

Friday 7/9/22
P. Williams
Register

R. E. Cook et al, Complainants,

versus

Ben G. Cook et al, Defendants.

In Circuit Court of Baldwin
County, Ala. In Equity.

Comes Carrie K. McMillan, one of the defendants in
above cause, and for answer to the bill of complaint, says she admits
all the allegations thereof. She waives service by the Sheriff of
subpoena on said bill, a copy of the interrogatories filed in the
cause, notice of the filing of the same, waives the ten days allowed
by law to cross them, the right to cross them, and consents that the
cause be submitted to the Judge on note of testimony to be made by
the Register.

Carrie K. McMillan

R. E. Cook et al, Complainants,)

versus)

Jan G. Cook et al, Defendants.)

In Circuit Court of Baldwin

County, Ala. In Equity.

Comes Sallie Copell one of the defendants in above
cause, and for answer to the bill of complaint, says She admits all the
allegations thereof. She waives service by the Sheriff of subpoena on
said bill, a copy of the interrogatories filed in the cause, notice
of the filing of the same, waives the ten days allowed by law to cross
them, the right to cross them, and consents that the cause be submitted
to the Judge on note of testimony to be made by the Register.

Sallie Copell

Filed May 7/1926
D. W. Keenan
Register

R. A. Cook et al, Complainants,)

versus)

Jan B. Cook et al, Defendants.)

In Circuit Court of Baldwin

County, Ala. In Equity.

Comes S. C. Cook one of the defendants in above

cause, and for answer to the bill of complaint, says he admits all the allegations thereof. ~~He~~ waives service by the Sheriff of subpoena on said bill, a copy of the interrogatories filed in the cause, notice of the filing of the same, waives the ten days allowed by law to cross them, the right to cross them, and consents that the cause be submitted to the Judge on note of testimony to be made by the Register.

S. C. Cook
By Allen D. Cook

Filed May 7th 1926
P. W. Keenan
Rogers

R. E. Cook et al, Complainants,

versus

Dan G. Cook et al, Defendants.

In Circuit Court of Baldwin
County, Ala. In Equity.

Comes Harry Anderson, John W. King, Anderson, one of the defendants in
above cause, and for answer to the bill of complaint, says he admits
all the allegations thereof. ~~He~~ waives service by the Sheriff of
subpoena on said bill, a copy of the interrogatories filed in the
cause, notice of the filing of the same, waives the ten days allowed
by law to cross them, the right to cross them, and consents that the
cause be submitted to the Judge on note of testimony to be made by
the Register.

H. L. Anderson ^{Guardian for}
^{John W. King}
^{Anderson}

~~Filed May 7/926~~
J. W. Rice
Register

578

R. E. COOK, et al,
Complainants

-VS-

DAN G. COOK, et al,
Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 578

This cause coming on to be heard was submitted for final decree upon the report of B. F. Patterson, Walter B. Miller, and J. B. Childress, commissioners heretofore appointed, by the decree of this Court to divide the land described in the Bill of Complaint in this cause among the Complainants and defendants, joint owners thereof; and as said report of said commissioners having been duly filed in this cause on the 8th day of October, 1926, and no exceptions or objections having been made the reto by any person, and the court having fully and carefully examined, and being now informed with reference to the same, and being satisfied that the division was fairly and legally conducted, and in accordance with the former decree of this court, and the allotments are substantially of equal value, and the Court being satisfied that said report should be confirmed, and that the division of said land be made as set out therein.

It is therefore ordered, adjudged and decreed by the court that the said report of said commissioners be and the same is hereby confirmed, and that there be and hereby is set apart and allotted to R. E. Cook, lot #2, as per plat and map made by R. J. Greenwood, county surveyor; to Ruth Cook, lot #12, as per plat and map made by R. J. Greenwood, county surveyor; to J. H. Cook, lot #3, as per plat and map made by R. J. Greenwood, County Surveyor; to Georgie Newell, lot #11, as per plat and map made by R. J. Greenwood, County surveyor; to Dan G. Cook, lot #8, as per plat and map made by R. J. Greenwood, county surveyor, to S. C. Cook, lot #10, as per plat and map made by R. J. Greenwood, county surveyor; to Carrie K. McMillan, lot #14, as per plat and map made R. J. Greenwood, county surveyor; to Sallie Capell, lot #7, as per plat and map made by R. J. Greenwood, county surveyor; to Mary Anderson lot #6 as per plat and map made by R. J. Greenwood, county surveyor; to May Campaign, lot #15, as per plat and map made by R. J. Greenwood, county surveyor; to Bessie Sayers, lot # 9, as per plat and map made by R. J. Greenwood, county surveyor; to J. G. Cook lot #1, as per plat and map made by R. J. Greenwood, county surveyor; to J. G. Cook, lot #5, as per plat and map made by R. J. Greenwood, county surveyor; to Katie Ferguson, Mary Ferguson, Lucy Vorlains, and Hazel ~~Womack~~, jointly, ~~lots #13~~ as per plat and map made by R. J. Greenwood County surveyor.

