

2979

JOHNNIE KATHRYN GRAY, by)
THOMAS E. GRAY, as her)
next friend,)
Complainant,)
VS.)
MIRAN H. GRAY,)
Respondent.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE

This cause coming on to be heard on this date is submitted for a decree upon the original Bill of Complaint and the Answer and Waiver of Miran H. Gray, the Respondent in said cause, in which and by which she admits all of the allegations of the said Bill of Complaint and consents and agrees that a decree be rendered to finally settle this cause in accordance with the prayer for relief in the Bill of Complaint; the testimony of the Complainant's witnesses which was taken in open court in the manner provided by Equity Rule No. 56, as amended, on this date, upon consideration of all of which the court is of the opinion that the allegations of fact 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, Johnnie Kathryn Gray, and the Respondent, Miran H. Gray, are both owners or tenants in common of the following described real property situated in Baldwin County, Alabama, to-wit:

Commence at the Northwest corner of Lot Number 95 in the original Town of Bay Minette and measure Northeastwardly along the Southerly line of Clay Street 93 feet to a point of beginning; thence continue Northeastwardly and along the Southerly line of said Clay Street 50 feet to a point; thence Southeasterly and at right angles to said Clay Street 150 feet to a point; thence Southwestwardly and parallel to said Clay Street 50 feet to a point; thence Northwestwardly and at right angles to said Clay Street 150 feet to the point of beginning, the above land being the Easterly Half of the lot known as the Public School Lot, and being a part of the same land conveyed by warranty deed from Blaine Dickman and wife to Sudie Eubanks, dated February 10, 1923 and recorded in Deed Book 33 NS, at page 167, Baldwin County, Alabama Records.

Intending to describe the same property as that conveyed by Calvin Peterson and Annie Peterson, his wife, to George Yarborough, Jr., by deed dated January 29, 1945, and recorded in Deed Book 91 NS, at page 29, Baldwin County, Alabama Records.

Subject, however, to that certain mortgage from C. L. Gray and M. H. Gray, his wife, to R. E. Loper, which said mortgage is dated March 12, 1948, and recorded in Mortgage Book 140 at page 29, Baldwin County, Alabama Records,

and that the interests of the Complainant and the Respondent are as follows:

Johnnie Kathryn Gray	One-fifth
Miran H. Gray	Four-fifths

The said property described above cannot be equitably divided among the said joint owners or tenants in common without the sale thereof and a division of the proceeds, and it is to the best interest of all of the said parties that the said tract of land be sold for division at private sale to Claude Baugh for the sum of \$1700.00 cash, to be paid at the time of the delivery of the deed hereinafter provided for, conveying the said property.

Upon payment of the said sum of \$1700.00 by Claude Baugh to Alice J. Duck, as Register of this court, title to all of the said property is hereby divested out of the said joint owners and vested in the said purchaser, Claude Baugh, and Alice J. Duck, as Register of this court, shall be and she is hereby fully and completely authorized, empowered, instructed and directed to make, execute and deliver a Register's Deed to the said purchaser conveying the said property.

After execution and delivery of the said deed, the said Register shall report her actions in the premises to this court for confirmation.

Jurisdiction of this cause is reserved for the purpose of making such other and further orders or decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 26th day of May, 1953.

Hubert M. Fee
Judge

JOHNNIE KATHRYN GRAY, by
THOMAS E. GRAY, as her
next friend,

Complainant,

VS.

MIRAN H. GRAY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER

Now comes the Respondent, Miran H. Gray, and for answer to the Bill of Complaint heretofore filed in this cause says:

1. She admits each and every allegation of the Bill of Complaint.

2. She consents and agrees that such orders be made and decrees rendered as will finally settle this cause in accordance with the prayer for relief in the Bill of Complaint.

X Miran H. Gray

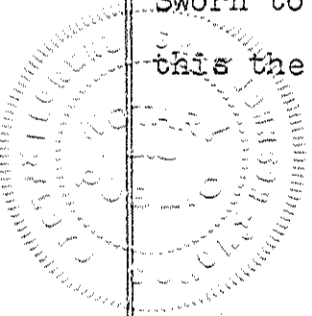
Respondent

Sworn to and subscribed before me on

this the 12th day of March, 1953.

