

41364

IN RE THE ESTATE OF
PAMELA FRAMPTON, MINOR

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

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

Comes Mrs. Eugenia Fincher, guardian of the estate of Pamela Frampton, a minor, by appointment of the Probate Court of Baldwin County, and before judgment therein amends said complaint heretofore filed in this court to meet the testimony taken therein so as to read as follows, and respectfully represents that the said minor is a tenant in common with Evelyn Frampton Driskell, of the following described real estate, to-wit:

The Northwest Quarter of the Southeast Quarter of Section one Township 5 South Range 3 East of the St. Stephens Meridian in Baldwin County, Alabama.

said minor owns one-fifth undivided remainderman's interest subject to a life estate in said land; there is no valid authority to sell the interest vested in the said minor by the terms of any instrument by which said minor holds said property, nor is such sale restricted or prohibited by such instrument.

Your Petitioner further represents that the said Evelyn Frampton Driskell desires to buy and that the said Mrs. Eugenia Fincher as the guardian of said Pamela Frampton a minor, desires to sell the said minor's interest in said property and has sold the said minor's interest in the above described lands to Evelyn Frampton Driskell for the sum of FIVE HUNDRED (\$500.00) DOLLARS upon the following terms, to-wit: payable in cash and that it is to the interest of said minor to sell and dispose of her interest in said lands for the above named sum for the said minor, a tenant in common. It being further to the interest of said minor to dispose of said property since the said minor is a non-resident of the State of Alabama where said property is located and is no longer able to look after her interest in said property in a suitable and proper manner.

Your Petitioner further represents that the name, age and place of residence of the said minor is as follows: Rt. 6, Box 506, Anderson, Indiana.

Your Petitioner further represents that the said Mrs. Ferne L.

Cowles, who resides at Rt. 6, Box 506, Anderson, Indiana, is the mother, over the age of 21 and is the next of kin to said minor. There are no next of kin to said minor residing in the State of Alabama other than the said Mrs. Evelyn Frampton Driskell.

The premises considered, your petitioner prays that your Honor appoint a day for the hearing of this petition, not less than 20 days from the filing thereof, and that notice of the day set for such hearing be given to such of minor, to the person in whose custody said minor may be, and there being no adult next of kin to said minor residing in this State and no interested in said sale, that a guardian ad litem be appointed to represent and protect the interest of said minor as required by law.

Your petitioner further prays that upon the hearing of said petition, the Court will make an order confirming said sale, and upon it appearing to the Court that full payment has been made to the guardian of said minor of the purchase money for the interest of the said minor in said lands, the Court will render a decree directing said Guardian to make a conveyance of the interest of said minor in the said real estate to the purchaser aforesaid.

That Elizabeth Jan Frampton also known as Elizabeth Jan Anderson is over the age of 21 and a non-resident of the State of Alabama, is reputed to claim an interest in said property described in the original complaint herein.

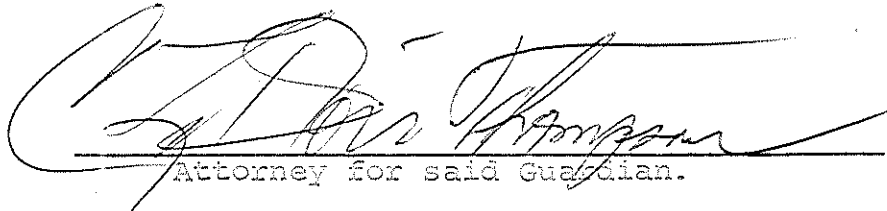
Complainant claims to own, except for the interest above stated and as to the said Pamela Frampton, a minor, the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 1 Township 5 South Range 3 East in Baldwin County, Alabama and your Complainant is in the actual, quiet and peaceable possession of said property. No suit is pending to enforce or test the validity of said title interest in, lien or encumbrance on said lands and your Complainant brings this bill of complaint for the purpose of settling the title to the said lands and to clear up all doubts or disputes concerning the same. The Complainant here and now calls upon the said Elizabeth Jane Frampton, by whatever name she may now be known to set forth and specify her right, title or interest in, lien or encumbrance on the said lands, or any part thereof, and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS

The premises considered the Complainant respectfully pray that this Honorable Court will cause its usual Writ of Process to issue directed to each of the named Respondents and requiring them to plead, answer or demur to this Bill of Complaint within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF.

