

NANCY SCOTT BENTON,

COMPLAINANT,

V.

Grace Scott, Tom Scott,
Mary Belle Scott Franklin,
John Watts Scott, Elizabeth Gaston
Scott, a minor,
Stephen Kyle Scott, a minor,
Marguerita W. Scott, a minor
T. J. Scott,
Mary Adelaide Pierrepont,
Alva Scott Garfield,
Taylor S. Gay, Dorothy Gay
Fullerton, Lois Gay Chandler
and William David Gay

RESPONDENTS.

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

NO. _____

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY,
SITTING IN EQUITY:

Comes your Complainant, Nancy Scott Benton, and respect-
fully shows unto the Court as follows:

1. That she is over the age of twenty-one years and is a
bona fide resident citizen of Calhoun County, Alabama; that the
Respondents, Grace Scott, Tom Scott, Mary Belle Scott Franklin, John
Watts Scott, T. J. Scott, Mary Adelaide Pierrepont, Alva Scott Gar-
field, Taylor S. Gay, Dorothy Gay Fullerton, William David Gay, and
Lois Gay Chandler, are each over the age of twenty-one years; that
Respondent, Stephen Kyle Scott is a minor slightly over fourteen years
of age; Respondent, Marguerita W. Scott is a minor approximately
twelve years of age; and Respondent, Elizabeth Gaston Scott is a minor
approximately six years of age; and their places of residence are as
follows:

- Grace Scott, Womans Club, Mobile, Alabama
- Tom Scott, 4815 25th Road, North, Arlington, Va.
- Mary Belle Scott Franklin, Rt. 2, Box 202, Ft. Myers, Florida
- John Watts Scott, Rt. 1, Box 43, Jemison, Alabama
- Elizabeth Gaston Scott, a minor, is in the care, custody
and control of her mother, Elizabeth Z. Scott, Box 444,
Tuskegee, Alabama;

Stephen Kyle Scott and Marguerite W. Scott, minors, are in the care, custody and control of their mother, Madeleine G. Scott, in Fairhope, Alabama;

T. J. Scott, Scottswood Farm, Madison, N. H.

Mary Adelaide Pierrepont, Box 4, Ridgefield, Conn.

Alva Scott Garfield, #3 Hawthorne Lane, Concord, Mass.

Taylor S. Gay, c/o Phillips Petroleum Company, 80 Broadway, New York 5, N. Y.

William David Gay, 1019 Petroleum Building, Tulsa, Okla.

Dorothy Gay Fullerton, R.F.D. 1, Vienna, Virginia or
c/o The Knitting Comer Yarns, 520 North
Randolph, Arlington, Virginia

Lois Gay Chandler (Mrs. Hazen Chandler) Chicago, Illinois

2. Your Complainant further alleges that she and the above named respondents are joint owners or tenants in common of the following described property situated in the County of Baldwin, State of Alabama:

Lot Two of Section Eighteen in Township Nine South of Range Five East of the St. Stephens Meridian, Alabama, containing one hundred sixty acres and fifty-nine hundredths of an acre.

3. The parties hereto own the above described property in the following undivided interests:

Nancy Scott Benton	One-eighteenth (1/18)
John Watts Scott	One-eighteenth (1/18)
Mary Belle Scott Franklin	One-eighteenth (1/18)
Tom Scott	One-eighteenth (1/18)
Stephen Kyle Scott	One-fifty-fourth (1/54)
Elizabeth Gaston Scott	One-fifty-fourth (1/54)
Marguerita W.Scott	One-fifty-fourth (1/54)
T. J. Scott	One-ninth (1/9)
Alva Scott Garfield	One-ninth (1/9)
Mary Adelaide Pierrepont	One-ninth (1/9)
Taylor S. Gay	One-twelfth (1/12)
William David Gay	One-twelfth (1/12)
Dorothy Gay Fullerton	One-twelfth (1/12)
Lois Gay Chandler	One-twelfth (1/12)

4. Your Complainant further alleges that a partition among the joint owners or tenants in common in accordance with the foregoing fractional shares will be to the interest of all of said parties.

5. Your Complainant further alleges that she has employed the firm of Knabe and Nachman, Attorneys at Law, Montgomery, Alabama, to file this bill and to prosecute the same, and that said firm is entitled to the payment of a reasonable fee from the common estate for service rendered to the common estate.