Stewart Guss Johnson

Notary Public, Stacy
County, Georgia.



RECORDED

RECEIVED
MAY 16 1953
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

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MAY 16 1953
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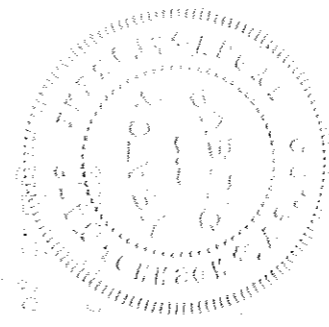
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NO 2979

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WASHINGTON, D. C.



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FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

A. Yes, sir.

Q. Do you know whether or not this minor, Johnnie Kathryn Gray and the respondent, Mirian H. Gray, have been offered \$2200.00 for this property?

A. Yes, sir.

Q. Who offered them that sum of money?

A. Claude Baugh.

Q. Are you familiar with the values of real estate in and around Bay Minette?

A. Yes, sir, fairly well.

Q. Is \$2200.00 an amount equal in value to this property described in the bill of complaint?

A. Yes, sir.

Q. Is it to the best interest of this minor that this property be sold at this time to Claude Baugh for the sum of \$2200.00?

A. Yes, sir.

Q. Is this minor's father living?

A. No, sir.

Q. ~~He~~ He is dead?

A. Yes, sir.

JUDGE W. D. STAPLETON, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Owen.

Q. Is this W. D. Stapleton?

A. Yes, sir.

Q. And are you living in Bay Minette?

A. Yes, sir.

Q. What business are you in?

A. Insurance and real estate.

Q. Are you familiar with real estate values in and around Bay Minette, Baldwin County, Alabama, in general?

A. Yes, sir.

Q. Are you familiar with the property that is described in the bill of complaint in this cause?

A. Yes, sir.

Q. In your opinion is this \$2200.00 equal in value to this

property described in the bill of complaint?

A. I think so, yes.

I hereby certify that the foregoing is a true and correct transcript of the evidence as taken by me in the aforesaid cause, on the 18th day of June, 1953, before Hon. Hubert M. Hall, Judge of the 28th Judicial Circuit of Alabama.

This 18th day of June, 1953.

Paula Rosenberg
Court Reporter

RECORDED

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RECORDED

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RECORDED

JOHNNIE KATHRYN GRAY,
a Minor, by her next friend, THOMAS
E. GRAY,

Complainant,

VS.

Mirian H. Gray

TESTIMONY.

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

Your Oratrix, Johnnie Kathryn Gray, by Thomas E. Gray, as her next friend, presents this Bill of Complaint against Miran H. Gray, and, thereupon, your Oratrix complains and shows unto the Court and your Honor as follows:

1. She is a minor under the age of fourteen years and a resident of Winston County, Alabama. The respondent is over twenty-one years of age and her place of residence and post office address is 403 East Twentieth Street, Rome, Georgia.

2. Your Oratrix and the respondent are joint owners or tenants in common of the following described property situated in Baldwin County, Alabama, to-wit:

Commence at the Northwest corner of Lot Number 95 in the original Town of Bay Minette and measure Northeastwardly along the Southerly line of Clay Street 93 feet to a point of beginning; thence continue Northeastwardly and along the Southerly line of said Clay Street 50 feet to a point; thence Southeasterly and at right angles to said Clay Street 150 feet to a point; thence Southwestwardly and parallel to said Clay Street 50 feet to a point; thence Northwestwardly and at right angles to said Clay Street 150 feet to the point of beginning, the above land being the Easterly Half of the lot known as the Public School Lot, and being a part of the same land conveyed by warranty deed from Blaine Dickman and wife to Sudie Eubanks, dated February 10, 1923 and recorded in Deed Book 33 N. S. at page 167, Baldwin County, Alabama Records.