It is further ordered, adjudged and decreed by the court that the Register of this court file for record in the Probate Office of Baldwin County, Alabama the report of said commissioners and map of a said land showing the subdivision of the south half of the north half of section 20, township 9 South, range 3 east, as made by R. J. Greenwood, county surveyor, and also this decree.

It is further ordered, adjudged and decreed by the court that the report of the register as to reference to ascertain a reasonable solicitor's fee for Bonner ~~Miller~~, Solicitors for the Complainants, fixing the sum of two hundred dollars, be and the is hereby confirmed.

It is further ordered, adjudged and decreed by the court that the of this cause be paid pro rata by the parties to whom the lots have been allotted and be a lien upon each portion so allotted.

This 14th day of February 1927.

John D. Leigh
Judge of the Circuit Court of Baldwin County

Filed in open Court Feb. 14, 1927
T. W. Richerson, Register

R. E. Cook et al, Complainants,)
 versus) In Circuit Court of Baldwin
 Dan G. Cook et al, Defendants.) County, Ala. In Equity.

This cause coming on to be heard was submitted on pleading and proof as noted.

Upon consideration it is ordered, adjudged and decreed that Complainants, R. E. Cook, Ruth Cook, J. G. Cook, J. N. Cook, Georgia Newell, Katie Ferguson, Mary Ferguson, Lucy Verlains and Hazel Townsend, and the defendants, Dan G. Cook, S. C. Cook, Carrie K. McMillan, Sallie Capell, Mary Anderson, May Champaign and Bessie Sayers, are tenants in common and joint owners of the land described as follows: South half of north half of section 20, Township nine south, Range three east, in Baldwin County, Alabama, containing 160 acres, more or less. R. E. Cook, Ruth Cook, J. N. Cook, Georgia Newell, Dan G. Cook, S. C. Cook, Carrie K. McMillan, Sallie Capell, Mary Anderson, May Champaign and Bessie Sayers each owns an undivided one-fourteenth interest in said land, J. G. Cook owns an undivided two-fourteenths interest therein, and Katie Ferguson, Mary Ferguson, Lucy Verlains and Hazel Townsend, jointly, own an undivided one-fourteenth interest in said land. It is ordered, adjudged and decreed that a partition of said land should be made by allotting to each the interest owned by them as above set out, one share to Katie Ferguson, Mary Ferguson, Lucy Verlains and Hazel Townsend, jointly, two shares to J. G. Cook, and one share to each of the other complainants and defendants.

It is further ordered, adjudged and decreed by the Court that B. F. Patterson, J. B. Childress and Walter Miller, three suitable freeholders of Baldwin County, Alabama, who reside at or near Bon Secour, Alabama, be and they are hereby appointed commissioners to partition the above described land in accordance with this decree, and the Register of this Court will issue to them a commission for such purpose accurately describing the land. Said commissioners before proceeding with the execution of their duty shall severally be sworn faithfully to execute the trust reposed in them and to make the partition fairly and impartially. They are authorized and decreed to enter upon the land, and if necessary they may have a survey made and proceed without delay to make

division thereof into fourteen equal shares, having regard to the quality of the soil and other advantages, so as to make the different shares as nearly equal in value as practicable, and if necessary may make a plot and map thereof, showing the subdivisions and boundaries of the parcels allotted; they are authorized to employ a surveyor and chain-bearer.

Said Commissioners will make allotment as follows : To R.E. Cook, one share, to Ruth Cook, one share, to J.N. Cook, one share, to Georgie Newell, one share, to Dan G. Cook, one share, to S. G. Cook, one share, to Carrie K. McMillan, one share, to Sallie Capell, one share, to Mary Anderson, one share, to May Champaign, one share, to Bessie Sayers, one share, to J. G. Cook, two shares, to Katie Ferguson, Mary Ferguson, Lucy Verlains and Hazel Townsend, jointly, one share.

Said Commissioners will make report to this Court.