WHEREFORE, THE PREMISES CONSIDERED, your Complainant prays that the said Grace Scott, Tom Scott, Mary Belle Scott Franklin, John Watts Scott, Elizabeth Gaston Scott, a minor, Stephen Kyle Scott, a minor, Marguerita W. Scott, a minor, T. J. Scott, Mary Adelaide Pierrepont, Alva Scott Garfield, Taylor S. Gay, Dorothy Gay Fullerton, Lois Gay Chandler, and William David Gay, be made parties Respondent to this her bill of complaint, and that the process of this Court be issued and served upon each of them as required by law, and upon Madeline G. Scott as the mother and person in charge of the said minor children, namely, Stephen Kyle Scott and Marguerita W. Scott, and upon Elizabeth Z. Scott as the mother and person in charge of the said minor child, namely, Elizabeth Gaston Scott, to the end that said Respondents may be brought into this Court and be required to plead, answer or demur to this bill of complaint in the time and in the manner provided by law and in accordance with the rules of this Court; that a guardian ad litem be appointed in due time to represent the interests of said minor children at the hearing of this cause.

And Complainant further prays that this Court upon hearing shall ascertain and declare the rights, titles and interests of each of the parties to this suit and to give judgment according to the rights of the parties.

And Complainant further prays that this Court will order

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

}

Circuit Court, Baldwin County

No. 4048

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon GRACE SCOTT ET AL

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.....

GRACE SCOTT ET AL....., Defendant.....

by NANCY SCOTT BENTON.....

....., Plaintiff.....

Witness my hand this 10th day of June 19 57

Nancy Scott Benton....., Clerk

CO/55

8

No. 4048

Page 376

The State of Alabama

Baldwin County

CIRCUIT COURT

Nancy Scott Benton

Plaintiffs

vs.

Grace Scott, et al
Womens Club

Defendants

Summons and Complaint

FILED

Filed 19

JUN 10 1957

ALICE J. DUCK, Clerk

Clerk

Sheriff Claims Mileage For

4 Miles @ 10¢ Per Mile

Total \$0.40

Justus Hamaly

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

6/10 1957

Nyles Wilkins Sheriff

I have executed this summons

this 19

by leaving a copy with

EXECUTED
THIS THE

JUN 18 1957

Edgott...
by Sheriff's Copy all the names within
Justus Hamaly

RECORDED
Not found in...
SEARCHED...
RAID...
D. S.

Sheriff Claims Mileage For
4 Miles @ 10¢ Per Mile

Justus Hamaly

Sheriff

Deputy Sheriff

NANCY SCOTT BENTON,)	
Complainant,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
GRACE SCOTT, ET AL,)	IN EQUITY NO. 4048
Respondents.)	

DECREE DISMISSING CAUSE

This cause coming on to be heard on this date, being the date heretofore set by the rules of this court for the calling of the equity docket thereof, and it appearing to the court that at the time this suit was filed there was pending in this court a case in which Taylor Scott Gay, as Executor of the Estate of Mary Belle Scott Gay, also known as Mary Belle Gay, Deceased, was complainant, and John Watts Scott, et al, were respondents, which was a proceeding involving the same parties and the same property as this suit, because of all of which this suit should be dismissed; upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. This cause shall be and it is hereby dismissed.
2. The costs of this proceeding are hereby taxed against the complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 16th day of July, 1957.

Hubert M. Stone

 Judge

DECREE DISMISSING CAUSE

NANCY SCOTT BENTON,

VS.

GRACE SCOTT, ET AL,

Complainant,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 4048

*Filed 2-16-57
Alice J. Neek
Registrar*

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SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Circuit Court, Baldwin County

Baldwin County.

No. ~~1002~~ -----

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

Lois Guy Chandler

You Are Hereby Commanded to Summon ~~JAMES SCOTT ET AL~~

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 -----

~~JAMES SCOTT ET AL~~ -----, Defendant

by ~~JAMES SCOTT BENTON~~ -----

-----, Plaintiff

Witness my hand this ~~10th~~ day of ~~June~~ 19--~~57~~

Wesley Hirsch -----, Clerk

No. _____ Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed _____ 19__

Clerk

FILED
JUN 10 1957
ALICE L. 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

NANCY SCOTT BENTON,

COMPLAINANT,

V.

Grace Scott, Tom Scott,
Mary Belle Scott Franklin,
John Watts Scott, Elizabeth Gaston
Scott, a minor,
Stephen Kyle Scott, a minor,
Marguerita W. Scott, a minor
T. J. Scott,
Mary Adelaide Pierrepont,
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Taylor S. Gay, Dorothy Gay
Fullerton, Lois Gay Chandler
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IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

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NO. _____

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SITTING IN EQUITY:

Comes your Complainant, Nancy Scott Benton, and respect-
fully shows unto the Court as follows:

1. That she is over the age of twenty-one years and is a
bona fide resident citizen of Calhoun County, Alabama; that the
Respondents, Grace Scott, Tom Scott, Mary Belle Scott Franklin, John
Watts Scott, T. J. Scott, Mary Adelaide Pierrepont, Alva Scott Gar-
field, Taylor S. Gay, Dorothy Gay Fullerton, William David Gay, and
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and control of her mother, Elizabeth E. Scott, Box 444,
Tuskegee, Alabama;

Stephen Kyle Scott and Marguerite W. Scott, minors, are in the care, custody and control of their mother, Madeline G. Scott, in Fairhope, Alabama;

T. J. Scott, Scottswood Farm, Madison, N. E.

Mary Adelaide Pierrepont, Box 4, Ridgefield, Conn.