Intending to describe the same property as that conveyed by Calvin Peterson and Annie Peterson, his wife, to George Yarborough, Jr., by deed dated January 29, 1945 and recorded in Deed Book 91 N. S. at page 29, Baldwin County, Alabama Records.

3. The interest of your Oratrix and the respondent in the above described property is as follows:

Johnnie Kathryn Gray, one-fifth
Miran H. Gray, four-fifths

4. The property has a dwelling house situated thereon, because of which it cannot be equitably divided between the said joint owners without a sale thereof and a division of the proceeds. It is to the best interest of your Oratrix that the said property be sold for a division of the proceeds.

5. The said property described above is subject to a real estate mortgage, which said mortgage is dated March 12, 1948 and recorded in Mortgage Book 140 at page 29, Baldwin County, Alabama Records.

6. Your Oratrix and the respondent have been offered the sum of Twenty-two Hundred Dollars (\$2200.00) by Claude Baugh, a resident of Baldwin County, Alabama, for the said property, which amount your Oratrix avers is equal to the value of the said property. The said Claude Baugh has paid to the mortgagee in the above described mortgage the sum of Five Hundred Dollars (\$500.00) to apply on the purchase price of the said property. There is now due and unpaid under this mortgage the sum of Twelve Hundred Thirty-three and 14/100 Dollars (\$1233.14).

PRAYER FOR PROCESS

Your Oratrix prays that the Court will take jurisdiction of this Bill of Complaint and that due notice thereof in the form and manner prescribed by law be given to the respondent, requiring her to plead, answer or demur to the Bill of Complaint within the time allowed by law.

PRAYER FOR RELIEF

Your Oratrix prays for the following separate and several relief:

1. That the above described property be ordered sold at private sale to Claude Baugh for the sum of Twenty-two Hundred Dollars (\$2200.00) in the manner prescribed by law for a division of the proceeds between the said joint owners.
2. That the Court will approve and confirm the proposed private sale and will enter such orders or decrees as will pass title to the said Claude Baugh on payment of the sum of Seventeen Hundred Dollars (\$1700.00), which amount, when added to the \$500.00 previously paid by the said Claude Baugh to the mortgagee, will constitute the entire purchase price, and that Thomas E. Gray be given authority to join in a conveyance with the respondent so as to convey the interest of your Oratrix in the said property.
3. That the Court will ascertain and determine the amount due your Oratrix and the respondent from the proceeds of this

sale after the costs of this proceeding are paid, in order that these sums can be paid.

4. That such other orders be made and decrees rendered as may be requisite and proper in the premises.

Thomas E. Gray

Thomas E. Gray, as next friend of
Johnnie Kathryn Gray.

JOHNNIE KATHRYN GRAY, by
THOMAS E. GRAY, as her
next friend,

Complainant,

VS.

MIRAN H. GRAY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

REGISTER'S REPORT

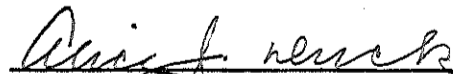
WHEREAS, heretofore, a decree was made and entered by this Court directing the Register of this Court to sell at private sale the hereinafter described real estate.

NOW, THEREFORE, in obedience to said decree, I beg leave to report that I have caused said property to be sold at my office at the Court House in Bay Minette, Alabama, for the sum of \$1700.00 and at said sale Claude Baugh became the purchaser of the following described real property situated in Baldwin County, Alabama, to-wit:

Commence at the Northwest corner of Lot Number 95 in the original Town of Bay Minette and measure Northeastwardly along the Southerly line of Clay Street 93 feet to a point of beginning; thence continue Northeastwardly and along the Southerly line of said Clay Street 50 feet to a point; thence Southeasterly and at right angles to said Clay Street 150 feet to a point; thence Southwestwardly and parallel to said Clay Street 50 feet to a point; thence Northwestwardly and at right angles to said Clay Street 150 feet to the point of beginning, the above land being the Easterly Half of the lot known as the Public School Lot, and being a part of the same land conveyed by warranty deed from Blaine Dickman and wife to Sudie Eubanks, dated February 10, 1923 and recorded in Deed Book 33 NS, at page 167, Baldwin County, Alabama Records.

Intending to describe the same property as that conveyed by Calvin Peterson and Annie Peterson, his wife, to George Yarborough, Jr., by deed dated January 29, 1945, and recorded in Deed Book 91 NS, at page 29, Baldwin County, Alabama Records.

Respectfully Submitted,



Register.

No other exhibits were submitted.

Exhibits:

1. Exhibit A

2. Exhibit B

3. Exhibit C

4. Exhibit D

5. Exhibit E

Exhibits A, B, C, D, and E are copies of documents submitted by the complainant and are being submitted for your information.

Exhibit A is a copy of a letterhead memorandum dated and captioned as above and is being submitted for your information.

Exhibit B is a copy of a memorandum dated and captioned as above and is being submitted for your information.

Exhibit C is a copy of a memorandum dated and captioned as above and is being submitted for your information.

Exhibit D is a copy of a memorandum dated and captioned as above and is being submitted for your information.

Exhibit E is a copy of a memorandum dated and captioned as above and is being submitted for your information.

Very truly yours,
Special Agent in Charge

Filed 6-26-53
Avery Rusk
Registrar

JOHNNIE KATHRYN GRAY, by)
 THOMAS E. GRAY, as her next)
 friend,)
 Complainant,)
 VS.)
 MIRAN H. GRAY,)
 Respondent.)

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

DECREE

This cause coming on to be further heard was submitted for decree upon the report of the Register filed herein on the 27th day of July, 1953, and on the testimony of J. F. Barnes, taken in open court on this date, and the same being considered and understood, the Court is of the opinion that the said report should be confirmed. It is, therefore,

ORDERED, ADJUDGED AND DECREED as follows:

1. The report of the Register be and it hereby is in all things ratified and confirmed.
2. The Register's Deed heretofore executed and delivered to Claude Baugh on July 27, 1953, be and it hereby is in all things ratified and confirmed.
3. The Register is hereby authorized, ordered and directed to pay to Nora Bell Loper, the Executrix of the Estate of R. E. Loper, the mortgagee named in that certain mortgage from C. L. Gray to R. E. Loper, dated March 12, 1948, and recorded in Mortgage Book 140, Page 29-31, the sum of \$1233.14 which is the amount due under the said mortgage.
4. That after deducting the court costs which is \$47²⁵ and the amount due under the said mortgage referred to above, the Register is authorized and directed to distribute the remained of the funds in her hands as follows:

Johnnie Kathryn Gray - - one-fifth ^{33.92}
 Miran H. Gray - - - - - four-fifths ^{335.69}

ORDERED, ADJUDGED AND DECREED on this the 4 day of August, 1953.

Hubert M. Hall

Judge.

Bay Minette, Alabama
August 4, 1953

Johnnie Kathryn Gray and
Miran H. Gray

Due on mortgage from C. L. Gray to R. E. Loper,
dated March 12, 1948

\$1233.14

R. E. Loper

100-100000-100000
100-100000-100000

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100-100000-100000

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Filed 8-14-53
Aue Duck
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JOHNNIE KATHRYN GRAY, by
THOMAS E. GRAY, as her
next friend,

Complainant,

VS.

MIRAN H. GRAY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

BOOK 199 PAGE 424

DECREE

This cause coming on to be heard on this date is submitted for a decree upon the original Bill of Complaint and the Answer and Waiver of Miran H. Gray, the Respondent in said cause, in which and by which she admits all of the allegations of the said Bill of Complaint and consents and agrees that a decree be rendered to finally settle this cause in accordance with the prayer for relief in the Bill of Complaint; the testimony of the Complainant's witnesses which was taken in open court in the manner provided by Equity Rule No. 56, as amended, on this date, upon consideration of all of which the court is of the opinion that the allegations of fact 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, Johnnie Kathryn Gray, and the Respondent, Miran H. Gray, are both owners or tenants in common of the following described real property situated in Baldwin County, Alabama, to-wit:

