

1794

L. D. CARPENTER AND  
KATE CARPENTER  
COMPLAINANTS

IN THE CIRCUIT COURT OF  
  
BALDWIN COUNTY, ALABAMA,

VS.

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR,  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI

IN EQUITY:

This cause coming on to be heard upon the pleading and proof as noted by the Register and the same considered by the court, the court does ascertain, find and decree that on to-wit: The 10th day of June 1945, one Maybelle G. Rossing, a widow, did sell and convey to the Complainants, L. D. Carpenter and Kate Carpenter, Lots eight (8) and nine (9) in Block seven (7) in the Highway's addition to the Town of Loxley, Baldwin County, Alabama, for a valuable consideration paid to her; that she placed the said purchasers in possession of said property and they have made valuable improvements thereon; that through an error in the drafting of the deed, the said Lots were described as Lots eight (8) and nine (9) in Block six (6), Highway's Addition to the Town of Loxley, Baldwin County, Alabama, which said deed is recorded in the office of Judge of Probate of Baldwin County, Alabama, in Deed Book 89 at page 15, and as there recorded erroneously describes the said lands; that the said Maybelle G. Rossing died July 22, 1946, and Letters Administration on her estate were issued to Owen Stapleton Rossing September 10, 1946 and such administration is pending; that Owen Stapleton Rossing, Constance Rossing Greco, Cheri Grace Rossing and Helen Rossing Mattei are the heirs and all of the heirs of the said Maybelle G. Rossing, deceased; that the error in said deed was only recently discovered and demand was made upon said heirs for a deed of correction which was refused owing to the fact that two of the named heirs were minors;

NOW THEREFORE the court is of the opinion that the Complainants are entitled to the relief prayed for in the bill of complaint and to have the aforesaid deed reformed and the same be and is hereby reformed to convey Lot eight (8) and nine (9) in Block seven (7), Highway's Addition to the Town of Loxley, Baldwin County, Alabama;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Alice J. Duck, Register of this court, be and she is hereby authorized and directed to execute and deliver to L. D. Carpenter and Kate Carpenter a deed of conveyance conveying to them all the right, title and interest of the estate of Maybelle G. Rossing and of Owen Stapleton Rossing as administrator of the estate of Maybelle G. Rossing, deceased, and of Owen Stapleton Rossing, Constance Rossing Greco, Cheri Grace Rossing and Helen Rossing Mattei, in and to Lots eight (8) and nine (9) in Block seven (7) in Highway's Addition to the Town of Loxley, Baldwin County, Alabama;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a duly certified copy of this decree be filed for record in the office of the Judge of Probate of Baldwin County, Alabama, and there recorded in the deed record books.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainants pay the costs of this suit for which let execution issue.

Done this the 18<sup>th</sup> day of February, 1947.

J. M. Hare  
Judge

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon OWEN STAPLETON ROSSING, as Administrator of the Estate of Maybelle G. Rossing, deceased, OWEN STAPLETON ROSSING, HELEN ROSSING MATTEI, CONSTANCE ROSSING GRECO and CHERI GRACE ROSSING to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction, within thirty days after the service of summons, and there to plead, answer or demur, without oath, to a bill of complaint lately exhibited by L. D. CARPENTER and KATE CARPENTER, against the said OWEN STAPLETON ROSSING, as Administrator of the Estate of Maybelle G. Rossing, deceased, OWEN STAPLETON ROSSING, HELEN ROSSING MATTEI, CONSTANCE ROSSING GRECO and CHERI GRACE ROSSING, and further to do and perform what the said Judge shall order and direct in that behalf, and this you shall in no wise omit under penalty of the law. And we further command that you return this writ with your execution thereon to our said Court immediately upon execution thereof.

WITNESS, \_\_\_\_\_, Register of said Court, this  
30 day of Dec, 1946

Alice J. Smith  
Register.

L. D. CARPENTER AND  
KATE CARPENTER,

COMPLAINANTS,

VS

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR,  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI,

DEFENDANTS.

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

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA, IN EQUITY:

Come your Complainants, L. D. CARPENTER and KATE CARPENTER,  
and humbly complaining against OWEN STAPLETON ROSSING, as Administra-  
tor of the Estate of Maybelle G. Rossing, OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO, CHERI GRACE ROSSING AND HELEN ROSSING MATTEI,  
show unto your Honor as follows:

### FIRST

That your Complainants are both over the age of twenty-one years and residence of Baldwin County, Alabama, that Owen Stapleton Rossing is administrator of the estate of Maybelle G. Rossing, duly appointed and qualified and acting as such under letters of administration issued to him upon the estate of Maybelle G. Rossing by the Honorable W. R. Stuart, Judge of Probate of Baldwin County, Alabama, September 10, 1946, that the said Owen Stapleton Rossing is a resident of Loxley, Baldwin County, Alabama, and is over the age of twenty-one years, that Helen Rossing Mattei is over the age of twenty-one years and a resident of Loxley, Baldwin County, Alabama, that Constance Rossing Greco is over the age of eighteen years and a married woman, residing at 329 Cobert Street, Brooklyn, New York, that Cheri Grace Rossing is a minor over the age of sixteen years and resides at Loxley, Baldwin County, Alabama.