Alva Scott Garfield, #3 Hawthorne Lane, Concord, Mass.

Taylor S. Gay, c/o Phillips Petroleum Company, 89 Broadway, New York 5, N. Y.

William David Gay, 1019 Petroleum Building, Tulsa, Okla.

Dorothy Gay Fullerton, R.F.D. 1, Vienna, Virginia or
c/o The Knitting Corner Yarns, 520 North
Randolph, Arlington, Virginia

Lois Gay Chandler (Mrs. Haven Chandler) Chicago, Illinois

2. Your Complaint further alleges that she and the above named respondents are joint owners or tenants in common of the following described property situated in the County of Baldwin, State of Alabama:

Lot Two of Section Eighteen in Township Nine South of Range Five East of the St. Stephens Meridian, Alabama, containing one hundred sixty acres and fifty-nine hundredths of an acre.

3. The parties hereto own the above described property in the following undivided interests:

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4. Your Complainant further alleges that a partition among the joint owners or tenants in common in accordance with the foregoing fractional shares will be to the interest of all of said parties.

5. Your Complainant further alleges that she has employed the firm of Keabe and Nachman, Attorneys at Law, Montgomery, Alabama, to file this bill and to prosecute the same, and that said firm is entitled to the payment of a reasonable fee from the common estate for service rendered to the common estate.

WHEREFORE, THE PREMISES CONSIDERED, your Complainant prays that the said Grace Scott, Tom Scott, Mary Belle Scott Franklin, John Watts Scott, Elizabeth Gaston Scott, a minor, Stephen Kyle Scott, a minor, Marguerita W. Scott, a minor, T. J. Scott, Mary Adelaide Pierrepont, Alva Scott Garfield, Taylor S. Gay, Dorothy Gay Fullerton, Lois Gay Chandler, and William David Gay, be made parties Respondent to this her bill of complaint, and that the process of this Court be issued and served upon each of them as required by law, and upon Madeline G. Scott as the mother and person in charge of the said minor children, namely, Stephen Kyle Scott and Marguerita W. Scott, and upon Elizabeth Z. Scott as the mother and person in charge of the said minor child, namely, Elizabeth Gaston Scott, to the end that said Respondents may be brought into this Court and be required to plead, answer or demur to this bill of complaint in the time and in the manner provided by law and in accordance with the rules of this Court; that a guardian ad litem be appointed in due time to represent the interests of said minor children at the hearing of this cause.

And Complainant further prays that this Court upon hearing shall ascertain and declare the rights, titles and interests of each of the parties to this suit and to give judgment according to the rights of the parties.

And Complainant further prays that this Court will order

adjudge and decree that a partition of the foregoing described property shall be made in accordance with the interests of the joint owners or tenants in common as specified in this bill of complaint. And your Complainant further prays for such other, further and different relief as which she may in equity and good conscience be entitled and which this Court may deem necessary and proper in the premises. Complainant further prays that the Court will order, adjudge and decree that her Attorneys, Inaba and Hutchins, Attorneys at Law, Montgomery, Alabama, be awarded a reasonable attorney's fee and that the same be ordered, adjudged and decreed payable out of the common estate for services rendered to the common estate. And in duty bound, your Complainant will ever pray, etc.

W. B. McNeal
Solicitors for Complainant

Nancy Scott Benton
Nancy Scott Benton, Complainant

STATE OF ALABAMA)
MONTGOMERY COUNTY)

Before me, Gloria J. Elder, a Notary

Public in and for said State at Large, personally appeared Nancy Scott Benton, who is known to me, who being duly sworn, depose on oath and says as follows:

That the foregoing bill of complaint was prepared under her direction; that she has read the foregoing bill of complaint, and that the statements therein made are true and correct.

Nancy Scott Benton
Nancy Scott Benton

SWORN TO AND SUBSCRIBED before me this 1st day of

June, 1957.

Gloria J. Elder
Notary Public in and for the State of Alabama at Large

Handwritten notes:
Nancy Scott Benton
June 1st 1957

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.



Circuit Court, Baldwin County

No. 1018

TERM, 19

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GRACE SCOTT ET AL

, Defendant

by

GRACE SCOTT HENSON

, Plaintiff

Witness my hand this

10th

day of

June

19

57

W. J. Hensck

, Clerk

No. ----- Page -----

The State of Alabama
Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed ----- 19-----

FILED

JUN 10 1957 Clerk

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

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Mary Adelaide Pierrepont, Box 4, Ridgefield, Conn.

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And Complainant further prays that this Court upon hearing shall ascertain and declare the rights, titles and interests of each of the parties to this suit and to give judgment according to the rights of the parties.

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