The premises further considered the Complaint respectfully pray that on a final hearing of this cause that this Honorable Court will enter an order or decree ascertaining and declaring the interest of the said Pamela Frampton, a minor and declaring that said parcel can not be equitable without a sale of the same and that it is to the best interest of the said Pamela Frampton, a minor, to sell said interest in said real property at a private sale to the said Mrs. Evelyn Anna Frampton Driskell and that said money, after the expenses of said sale shall be paid over to the fiduciary account of the Probate Court and that following said sale this Honorable Court will order that a reference be held to fix and determine a reasonable attorneys fee to be paid out of the proceeds of said sale to Thompson and White as attorneys for the said minor and that this Honorable Court will upon a report back of said sale confirm same in accordance with the decree authorizing such. And further that this Honorable Court will consider and adjudicate that the said Elizabeth Jane Frampton also known as Elizabeth Jane Anderson has no interest in said property and your Petitioner prays for such other, further and different relief as in the premises will be meet and proper. And Your Petitioner will ever pray, etc.,


Attorney for said Guardian.

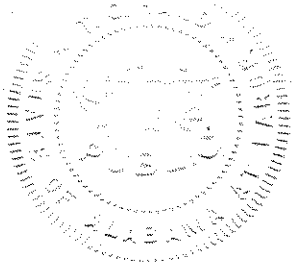
STATE OF ALABAMA
BALDWIN COUNTY

Before me the undersigned Notary Public, in and for said County, in said State, this day personally appeared C. LeNoir Thompson, Attorney for said Guardian, who is known to me and who being by me duly sworn, deposes and says that he has read the foregoing petition, that the facts therein stated are true.

C. P. Thompson

Sworn to and subscribed before me on this 19 day of December

1958.



C. P. Sand

Notary Public, Baldwin County, Alabama.

MY COMMISSION AS A NOTARY PUBLIC
EXPIRES 30: OF *Jan* 1960.

Estate of Pamela Frampton, a Minor

vs.

Mrs. Jane Anderson

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 7th day of October, 1958, a copy of the Bill of Complaint filed in this cause was sent to Mrs. Jane Anderson

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 9th day of October, 1958, such receipt was duly received and filed in this cause:

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

Defendant

This the 14 day of Nov. 1958

Alice J. Luck Register.

No. _____

**CIRCUIT COURT OF BALDWIN
COUNTY, ALA.**

In Equity.

Estate of Pamela Frampton,
a Minor

vs.

Mrs. Jane Anderson

**Decree Pro Confesso After
Notice By Registered Mail.**

Filed in office this _____ day of

FILED

_____, 192

NOV 14 1958

Register

ALICE J. JACK, Register

Entered in O. B. _____ Page _____

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The State of Alabama, }
Baldwin County

No. -----

CIRCUIT COURT, IN EQUITY

----- Estate of Pamela Frampton, a Minor -----, Complainant

Vs.

----- Mrs. Jane Anderson -----, Defendant

Motion is hereby made for a Decree Pro Confesso against -----

----- Mrs. Jane Anderson -----, Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant ----, and that said summons was duly served by Registered Mail, according to law, and that said Defendant ---- has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 14th day of November, 1958.

----- *[Signature]* -----, Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
Baldwin County.

Circuit Court, In Equity

Estate of Pamela Frampton,

a Minor

vs.

Mrs. Jane Anderson.

Motion For Decree Pro Confesso
After Notice By Registered Mail

FILED

Filed _____, 19_____

NOV 14 1958

ALICE J. DODD, Register

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

IN RE THE ESTATE OF
PAMELA FRAMPTON, MINOR

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

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

Comes Mrs. Eugenia Fincher, guardian of the estate of
Pamela Frampton, a minor, by appointment of the Probate Court
of Baldwin County, and respectfully represents that the said
minor is a tenant in common with Evelyn Frampton Driskell, of
the following described real estate, to-wot:

The Northwest Quarter of the Southeast Quarter of
Section one Township 5 South Range 3 East of the St. Stephens
Meridian in Baldwin County, Alabama.

said minor owns one-fifth of one-half undivided interest in said
land; there is no valid authority to sell the interest vested in
the said minor by the terms of any instrument by which said
minor holds said property, nor is such sale restricted or pro-
hibited by such instrument.

Your Petitioner further represents that the said Evelyn
Frampton Driskell desires to buy and that the said Mrs. Eugenia
Fincher as the guardian of said Pamela Frampton a minor, desires
to sell the said minor's interest in said property and has sold
the said minor's interest in the above described lands to Evelyn
Frampton Driskell for the sum of Five Hundred (\$500.00) Dollars
upon the following terms, to-wit: payable in cash and that it
is to the interest of said minor to sell and dispose of her
interest in said lands for the above named sum for the said
minor, a tenant in common. It being further to the interest of
said minor to dispose of said property since the said minor is
a non-resident of the State of Alabama where said property is
located and is no longer able to look after her interest in
said property in a suitable and proper manner.

Your Petitioner further represents that the name, age and
place of residence of the said minor is as follows: Rt. 6, Box
506, Anderson, Indiana.

Your Petitioner further represents that the said Mrs. Ferne
L. Cowles, who resides at Rt. 6, Box 506, Anderson, Indiana, is
the mother, over the age of 21 years and is the next of kin to

said minor. There are no next of kin to said minor residing in the State of Alabama other than the said Mrs. Evelyn Frampton Driskell.

The premises considered, your petitioner prays that your Honor appoint a day for the hearing of this petition, not less than 20 days from the filing thereof, and that notice of the day set for such hearing be given to such of minor, to the person in whose custody said minor may be, and there being no adult next of kin to said minor residing in this State and not interested in said sale, that a guardian ad litem be appointed to represent and protect the interest of said minor as required by law.

Your petitioner further prays that upon the hearing of said petition, the Court will make an order confirming said sale, and upon it appearing to the Court that full payment has been made to the guardian of said minor of the purchase money for the interest of the said minor in said lands, the Court will render a decree directing said Guardian to make a conveyance of the interest of said minor in the said real estate to the purchaser aforesaid. *also known as Elizabeth Jane Anderson*
That Elizabeth Jane Frampton/is over the age of 21 and a non-resident of the State of Alabama, is reputed to claim an interest in said property described in the original complaint herein.

Complainant claims to own, except for the interest above stated and as to the said Pamela Frampton, a minor, the NW $\frac{1}{4}$ of the SE $\frac{1}{2}$ of Section 1 Township 5 South Range 3 East in Baldwin County, Alabama and your Complainant is in the actual, quiet and peaceable possession of said property. No suit is pending to enforce or test the validity of said title interest in, lien or encumbrance on said lands and your Complainant brings this bill of complaint for the purpose of settling the title to the said lands and to clear up all doubts or disputes concerning the same. The Complainant here and now calls upon the said Elizabeth Jan Frampton, by whatever name she may now be known to set forth and specify her right, title or interest in, lien or encumbrance on the said lands, or any part thereof, and how and by what instrument the same is derived and created.

C. LeNoir Thompson

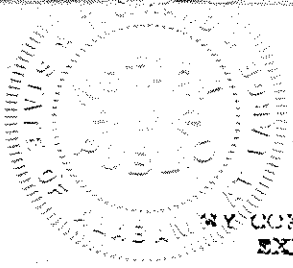
Attorney for said Guardian.

STATE OF ALABAMA
BALDWIN COUNTY

Before me the undersigned Notary Public, in and for said County, in said State, this day personally appeared C. LeNoir Thompson, Attorney for said Guardian, who is known to me and who being by me duly sworn, deposes and says that he has read the foregoing petition, that the facts therein stated are true.

C. LeNoir Thompson

Sworn to and subscribed before me on this 1 day of ~~September~~ ^{October},
1958.



MY COMMISSION AS A NOTARY PUBLIC
EXPIRES 30 OF Jan 1960.

G. S. Sand

Notary Public, Baldwin County, Alabama.

IN THE MATTER OF THE)	IN THE CIRCUIT COURT OF
ESTATE OF PAMELA)	BALDWIN COUNTY, ALABAMA
FRAMPTON, MINOR)	IN EQUITY.

This cause coming on to be heard on this date is submitted on the sworn petition of Mrs. Eugenia Fincher, as guardian of Pamela Frampton, Minor, from which petition it appears that the said Petitioner, Mrs. Eugenia Fincher, has been appointed, qualified and is now acting as guardian of Pamela Frampton, Minor, which guardianship is now pending in the Probate Court of Baldwin County, Alabama, and that, in the opinion of the Petitioner, the said guardianship can be better administered in the Circuit Court of Baldwin County, Alabama, than in the said Probate Court; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The said guardianship shall be and it is hereby removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity.
2. The Register of this court shall forthwith deliver a certified copy of this decree to the Judge of Probate of Baldwin County, Alabama, who shall deliver the original file of all proceedings had in the Probate Court, together with all papers and documents relating to the said guardianship, to the Circuit Court of Baldwin County, Alabama, in Equity.

ORDERED, ADJUDGED AND DECREED on this the 20 day of August, 1958.

Robert M. Hall

 JUDGE.

FILED

AUG 19 1958

ALICE J. BECK, Register

VOL 100 PAGE 858

IN RE THE ESTATE OF) IN THE CIRCUIT COURT OF
PAMELA FRAMPTON, MINOR) BALDWIN COUNTY, ALABAMA.

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

Comes your Petitioner, MRS. EUGENIA FINCHER, respectfully shows unto your Honor that she is over the age of twenty-one and is presently residing in Baldwin County, Alabama; that she is Guardian of the person and estate of Pamela Frampton, a minor, heretofore appointed and qualified by order of the Judge of Probate of Baldwin County, Alabama, on to-wit: the 1st day of August, 1958; that in the opinion of this Petitioner the said estate can best be administered in the Chancery Court because of the broader powers of said Court.

Therefore your Petitioner prays that this Honorable Court will make and enter an order and decree transferring the administration of the said estate from the Probate Court of Baldwin County, Alabama, to this Honorable Court.

✓ Mrs. Eugenia Fincher
Guardian for Pamela Frampton, Minor.

STATE OF ALABAMA
BALDWIN COUNTY

Before me the undersigned Notary Public, in and for said County, in said State, this day personally appeared Mrs. Eugenia Fincher, who is known to me and who being by me duly sworn, deposes and says that she has read the foregoing petition, that the facts therein stated are true.

✓ Mrs. Eugenia Fincher

Sworn to and subscribed before me on this 9th day of August, 1958.

C. D. Davis
Notary Public, Baldwin County, Alabama.

IN RE: THE ESTATE OF
PAMELA FRAMPTON, A MINOR

X
X

4364
IN THE CIRCUIT COURT OF
BALDWIN COUNTY

Comes your petitioner, the undersigned Mrs. Eugenia Fincher, as guardian of the Estate of Pamela Frampton, a minor, and respectfully represents and shows unto the Court as follows:

1. That petitioner has been heretofore appointed as guardian of the estate of the said Pamela Frampton, a minor, by a decree of the Probate Court of Baldwin County, Alabama, rendered on heretofore the _____ day of _____, 19____, and qualified and has been acting as guardian of said estate from the date of appointment, up to the present time.
2. Has this day filed her resignation as guardian of the said Pamela Frampton, a minor, with the Probate Court of Baldwin County, Alabama, copy of resignation attached hereto, together with a copy of the accounting of monies handled by her for the said minor.
3. That petitioner has administered the estate of said minor and has paid over and delivered to Honorable W. R. Stuart, Probate Judge of Baldwin County, for payment into the fiduciary fund of the said Probate Judge the sum of \$_____, being the sum of \$500 received from the sale of the said minor's undivided interest in a parcel of real property, which interest being conveyed under authority of a decree of the Circuit Court of Baldwin County in Equity, less expenses incurred in the administration--for bond \$20.00 for court costs \$21.15.
4. That said accounting is attached hereto and itemized as Exhibit A hereof and made a part of this petition.
5. That your petitioner has received no other property of any kind and has accounted for all property which came into your petitioner's hands by virtue of her appointment as such guardian and, having resigned, your petitioner is entitled to be relieved and discharged as such guardian.

WHEREFORE, premises considered, petitioner prays that upon a hearing hereof, petitioner may pay over said money and may be discharged as guardian of the estate of the said Pamela Frampton, a minor, and said guardianship may be finally settled and closed.

Mrs Eugenia Fincher
As Guardian of the Estate of Pamela Frampton,
a Minor.

Sworn to and subscribed before me this 15 day of July,
1960.