It is further ordered that it be and hereby is referred to the Register of this Court to ascertain and report a reasonable fee for the service of solicitors of complainants in this cause. He will make report to this Court.

This the 26th day of May 1926.
John D. Leigh

Judge Circuit Court in Equity, Baldwin County, Ala.

BONNER & MILLER
ATTORNEYS AT LAW
CAMDEN, ALABAMA

Hon. T. W. Richerson, Register,
Bay Minette, Alabama.

Dear Sir : Cook vs. Cook.

Enclosed herewith find : Interrogatories, Commission to Hon. Carl M. Watts, testimony of R.E. Cook and J. G. Cook, decree drafted by us for Judge Jno. D. Leigh.

We will thank you to forward the file to Judge Leigh, making note of testimony, and when the decree is signed by Judge Leigh, please issue commission to the commissioners. A little later we will ask that you hold a reference to ascertain solicitor's fee. The fee has been agreed upon, namely, \$200.00, but we will have to go through with the reference anyway since there is a minor in the cause.

Please advise us when the decree is signed.

Thanking you, we are,

Yours very truly,

Bonner & Miller

encls.

m
Final Decree

In Equity

B. E. Cook
et. al.

vs
San G. Cook
et. al.

Final Decree

~~Filed May 24 1924~~

~~Porter~~
Regester

Filed May 28th 1924
T. W. Richmond
Regester

RECORDED

RECORDED

1449

R. E. Cook et al,
Complainants

vs

Dan G. Cook et al.
Defendants.

IN THE CIRCUIT COURT, BALDWIN COUNTY, ALABAMA.

In Equity.

The separate answer of Wm. S. Anderson, as Guardian ad litem for Mary Anderson, a minor twelve years of age, and one of the defendants in the above stated cause.

On behalf of said minor, the Guardian ad litem, separately and severally denies each and every allegation contained in said Bill of Complaint, and calls for strict proof of the same.

Mary Anderson,

By *Wm. S. Anderson*

Her Guardian ad litem

3
Answer of,
Guardian ad litem.

Filed May 7/1924
T. W. Keenan
Register

RECORDED

BONNER & MILLER
ATTORNEYS AT LAW
CAMDEN, ALABAMA

Sept. 15, 1926.

Hon. T. W. Richerson, Register,
Bay Minette, Ala.

Dear Sir : Cook vs. Cook.

On the 27th we desire a reference to held by you to ascertain a reasonable solicitors' fee in this cause. The fee agreed upon is \$200.00.

We suggest that you follow section ~~2255~~ 6595 and send notice to each of the parties by mail, and that notice also be given to Mrs. Carrie K. McMillan of Stockton by mail that the witnesses to be examined are Hon. W. H. Hawkins and Hon. Sam C. Jenkins.

The Wilcox County parties all receive their mail at Camden, Ala., except Mrs. Georgie Newell of Coy, Ala.

Yours very truly,

John Miller

Cook
vs
Cook

Answer of,
Guardian ad litem.

Filed May 7/1924
T.W. Rissman
Register

R. E. Cook et al
Complainant.

Circuit Court of

vs.
Dan G. Cook et al.
Defendant.

Baldwin County In Equity.

Now comes W.S. Anderson, Guardian ad litem of the minor Mary Anderson, and accepts service of the copy of the interrogatories propounded to R.E. Cook and J.G. Cook material witnesses for the complainants in this cause and as the questions asked appear to be sufficiently full to draw out the facts in the case he declines to file cross interrogatories.

This 18th day of May 1926.

W.S. Anderson

Guardian ad litem for Mary Anderson

a Minor.

Friendship 1924
T. W. Williams
Regent

Mr. Henry Anderson is in Fla. at work and
his people does not know when he will come
home so I am returning the paper for him

J. H. Golden
Shuff

R.E. Cook et al

vs.

Dan G. Cook

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,
Decree pro confesso answer and testimony of R.E. Cook and J.G. Cook

and in behalf of Defendant upon

J.W. Rimmer
Register

No.

THE STATE OF ALABAMA,

BALDWIN COUNTY

IN EQUITY,

CIRCUIT COURT OF BALDWIN COUNTY.

R. E. Cook et al

vs.

Dan G. Cook et al.

NOTE OF TESTIMONY.

Filed in Open Court this 24th

day of May 1912

Register

BONNER & MILLER
ATTORNEYS AT LAW
CAMDEN, ALABAMA

May 5, 1926.

Hon. T. W. Richerson,
Register of Circuit Court,
Bay Minette, Ala.

Dear Sir : Cook vs. Cook.