Commence at the Northwest corner of Lot Number 95 in the original Town of Bay Minette and measure Northeastwardly along the Southerly line of Clay Street 93 feet to a point of beginning; thence continue Northeastwardly and along the Southerly line of said Clay Street 50 feet to a point; thence Southeasterly and at right angles to said Clay Street 150 feet to a point; thence Southwestwardly and parallel to said Clay Street 50 feet to a point; thence Northwestwardly and at right angles to said Clay Street 150 feet to the point of beginning, the above land being the Easterly Half of the lot known as the Public School Lot, and being a part of the same land conveyed by warranty deed from Blaine Dickman and wife to Sudie Eubanks, dated February 10, 1923 and recorded in Deed Book 33 NS, at page 167, Baldwin County, Alabama Records.

Intending to describe the same property as that conveyed by Calvin Peterson and Annie Peterson, his wife; to George Yarborough, Jr., by deed dated January 29, 1945, and recorded in Deed Book 91 NS, at page 29, Baldwin County, Alabama Records.

BOOK 199 PAGE 425

Subject, however, to that certain mortgage from C. L. Gray and M. H. Gray, his wife, to R. E. Loper, which said mortgage is dated March 12, 1948, and recorded in Mortgage Book 140 at page 29, Baldwin County, Alabama Records,

and that the interests of the Complainant and the Respondent are as follows:

Johnnie Kathryn Gray One-fifth
Miran H. Gray Four-fifths

The said property described above cannot be equitably divided among the said joint owners or tenants in common without the sale thereof and a division of the proceeds, and it is to the best interest of all of the said parties that the said tract of land be sold for division at private sale to Claude Baugh for the sum of \$1700.00 cash, to be paid at the time of the delivery of the deed hereinafter provided for, conveying the said property.

Upon payment of the said sum of \$1700.00 by Claude Baugh to Alice J. Duck, as Register of this court, title to all of the said property is hereby divested out of the said joint owners and vested in the said purchaser, Claude Baugh, and Alice J. Duck, as Register of this court, shall be and she is hereby fully and completely authorized, empowered, instructed and directed to make, execute and deliver a Register's Deed to the said purchaser conveying the said property.

After execution and delivery of the said deed, the said Register shall report her actions in the premises to this court for confirmation.

Jurisdiction of this cause is reserved for the purpose of making such other and further orders or decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 26th day of JUNE, 1953.

(S) HUBERT M. HALL
Judge

STATE OF ALABAMA)

BALDWIN COUNTY)

* 22

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the within and foregoing is a full, true, complete copy of a decree heretofore rendered in the case of Johnnie Kathryn Gray, by Thomas E. Gray as her next friend, vs. Miran H. Gray.

WITNESS my hand and seal on this the 5th day of August, 1953.

Alice J. Duck

Register.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 8-14-53 2:45 P.M.

Recorded Deed book 179 page 424-6

W. B. Stewart
Judge of Probate

BOOK 199 PAGE 426

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2979

2-26-53

Johnnie Kathryn Gray

by: Thomas H. Gray

I, Thomas H. Gray,
 of the County of Franklin, State of Missouri,
 do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of Franklin, State of Missouri.
 Witness my hand and seal of office this 26th day of February, 1953.

199-424-6

Register

Volume 1023

MISSOURI RECORDS AND REVENUE DEPARTMENT

I, Thomas H. Gray,
 of the County of Franklin, State of Missouri,
 do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of Franklin, State of Missouri.
 Witness my hand and seal of office this 26th day of February, 1953.

Franklin County

County of Franklin

2979

15-D Mrs. Duck

BOOK NO. 1023

W. R. STUART

PROBATE JUDGE

No. 4765

Bay Minette, Ala., 8-14, 1953

Received of Mrs Duck

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	<i>Johnson Kathryn Gray-Miriam H. Gray</i>						<i>150</i>		<i>150</i>
									<i>50</i>

FOR RECORD

49434 MARSHALL & BRUCE-NASHVILLE

TOTAL \$ 1
W R Stuart
 Judge of Probate.
Eed