FILED

JUL 28 1960

ALICE J. DUCK, Register

C. Davis Thompson
Notary Public, Baldwin County, Alabama

IN RE: THE ESTATE OF
PAMELA FRAMPTON, A MINOR

X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY

Comes your petitioner, the undersigned Mrs. Eugenia Fincher, as guardian of the Estate of Pamela Frampton, a minor, and respectfully represents and shows unto the Court as follows:

1. That petitioner has been heretofore appointed as guardian of the estate of the said Pamela Frampton, a minor, by a decree of the Probate Court of Baldwin County, Alabama, rendered on heretofore the _____ day of _____, 19____, and qualified and has been acting as guardian of said estate from the date of appointment, up to the present time.
2. Has this day filed her resignation as guardian of the said Pamela Frampton, a minor, with the Probate Court of Baldwin County, Alabama, copy of resignation attached hereto, together with a copy of the accounting of monies handled by her for the said minor.
3. That petitioner has administered the estate of said minor and has paid over and delivered to Honorable W. R. Stuart, Probate Judge of Baldwin County, for payment into the fiduciary fund of the said Probate Judge the sum of \$_____, being the sum of \$500 received from the sale of the said minor's undivided interest in a parcel of real property, which interest being conveyed under authority of a decree of the Circuit Court of Baldwin County in Equity, less expenses incurred in the administration--for bond \$20.00 for court costs \$21.18.
4. That said accounting is attached hereto and itemized as Exhibit A hereof and made a part of this petition.
5. That your petitioner has received no other property of any kind and has accounted for all property which came into your petitioner's hands by virtue of her appointment as such guardian and, having resigned, your petitioner is entitled to be relieved and discharged as such guardian.

WHEREFORE, premises considered, petitioner prays that upon a hearing hereof, petitioner may pay over said money and may be discharged as guardian of the estate of the said Pamela Frampton, a minor, and said guardianship may be finally settled and closed.

Mrs. Eugenia Fincher
As Guardian of the Estate of Pamela Frampton,
a Minor.

Sworn to and subscribed before me this 15 day of July,

1960.

[Signature]
Notary Public, Baldwin County, Alabama

IN RE: THE ESTATE OF
PAMELA FRAMPTON, A MINOR

X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY

Comes your petitioner, the undersigned Mrs. Eugenia Fincher, as guardian of the Estate of Pamela Frampton, a minor, and respectfully represents and shows unto the Court as follows:

1. That petitioner has been heretofore appointed as guardian of the estate of the said Pamela Frampton, a minor, by a decree of the Probate Court of Baldwin County, Alabama, rendered on heretofore the _____ day of _____, 19____, and qualified and has been acting as guardian of said estate from the date of appointment, up to the present time.
2. Has this day filed her resignation as guardian of the said Pamela Frampton, a minor, with the Probate Court of Baldwin County, Alabama, copy of resignation attached hereto, together with a copy of the accounting of monies handled by her for the said minor.
3. That petitioner has administered the estate of said minor and has paid over and delivered to Honorable W. R. Stuart, Probate Judge of Baldwin County, for payment into the fiduciary fund of the said Probate Judge the sum of \$_____, being the sum of \$500 received from the sale of the said minor's undivided interest in a parcel of real property, which interest being conveyed under authority of a decree of the Circuit Court of Baldwin County in Equity, less expenses incurred in the administration--for bond \$20.00 for court costs \$21.18.
4. That said accounting is attached hereto and itemized as Exhibit A hereof and made a part of this petition.
5. That your petitioner has received no other property of any kind and has accounted for all property which came into your petitioner's hands by virtue of her appointment as such guardian and, having resigned, your petitioner is entitled to be relieved and discharged as such guardian.

WHEREFORE, premises considered, petitioner prays that upon a hearing hereof, petitioner may pay over said money and may be discharged as guardian of the estate of the said Pamela Frampton, a minor, and said guardianship may be finally settled and closed.

Mrs. Eugenia Fincher
As Guardian of the Estate of Pamela Frampton,
a Minor.

Sworn to and subscribed before me this 15 day of July,

1960.

C. D. Thompson
Notary Public, Baldwin County, Alabama

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IN RE THE ESTATE OF
PAMELA FRAMPTON, a Minor

Y
X
X
X

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

Now comes the undersigned, Mrs. Eugenia Fincher, and hereby resigns as Guardian of Pamela Frampton, a minor, and submits concurrently herewith a final settlement of her administration of said guardianship.

Your petitioner prays for an order from this Honorable Court decreeing that your petitioner as guardian of the Estate of Pamela Frampton pay over to the fiduciary fund of the Probate Court of Baldwin County, Alabama, such sum or sums remaining in her hands upon approval of the accounting and final settlement set out, and attached hereto, and that upon said payment, that her resignation shall be accepted and she shall be discharged as said guardian. Your petitioner further prays for such other, further, or special relief, as she shall in equity and good conscience be entitled to.

Mrs Eugenia Fincher