We have your letter of May 1st for which we thank you.
We enclose herewith answers for the following defendants : S. C. Cook,
Carrie K. McMillan, Sallie Capell, Mary Anderson, May Champaign, and
Bessie Sayers. This leaves only one defendant, Dan G. Cook, who has
filed no answer.

We will ask that you enter a decree pro confesso against him
next Monday. Please also appoint a guardian ad litem for the minor,
Mary Anderson.

We will thank you to write us after Monday, and we will then
take testimony.

encls.

Yours very truly,

Bonner & Miller

FOLEY MOTOR COMPANY, INC.

AUTHORIZED FORD DEALERS

FOLEY, ALA.

Oct 6-26

Hon T.W. Richman

Bay Minnietta Ala

Dear Sir

Enclosed find Commission
report properly acknowledged.

The Notary fee was 25¢.

I believe the Commission will
be satisfied with \$3.00 each.

Yours truly
B. F. Patterson

Baldwin
THE STATE OF ALABAMA, WILCOX COUNTY.

In Circuit Court, In Equity

R. E. Cook et al, Complainant

vs.

Dan G. Cook et al. Defendant

Deposition of R. E. Cook and J. G. Cook.

By virtue of the commission hereto annexed, issued by the Register for said Court of said County, in the above cause pending in said Court of said County, I, Carl M. Watts,

the commissioner named in said commission, have called and caused to come before me at

Camden, Alabama,

the witnesses named in said commission, and having first sworn the said witness.

to speak the truth, the whole truth, and nothing but the truth, the said witness deposes and says as follows:

Each witness deposes as follows :

To the 1st Interrogatory he says : The names, ages and addresses of the complainants and the defendants are correctly set forth in the Bill of Complaint. R.E.Cook, J.G.Cook and Georgia Newell reside at in Wilcox County, Alabama; Ruth Cook resides at Paris, Tennessee; J.N.Cook resides at Coratopa, Ala.; Katie Ferguson resides at Detroit, Michigan; Mary Ferguson resides at Kiwanee, Illinois; Lucy Verlains resides at Nashville, Tenn, Hazel Townsend resides at Lake Village, Arkansas; Dan G. Cook and Sallie Capell reside at Camden, Wilcox Co. Ala.; S.G. Carrie K. McMillan resides in Baldwin Co. Ala.; Cook and Mary Anderson reside in Elmore Co. Ala.; May Champaign resides at Cottondale, Ala.; Bessie Sayers resides at Oakchia, Ala. Each of the complainants is over 21 years of age, and each of the defendants is over the age of twenty one years except Mary Anderson who is a minor, 12 years of age. She resides with her father, Harry Anderson who is her guardian.

Interrogatory 2. Each witness says : I know the land described in the bill of complaint as follows : South half of north half of section 20, Township nine south, Range three east, Baldwin County, Ala. Said land is owned by the complainants and the defendants as follows : R.E. Cook, Ruth Cook, J.N.Cook, Georgia Newell, Dan G. Cook, S.G.Cook, Carrie K. McMillan, Sallie Capell, Mary Anderson, May Champaign and Bessie Sayers

each owns an undivided one-fourteenth interest and J.G. Cook owns an undivided two-fourteenths interest in said land, Katie Ferguson, Lucy Verlains, Mary Ferguson and Hazel Townsend, jointly, own an undivided one-fourteenth interest. J. G. Cook, who owned one-fourteenth, bought the one-fourteenth interest of his sister, Willie Cook, in said land. Said land was owned by Mrs. Mary G. Cook who died intestate in Wilcox County, Alabama, in the year 1924. Her estate has been finally settled in Circuit Court of Wilcox County, Alabama. Complainants and defendants are now the sole owners of said land. *and are the only heirs of Mrs. G. Cook.* To the 3rd Interrogatory each witness says : Said land can be equitably divided into fourteen shares or parcels. It is near Bon Secour, Alabama, and the demand is great there for small tracts of land for summer homes and trucking purposes.

R. E. Cook
J. G. Cook

X

X

I, Carl M. Watts, the said Commissioner, hereby certify that the foregoing testimony was taken down in writing by me in the words of the witnesses and were read over to them, that they assented, swore to and subscribed the same in my presence, the 29th day of May, 1926, at Camden, Alabama, that I have personal knowledge of, or had proof made before me of the identity of the witness, and that I am not of counsel or of kin to any of the parties to said cause or in any manner interested in the result thereof.

And I enclose the said Deposition, together with the Commission and Interrogatories, Direct and Cross, and documents which were deposed to, in an envelope properly indorsed and sealed and returned to the Register for said Court of said County.

