courthouse in Bay Minette, Baldwin County, Alabama, at 11:30 A.M. on the 20th day of January, 1959, the following described property situated in Baldwin County, Alabama, to-wit:

PARCEL NUMBER ONE: From the center of Section 31, Township 6 South, Range 2 East, run East 1324.5 feet to a point; run thence North 210 feet to a point; run thence East 105 feet to a point; run thence North 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

PARCEL NUMBER TWO: From the center of Section 31, Township 6 South, Range 2 East, run thence East 1324.5 feet for a point or place of beginning; run thence East 219 feet to a point; run thence North 420 feet to a point; run thence West 114 feet to a point; run thence South 210 feet to a point; run thence West 105 feet to a point; run thence South 210 feet to the point or place of beginning.

The said sale will be made for the purpose of making a division among the joint owners of said property.
DATED this 22nd day of December, 1958.

ALICE I. DUCK,
As Commissioner.

JAMES R. OWEN
Solicitor for Complainant.

50-3tc

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Lorene Packer Smith vs. Martha Packer

COST STATEMENT

274 WORDS @ 5 cents \$ 13.70

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

E. R. Morrisette Jr.
Editor.

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

Date of 1st publication Dec. 24, 1958 Vol. 70 No. 50

Date of 2nd publication Dec. 31, 1958 Vol. 70 No. 51

Date of 3rd publication Jan. 8, 1959 Vol. 70 No. 52

Date of 4th publication _____, 195____ Vol. _____ No. _____

Subscribed and sworn before the undersigned this 8 day of Jan, 1959.

Dorothy Martin
Notary Public, Baldwin County.

E. R. Morrisette Jr.
Editor.

J. DUCK, CIRCUIT CLERK

Edwin County
WAY MINETTE. ALA.

713



Returned to Writer
REASON CHECKED
Unclaimed... Refused
Unknown...
For better address...
Moved, Left no address...
No such office in state...

66
66
66

Deliver to Addressee Only
RETURN RECEIPT REQUESTED

not here

Registered

For Delivery Only To Person
Whom Addressed

Return Receipt Requested

Ed Packer, Jr.,
354 Hunter Street
Ossining, New York

REGISTERED
NO. 112

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 1166

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MARTHA PACKER, ED PACKER, JR., TOM PACKER AND
JANCKY PACKER

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 MARTHA PACKER, ED PACKER, JR.
TOM PACKER AND JANCKY PACKER, Defendant

by LOUISE PACKER SMITH
....., Plaintiff.....

Witness my hand this 11th day of November 19 57.....

Alice J. Huck, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

LORENS PACKER SMITH

Plaintiffs

vs.

MARTHA PACKER, ED PACKER, JR.,

TOM PACKER AND NANCY PACKER

Defendants

SUMMONS and COMPLAINT

Filed 11/11/57, 19.....

Alice J. Duck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19.....

....., Sheriff

I have executed this summons

this, 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff

LORENE PACKER SMITH,

Complainant

vs.

MARTHA PACKER, ED PACKER,
JR., TOM PACKER and NANCY
PACKER,

Respondents.

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

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Complainant, Lorene Packer Smith, files this her
Bill of Complaint against Martha Packer, Ed Packer, Jr., Tom
Packer and Nancy Packer, and respectfully shows unto the Court and
your Honor as follows:

1. Your Complainant is over the age of twenty-one years
and a bona fide resident citizen of Mobile County, Alabama. All
of the respondents are over the age of twenty-one years and their
places of residence are as follows: Martha Packer, 40 Carson
Drive, Fort Walton, Florida; Ed Packer, Jr., 354 Hunter Street,
Ossining, New York; Tom Packer, 844 West Delaware Street,
Tallahassee, Florida; Nancy Packer, Point Clear, Baldwin County,
Alabama.

2. Complainant further shows unto the court and your
Honor that she and the Respondents, except Martha Packer, are the
joint owners or tenants in common of all of the following described
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From the Southwest corner of the Northeast Quarter
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North 420 feet to a point; run thence West 219 feet
to a point; run thence South 420 feet to the point
or place of beginning.

3. Complainant further shows unto the Court that the
interest of your Complainant and each of the Respondents in the
above described property is as follows:

Lorene Packer Smith, 1/6th
Ed Packer, Jr., 1/6th
Tom Packer, 1/6th
Nancy Packer, 1/2

Complainant further avers that all of the interests of your Complainant and the Respondents is subject to a dower interest in the said property which is owned by Martha Packer, the widow of Ed Packer, who died sometime during the year 1953, owning a one-half ($\frac{1}{2}$) interest in the said property.

4. Complainant further shows that there is no suit pending regarding the title to or possession of said property; that there is a dwelling house situated on the said property and that it is impossible to equitably divide the surface of said property among the various owners and this bill is filed for a sale for partition among the said joint owners.

WHEREFORE, Complainant prays that the process of this Court will issue to Nancy Packer, who is a resident of Baldwin County, Alabama, and that service of notice be had on the remaining Respondents by notice by registered mail, requiring each of said parties to appear and plead, answer or demur to this Bill of Complaint within the time required by law, or in default thereof, a decree pro confesso be rendered against them.

Complainant further prays that on a hearing of this cause, this Honorable Court will determine the interest of each of said parties and that an order be entered showing that said property cannot be divided among the several owners, and ordering that said property be sold, by the Register of this Court and that following said sale, a confirmation be made by this Court if proper and conveyance issued to the purchaser, and the proceeds of said sale be applied to the payment of a reasonable Solicitor's fee for Complainant's Solicitor, as a proper charge against the proceeds of said sale, derived from the work on behalf of all owners, that a reasonable charge be allowed as a part of the costs of court, and after the payment of proper costs of court and other charges, the proceeds be divided among the several owners in accordance with the shares and interest established by the pleading and evidence. Complainant further prays that such further, other or different relief be granted to the Complainant and the owners of said

property, as may be just and proper, the premises considered.


Solicitor for the Complainant.

7/1/21

VICE T. BUCK, REGISTRAR
NOV 14 1921
FILED

herbicide as may be just and proper, the premises considered.

S. S. O.
Solicitor for the complainant.

4166

FILED
NOV 14 1957
ALICE J. DUCK, Register

4166

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 4166

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MARTHA PACKER, ED PACKER, JR., TOM PACKER AND NANCY PACKER

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 MARTHA PACKER, ED PACKER, JR. TOM PACKER AND NANCY PACKER, Defendant

by LORENE PACKER SMITH, Plaintiff.....

Witness my hand this 14th day of November 1957.....

Exp- 11-17-57 Alice J. [Signature], Clerk

**THE STATE OF ALABAMA
BALDWIN COUNTY**

CIRCUIT COURT

LORENE PACKER SMITH

Plaintiffs

vs.

MARTHA PACKER, ED PACKER, JR.,

TOM PACKER AND NANCY PACKER

Defendants

SUMMONS and COMPLAINT

Filed 11/14/57, 19.....

Alice J. Duck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

_____, 19.....

_____, Sheriff

I have executed this summons

this _____, 19.....

by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff