

4308

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER
PUBLISHER

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

W. D. Flowers vs. J. D. Cruitt

LEGAL NOTICE

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 4308.

W. D. FLOWERS, as Administrator of
the Estate of Eula Mae Cruitt, Deceased,
Complainant,

vs.
J. D. CRUITT,

Respondent.

Pursuant to the terms and provisions of a decree rendered in this cause on March 3, 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 6th day of April, 1959, the following described personal property situated in Baldwin County, Alabama, to-wit:

- 1 Red nylon sofa bed
- 1 Matching platform rocker
- 2 Matching end tables with lamps
- 1 Coffee table
- 1 large wool throw rug
- 1 small wool throw rug
- 1 floor lamp
- 5 pair white nylon curtains
- 1 7-piece chrome dinette set
- 1 electric refrigerator
- miscellaneous dishes, pots, etc.
- 1 3-piece light color bedroom suite with foam mattress and springs
- 4 Pillows

- 1 3-piece dark color bedroom suit with mattress and springs
- 1 Console television
- 1 window fan

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

DATED this 3 day of March, 1959.

ALICE J. DUCK,
As Commissioner.

JAMES R. OWEN,
Solicitor for Complainant.

8-3tc

COST STATEMENT

218 WORDS @ 5 cents \$ 10.90
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 March 5, 1959 Vol. 71 No. 8

Date of 2nd publication March 12, 1959 Vol. 71 No. 9

Date of 3rd publication March 19, 1959 Vol. 71 No. 10

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

Subscribed and sworn before the undersigned this 19 day of Mar, 1959.

Alarney Muntin
Notary Public, Baldwin County.

E. R. Morrisette, Jr.
Editor.

W. D. FLOWERS, as Administrator
of the Estate of Eula Mae Cruitt,
Deceased,

Plaintiff,

vs.

J. D. CRUITT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

7203157

ORDER:

This cause coming on to be heard on this date is submitted on the motion to transfer this cause to equity heretofore filed by the Plaintiff, and it appearing to the court that the Defendant, by his Attorney, has consented and agreed that the said cause be transferred to the Equity side of the court, it is therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. This cause shall be and it hereby is transferred from the law side of the docket to the equity side of the docket of this court so that the same may proceed there so that the Plaintiff by Bill of Complaint and other appropriate proceedings may present the said equitable rights referred to in his motion to transfer this cause to equity.

ORDERED, ADJUDGED AND DECREED on this the 12 day of June, 1958.

Hubert M. Noel
Judge.

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ORDER

W. D. FLOWERS, as Administrator
of the Estate of Eula Mae Cruitt
Deceased,

Plaintiff,

vs.

J. D. CRUITT,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

FILED

JUN 18 1958

ALICE L. DICK, Clerk

W.D.F.

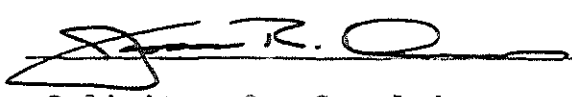
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W. D. FLOWERS, as Administrator)	IN THE CIRCUIT COURT OF
of the Estate of Eula Mae Cruitt,)	
Deceased,)	BALDWIN COUNTY, ALABAMA
)	
Complainant,)	
)	
vs.)	IN EQUITY. NO. 4308.
)	
J. D. CRUITT,)	
)	
Respondent.)	

MOTION:

Now comes the Complainant in the above styled cause and shows unto the court that this cause has been settled between the parties thereto and that the cause should now be dismissed.

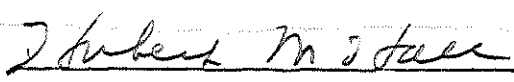
WHEREFORE, Complainant moves the court to dismiss this cause on this the 31st day of March, 1959.


 Solicitor for Complainant.

ORDER:

In this cause it appears to the Court that the parties to said cause have settled it and that it should now be dismissed;

It is, therefore, ORDERED, ADJUDGED AND DECREED that this cause be and it hereby is dismissed, on this the 1 day of April, 1959.


 Judge.

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Redmond
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FILED

APR 1 1959

ALICE J. DUCK, CLERK

W. D. FLOWERS, as Administrator) IN THE CIRCUIT COURT OF
of the Estate of Eula Mae Cruitt,)
Deceased,)
Complainant,) BALDWIN COUNTY, ALABAMA
vs.) IN EQUITY. NO. 4308.
J. D. CRUITT,)
Respondent.)

Pursuant to the terms and provisions of a decree rendered in this cause on ~~February~~ ^{May} 3, 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 6th day of April, 1959, the following described personal property situated in Baldwin County, Alabama, to-wit:

- 1 Red nylon sofa bed
- 1 Matching platform rocker
- 2 Matching end tables with lamps
- 1 Coffee table
- 1 large wool throw rug
- 1 small wool throw rug
- 1 floor lamp
- 5 pair white nylon curtains
- 1 7-piece chrome dinnette set
- 1 electric refrigerator
- miscellaneous dishes, pots, etc.
- 1 3-piece light color bedroom suite with foam mattress and springs.
- 4 Pillows
- 1 3-piece dark color bedroom suite with mattress and springs
- 1 Console television
- 1 window fan

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

DATED this 3 day of ~~February~~ ^{March}, 1959.

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

JAMES R. OWEN,
Solicitor for Complainant.

W. D. FLOWERS, as Administrator of the Estate of Eula Mae Cruitt, Deceased,)	IN THE CIRCUIT COURT OF
)	
Complainant,)	BALDWIN COUNTY, ALABAMA
vs.)	
J. D. CRUITT,)	IN EQUITY. NO. 4308.
Respondent.)	
)	

ORDER OF SALE:

This cause coming on to be heard on this date is submitted for a decree on the testimony of the witnesses for the Complainant and the Respondent and the exhibits to their testimony; the original verified bill of complaint in this cause and the Respondent's answer thereto; and upon considering all of the pleadings in said cause and the legal evidence, the court is of the opinion that the Complainant is entitled to the relief prayed for in the Bill of Complaint, upon the consideration of which it is, therefore, ORDERED ADJUDGED AND DECREED by the court as follows:

1. The Complainant and the Respondent each own an undivided one-half interest in and to the following described personal property, to-wit:

- 1 Red Nylon Sofa bed
- 1 Matching platform rocker
- 2 Matching end tables with lamps
- 1 Coffee table
- 1 Large wool throw rug
- 1 Small wool throw rug
- 1 Floor lamp
- 5 pair white nylon curtains
- 1 7-piece chrome dinnette set
- 1 Electric refrigerator
- Miscellaneous dishes, pots, etc. foam
- 1 3-piece light color bedroom suite with/mattress and springs.
- 4 Pillows
- 1 3-piece dark color bedroom suite with mattress and springs.

The Complainant owns an undivided one-fourth interest and the Respondent owns an undivided three-fourths interest in and to the following described personal property, to-wit:

- 1 Console Television
- 1 Window Fan.

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 or the Court house in Bay Minette, Baldwin County, Alabama, at 11:30 A. M. on the 6 day of April, 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.

2. 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, 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 3 day of ~~March~~ February, 1959.

Hubert M. Hall

Judge.

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FILED
MAR 31 1932
MABEL DUCK, CLERK
REGISTER

4308

W. D. FLOWERS, ADMINISTRATOR
OF THE ESTATE OF EULA MAE
CRUITT, DECEASED,

COMPLAINANT

VS

J. D. CRUITT

RESPONDENT

ANSWER

FILED

JUL 25 1958

ALICE J. DUCK, Register

W. D. FLOWERS, as Administrator
of the Estate of Eula Mae Cruitt,
Deceased,

Complainant,

vs.

J. D. CRUITT,

Respondent.

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 Petitioner, W. D. Flowers, as Administrator of the
Estate of Eula Mae Cruitt, Deceased, respectfully shows unto the
Court and your Honor as follows:

1. Complainant and Respondent are each over the age of
twenty-one years and are both residents of Baldwin County, Alabama.

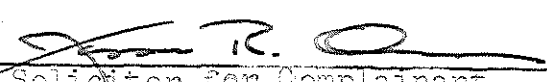
2. That the Complainant and the Respondent each own an un-
divided one-half interest in and to the following described
personal property to-wit:

1. Red Nylon Sofa bed
- 1 Matching platform rocker
- 2 Matching end tables with lamps
- 1 Coffee table
- 1 Console television
- 1 Large wool throw rug
- 1 Small wool throw rug
- 1 Floor lamp
- 5 Pair white nylon curtains
- 1 7-piece chrome dinnette set
- 1 Electric refrigerator
- 1 Gas stove
- Miscellaneous dishes, pots, etc.
- 1 3-piece light color bedroom suite with foam mattress
and springs.
- 4 Pillows
- 1 3-piece dark color bedroom suite with mattress and
springs
- 1 Window fan.

3. That said property cannot be equitably divided or
partitioned without a sale of the same, and that it would be to the
best interest of all of the said parties to sell the said property
for the purpose of division and distribution.

Complainant, therefore, prays the Court and your Honor to
order the said property to be sold and converted into money, and to
make and issue all such other orders as may be necessary to effect
the sale thereof, for the purpose of such division and distribution.

and Complainant further prays for such other orders and decrees as may be just and proper, the premises considered.


Solicitor for Complainant.

STATE OF ALABAMA

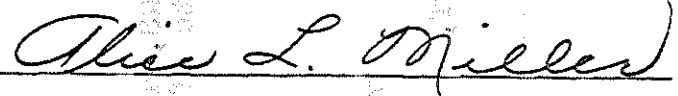
BALDWIN COUNTY

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 for the Complainant in the above styled cause. That he has read over the foregoing Bill of Complaint and that he is informed and believes and upon such information and belief states that the facts set forth in the Complaint are true.



Sworn to and subscribed before me on this the 11th day of June, 1958.



Notary Public, Baldwin County, Alabama.

filed June 13, 1958
Alice J. Slack, Register

TO WHOM THESE PRESENTS SHALL COME, I HEREBY GREET YOU IN THE LORD AND WISH YOU ALL THE BLESSINGS OF HEAVEN.

204368

COMPLAINT

W. D. FLOWERS, as Administrator
of the Estate of Eula Mae Cruitt,
Deceased,

Complainant,

vs.

J. D. CRUITT,

Respondent.

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

FILED

JUN 18 1958

ALICE L. BOCK, Register

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