Given under my hand and seal this the 22nd day of May, 1926.
Carl M. Watts (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below.

Witness

.....days' attendance at \$1.50 per day.....\$.....
.....miles traveled at 5 cents per mile.....
.....days' attendance at \$1.50 per day.....\$.....
.....miles traveled at 5 cents per mile.....
.....days' attendance at \$1.50 per day.....\$.....
.....miles traveled at 5 cents per mile.....
.....days' attendance at \$1.50 per day.....\$.....
.....miles traveled at 5 cents per mile.....
.....days' attendance at \$1.50 per day.....\$.....
.....miles traveled at 5 cents per mile.....
.....days' attendance at \$1.50 per day.....\$.....
.....miles traveled at 5 cents per mile.....
.....days' attendance at \$1.50 per day.....\$.....
.....miles traveled at 5 cents per mile.....

COMMISSIONER'S FEES

.....days at \$1.50 per day.....\$.....
.....words at 20 cents per hundred.....\$.....

No.

Page

THE STATE OF ALABAMA,
WILCOX COUNTY

In Circuit Court, In Equity

vs. Complainant.

Defendant.

Deposition Taken Before Commissioner On Interrogatories.

Deposition of

for

Filed 24 day of May, 1926

Published by order of the Court, day

of 192

J. M. [Signature]
Register.

The State of Alabama, }
Baldwin County

CIRCUIT COURT,
in Equity.

To Hon. Carl H. Watts, Camden, Alabama.

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commission-
er, and by these presents do authorize you, at such time and place as you may appoint, to call before you and
examine R. E. Cook and J. G. Cook.

as witnesses in behalf of Complainant, in a cause pending in our Circuit

Court of Baldwin County, of said State, wherein

R. E. Cook et al.

Complainant

and Dan G. Cook et al.

Defendant,

on oath to be by you administered, upon interrogatories, file by Complainant.

to take and certify the deposition of the witness, and return the same to our Court, with all convenient

speed, under your hand.

Witness 18th day of May 1926

Register.

W. H. Williams

Commissioners Fee \$

Witness Fee's \$

No. 578.

THE STATE OF ALABAMA,

Baldwin

County:

CIRCUIT COURT.

R.E.Cook et al.

Complainant.....

vs.

Dan C.Cook et al.

Defendant.....

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONER:

Hon. Carl M. Watts,

WITNESSES:

R.E.Cook, Camden, Ala.

J.G.Cook, " "

The State of Alabama,
Baldwin County.

No. 578

CIRCUIT COURT, IN EQUITY

R.E. Cook et al.

Complainant

vs.

Dan G. Cook et al.

Defendant

Register

Dan G. Cook

In this cause it appears to the
that a Summons requiring the Defendant

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said
Summons upon Dan G. Cook

was served upon him by the Sheriff of ~~Wilcox~~ Wilcox County, Alabama, on the
23rd day of March 1926

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint to this date,
it is now, therefore, on motion of Bonner J. Miller,

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed
against the said Dan G. Cook

Defendant aforesaid.

This 10th day of May 1926

D.W. Beaman
Register.

The State of Alabama, }
BALDWIN COUNTY.

No. 578. CIRCUIT COURT IN EQUITY.

P. H. Cook et al. Complainant

vs.

Dan G. Cook et al. Defendant

Motion is hereby made for a Decree Pro Confesso against Dan G. Cook

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 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 15th day of May 1926

D. W. [Signature]
Solicitor.

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No. 6178.

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

R. E. Cook et al.

Vs.

Sam G. Cook et al

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed May 17 1926

T. N. Richmond
Register.

Recorded in **RECORDED** Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

R. E. Cook et al,

vs.

Dan G. Cook.

INTERROGATORIES.

In Circuit Court of Baldwin County, Ala. In Equity.

Filed May 19th 1926.

T. W. Rice
REGISTER.

BONNER & MILLER
ATTORNEYS AT LAW
CAMDEN, ALABAMA

January 27, 1927

Hon. T. W. Richerson, Register,
Bay Minette, Ala.

Dear Sir:

Cook vs. Cook.

We are enclosing herewith report of commissioners, answer of guardian ad litem, map made by R. J. Greenwood, county surveyor, and decree prepared by us for the signature of Judge Leigh.

We will thank you to submit the cause to Judge Leigh and when the decree is signed please figure the cost and notify us, and we will then endeavor to collect from the several parties.

We are sending this letter and enclosures by registered mail.

Yours very truly,

Bonner & Miller

JM:DM

grant to orator of letters of administration as
aforesaid. Said note or mortgage nor either of
them was ever presented to orator for payment
as a claim against the estate of said Maggie
Anderson nee Cook and was never asserted
as a claim against said estate by filing in
the office of the Judge of Probate or otherwise
until more than twelve months after the grant
of said letters of administration, and orator
averts that any action to foreclose the mort-
gage to secure said alleged indebtedness
was barred by the statute of non-claim
before said Daniel G. Cook took action to fore-
close said mortgage as hereinafter described.
Orator further avers that any action to foreclose
said mortgage is barred by the statute of limita-
tion of ten years.

5th

Your orator avers that he does
not know the true amount of the debt
from said Maggie A. Cook to said Daniel G.
Cook secured by said mortgage, but orator
averts that the expressed consideration of
said note and mortgage included usue-
rious interest charged against the mort-
gage and that the amount of indebted-
ness expressed in said mortgage is sub-
stantially greater than the true and law-
ful amount owing by said Maggie A. to
said Daniel G. Cook at the times said
note and mortgage were executed and
delivered, and that said note and mort-
gage resulted from the confidence reposed

FOLEY MOTOR COMPANY, INC.

AUTHORIZED FORD DEALERS

FOLEY, ALA.

Aug 26-1926

Messrs B F Patterson
H B Miller
J B Childers.

Commissioners for Cook Estate

Dr to

R Greenwood County Surveyor

3 days	Surveying	@	10 ⁰⁰	30 ⁰⁰
3 days	Helper	@	3 ⁰⁰	9 ⁰⁰
3 days	Helper	@	2 ⁰⁰	6 ⁰⁰
map	—			10 ⁰⁰
				<hr/>
				\$55.00

Cook

vs

Cook

66 66 66

6
6
6
6
6

Cost Bill
of Appraisers

66
66
66

8.00
25.00

100.00

RECEIVED BY THE COMMISSIONERS

July 26 1888

of the State

1888

Appraisers

FOLEY MOTOR COMPANY, INC.
AUTHORIZED FORD DEALERS
FOLEY, ALA.

Sept 27-26

Hon T. W. Richman

Bay Minnule Ala

Dear Sir

Enclosed you will please
find plat made by Mr Greenwood
her bill for same also our report
& sewer bill.

Yours truly
B. F. Patterson

Foley Ala

Sept 27 1926

Hon. T. W. Richman Reg.

Bay Minnola Ala

To Walter B. Miller

J. B. Childress

B. F. Patterson

Commission

One day marking allotment
of the Cood lands in Baldwin Co
\$

B. F. Patterson

J. B. Childress

Walter B. Miller

THE STATE OF ALABAMA,
Baldwin County.

No. 573.

CIRCUIT COURT, IN EQUITY.

R.E. Cook et al Complainant

vs.

Dan G. Cook et al. Defendant

In this cause it is made to appear to the Register by the Bill of Complaint,

that the Defendant Mary Anderson,

in the belief of affiant, infant the age of is a Minor 12 years; and that a summons on the Bill of

Complaint in this cause was served upon the ~~affiant~~ and answer her father H.G. Anderson,

as Guardian,

said infant, on the 7th day of May 19 26, and that as no

one has been nominated by the said

to act as Guardian ad Litem for said infant; and it further appearing that

Mr. J. Anderson, is in all respects a suitable person to act as

Guardian ad Litem for said infant; and having filed his consent in writing to act as such, it is now ordered

by the Register that he is hereby appointed Guardian ad Litem in this cause for the said infant Defendant

Witness my hand, this 7 day of May 19 26

J.W. Peterson
Register.

ACCEPTANCE.

I, Mr G. Anderson, hereby accept the above appointment as Guardian

ad Litem, and consent to act as such in the above cause.

Witness my hand, this 7th day of May 19 26

Mrs. Anderson
Guardian ad Litem.

No. _____ Page _____

THE STATE OF ALABAMA,

County.

CIRCUIT COURT, IN EQUITY.

vs.

APPOINTMENT AND ACCEPTANCE
OF GUARDIAN AD LITEM.

Filed May 7 1926

W. H. Keenan

Register.

RECORDED

Recorded in _____ Record,

Vol. _____ Page _____

Register.

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity.)

R.E.Cook et al. Complainant.

VS.

Dan G.Cook et al, Respondent.

I T.W.Richerson,

as Register and Commissioner

have called and caused to come before me W.H.Hawkins,

witness named in the Requirement for Oral Examination, on the 27 day of Sept
1926, at the office of Register

in Bay Minette, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Witness

doth depose and say as follows:

My name is W.H.Hawkins, I am a practicing Attorney at law at this Bar
and I am familiar with the rules as to legal fees in the matter of
partition of land. I have examined carefully all papers in this cause,
considered the amount of work done by the solicitors for complainants,
and from said examination it is my judgment that \$200 is a reasonable
solicitors' fee in this case.

Cross Examination by Hon.W.S.Anderson Guardian ad litem for
Mary Anderson, minor.

My estimate of the Solicitor fee is not based on the value of the
property as I do not know what that is, but I know the location of
of the County where it is situated and in my judgment \$200.00
would be a reasonable Solicitor fee in all partition proceedings.

Subscribed and sworn to before
me this 27th, day of Sept 1926.

T.W. Richerson
Clerk Circuit Court.

ORAL EXAMINATION.

I, T. W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and Hon. W. S. Anderson, Guardian ad litem for Mary Anderson, Minor, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof 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 27th day of September, 1926.
T. W. Richerson (L. S.)

NO. 578. PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

R. E. Cook et al.

vs. Complainant

S. C. Cook et al.

Respondent.

Oral Deposition

Filed September 27th, 1926

T. W. Richerson, Register.

Recorded in

Record

Vol. Page

, Register

R. E. Cook et al, Complainants,)

versus)

Dan G. Cook et al, Defendants.)

In Circuit Court of Baldwin

County, Ala. In Equity.

Comes May Champagne one of the defendants in above cause, and for answer to the bill of complaint, says she admits all the allegations thereof. She waives service by the Sheriff of subpoena on said bill, a copy of the interrogatories filed in the cause, notice of the filing of the same, waives the ten days allowed by law to cross them, the right to cross them, and consents that the cause be submitted to the Judge on note of testimony to be made by the Register.

May Champagne

following described real estate situated in Baldwin County, Alabama :
South half of North half of section 20, Township nine
South, Range three East, containing 160 acres, more or less.

Complainants aver that said land is owned as follows :
R. E. Cook, Ruth Cook, J. N. Cook, Georgie Newell, Dan G. Cook, S. C.
Cook, Carrie K. McMillan, Sallie Capell, Mary Anderson, May Champaign,
and Bessie Sayers, each owns an undivided one-fourteenth interest,
J. G. Cook owns an undivided two-fourteenths interest, and Katie Fer-
guson, Mary Ferguson, Lucy Verlains and Hazel Townsend, jointly, own
an undivided one-fourteenth interest. The said J. G. Cook bought the
one-fourteenth interest of his sister, Willie Cook, in said land.

Said land above described was owned by Mary G. Cook, now
deceased, she having died intestate, and her estate has been finally
settled and the administrator thereof discharged by the circuit court
of Wilcox county, Alabama, in equity. Complainants and defendants are
the sole owners of said land.

3. Complainants aver that the said land can be equitably di-
vided or partitioned among the joint owners thereof.

Premises considered, complainants pray :

I. That the said Dan G. Cook, S. C. Cook, Carrie K. McMillan,
Sallie Capell, Mary Anderson, May Champaign and Bessie Sayers be made
parties defendant to this bill of complaint, that the usual process of
this Court issue against them, requiring them to plead, answer or de-
mur to this bill within the time and under the penalties prescribed
by law ;

2. That on the final hearing of this cause your Honor will
make and enter a decree that the above described land be divided into
fourteen shares or parts, that commissioners be appointed to make such
division or partition in accordance with the law in such cases made and
provided, that a guardian ad litem be appointed for the minor, Mary
Anderson, that a reference be held by the Register of this Court to
ascertain and determine a reasonable fee for solicitors of complainant,
and complainants pray for such other, further relief as in equity they
may be entitled to receive.

Bessie Miller
Solicitors for Complainants.

Note : Defendants are required to answer each and every paragraph of the foregoing bill of complaint, but not under oath, their oath being hereby expressly waived.

Jno Miller

Solicitors for Complainants.

State of Alabama,)

County of Wilcox.)

Before me, Pat M. Dannelly, Judge of Probate in and for said County and State, personally appeared Jno. Miller, one of the solicitors for complainants, who being by me duly sworn deposes and says that he is informed and believes and on information and belief avers that Mary Anderson is a minor of the age of twelve years and resides with her father, Harry Anderson at Elmore in Elmore County, Alabama.

Jno Miller

Subscribed and sworn to before me

this March 15, 1926.

Pat M. Dannelly

Judge of Probate, Wilcox County, Alabama.

R. E. Cook et al, Complainants,)
 versus)
 Dan G. Cook et al, Defendants.)
 In Circuit Court of Baldwin
 County, Ala. In Equity.

The undersigned by appointment of your Honorable Court, Commissioners in the above styled cause to make partition of the property particularly described and set out in the commission in this cause issued to them, respectfully report unto your Honor that pursuant to the direction contained in said commission, and in strict conformity of laws made and provided in such cases, that after having been so appointed as commissioners and duly sworn, and after having personally surveyed the said land as described in said commission, and having employed a competent surveyor, namely, R. J. Greenwood, to survey said land into fourteen parts, having regard to the soil and other advantages so as to make the different shares as nearly equal in value as practicable; that said commissioners met at the office of the Register of said Court on the 27th day of September, 1926 at 3 o'clock to make partition, and that J. B. Childress, one of said commissioners, for R. E. Cook, drew from a hat containing all the lots numbered from one to fourteen inclusive, lot Number Two described as follows : *as per plat made by R. J. Greenwood County surveyor* which said lot of land as drawn was by us allotted to said R. E. Cook.

Said J. B. Childress for Ruth Cook drew from said hat lot number Twelve described as follows : *as per plat made by R. J. Greenwood County surveyor* which said lot of land was by us allotted to said Ruth Cook.

Said J. B. Childress for J. N. Cook drew from said hat lot number Three described as follows : *as per plat made by R. J. Greenwood County surveyor* which said lot of land was by us allotted to said J. N. Cook.

Said J. B. Childress for Georgie Newell drew from said hat lot number Eleven described as follows : *as per plat made by R. J. Greenwood County surveyor* which said lot of land was by us allotted to said Georgie Newell.

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Said J. B. Childress for Dan G. Cook drew from said hat lot number Eight described as follows : as per plat made by R. J. Greenwood County Surveyor which said lot of land was by us allotted to said Dan G. Cook.

Said J. B. Childress for S. C. Cook drew from said hat lot number Ten described as follows : as per plat made by R. J. Greenwood County Surveyor which said lot of land was by us allotted to said S. C. Cook.

Said J. B. Childress for Carrie K. McMillan drew from said hat lot number Fourteen described as follows : as per plat made by R. J. Greenwood County Surveyor which said lot of land was by us allotted to said Carrie K. McMillan.

Said J. B. Childress for Sallie Capell drew from said hat lot number Seven described as follows : as per plat made by R. J. Greenwood County Surveyor which said lot of land was by us allotted to said Sallie Capell.

Said J. B. Childress for Mary Anderson drew from said hat lot number Six described as follows : as per plat made by R. J. Greenwood County Surveyor which said lot of land was by us allotted to said Mary Anderson.

Said J. B. Childress for May Champaign drew from said hat lot number Thirteen described as follows : as per plat made by R. J. Greenwood County Surveyor which said lot of land was by us allotted to said May Champaign.

Said J. B. Childress for Bessie Sayers drew from said hat lot number Nine described as follows : as per plat made by R. J. Greenwood County Surveyor which said lot of land was by us allotted to said Bessie Sayers.

Said J. B. Childress for J. G. Cook drew from said hat lot number One described as follows : as per plat made by R. J. Greenwood County Surveyor

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which said lot of land was by us allotted to said J. G. Cook.

Said J. B. Childress for J. G. Cook drew from said

hat lot number Five described as follows : as per
plat made by R. J. Greenwood County
Surveyor

which said lot of land was by us allotted to said J. G. Cook.

Said J. B. Childress for Katie Ferguson, Mary Fergu-
son and Lucy Verlains and Hazel Townsend jointly, drew from said hat lot number Four

described as follows : as per plat made by
R. J. Greenwood County Surveyor

which said lot of land was by us allotted to Katie Ferguson, Mary
Ferguson, Lucy Verlians and Hazel Townsend, jointly.

And we estimate that the said fourteen shares are
nearly of equal value as it is practical to make them in this
division.

Respectfully submitted,

B. F. Patterson
Walter B. Miller
J. B. Childress

Subscribed and sworn to before me this 27 day of Sept. 1926.

[Signature]
~~Register of Circuit Court~~
Notary Public Baldwin
County Ala.

STATE OF ALABAMA, BALDWIN COUNTY
Filed July 21, 1948 4 P. M.
Recorded Deed book. 1333 page. 39-41
[Signature]
Judge of Probate 3