### SECOND

~~Your Complainants further show, on, to-wit:~~ The 10th day of January, 1945, they purchased from Maybelle G. Rossing, a widow, lots eight and nine (8 & 9), block seven (7) in the Highway's Addition to Loxley, Baldwin County, Alabama, and paid therefor the sum of three hundred dollars (\$300.00), cash, that the said Maybelle G. Rossing placed these complainants in possession of the said lands and they are and have been continuously since the said date in possession thereof, and have made improvements thereon of more than three thousand dollars (\$3000.00), that on the said date, the said Maybelle G. Rossing executed and delivered to these Complainants a deed of conveyance purporting to convey the said lands to these Complainants, recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 89, page 15, in which deed through a mutual mistake, the said lands were erroneously described as lots eight and nine (8 & 9), block six (6), in Highway's Addition to Loxley, Baldwin County, Alabama, a copy of which said deed is hereto attached, marked exhibit "A" and a part of this bill of complaint.

THREE

Complainants further show unto your Honor that subsequent to the execution of the aforesaid deed on, to-wit: July 22, 1946, the said Maybelle G. Rossing died, intestate, in Baldwin County, Alabama, leaving as her heirs, who were all of her heirs, the said Owen Stapleton Rossing, Helen Rossing Mattei, Constance Rossing Greco and Cheri Grace Rossing, whose ages and places of residence are as hereinbefore alleged; that under petition of the said Owen Stapleton Rossing, filed in the Probate Court of Baldwin County, Alabama, on September 9, 1946, the said Owen Stapleton Rossing was appointed and qualified as administrator of the estate of the said Maybelle G. Rossing on September 10, 1946, that he is acting as such administrator, that your complainants, within the last thirty days, have discovered the said error and have demanded a deed of correction properly describing the lands purchased by them as aforesaid and the said heirs and personal representatives, who succeeded to the title of the said Maybelle G. Rossing, have failed and refused to execute and deliver a deed of correction.

WHEREFORE your complainants pray that this Honorable Court will by appropriate process, make the said Owen Stapleton Rossing, as Administrator of the Estate of Maybelle G. Rossing, deceased, Owen Stapleton Rossing, Constance Rossing Greco, Cheri Grace Rossing and Helen Rossing Mattei, parties defendant to this bill of complaint, and require them to appear, plead, answer or demur within the time and under the penalties prescribed by law and practice of this Honorable Court;

Your Complainants further pray that, upon the final hearing of the cause made by this bill of complaint, this Honorable Court will make and enter an order and decree reforming the aforesaid deed to convey the lands purchased by the complainants as aforesaid, and cause to be executed to these complainants a good and sufficient deed conveying to them all the right, title and interest of the estate of Maybelle G. Rossing and of the said Owen Stapleton Rossing, as Administrator of the Estate of Maybelle G. Rossing, deceased, Owen Stapleton Rossing, Constance Rossing Greco, Cheri Grace Rossing and of Helen Rossing Mattei,

in and to lots eight and nine (8 & 9), block seven (7), Highway's Addition to the town of Loxley, Baldwin County, Alabama, and these Complainants pray for such other, further or different relief as in equity and good conscience, they shall be entitled to in the premises;

And they, and each of them, place themselves wholly within the jurisdiction of this Court and offer to do and perform whatsoever this Court shall require of them.

  
By: \_\_\_\_\_  
Solicitor for the Complainants.

EXHIBIT "A"

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to me in hand paid by L. D. CARPENTER and KATE CARPENTER, the receipt whereof is hereby acknowledged I, MAYBELLE G. ROSSING, do GRANT, BARGAIN, SELL and CONVEY unto the said L. D. CARPENTER and KATE CARPENTER the following described lands situated in BALDWIN COUNTY, ALABAMA, to-wit:

Lots eight (8) and nine (9) in block six (6)  
"The Highways" and addition to the town of  
Loxley.

TO HAVE AND TO HOLD to the said L. D. Carpenter and Kate Carpenter, their heirs and assigns forever. And I do covenant with the said L. D. Carpenter and Kate Carpenter that I am seized in fee of the above described premises; that I have the right to sell and convey the same; that the said premises are free from all incumbrances; and that I will, and my heirs executors and administrators shall forever WARRANT AND DEFEND the same to the said L. D. Carpenter Kate Carpenter heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS my hand and seal this 10th day of January, 1945.

Maybelle G. Rossing

\_\_\_\_\_  
L.S.

\_\_\_\_\_  
L.S.

\_\_\_\_\_  
L.S.

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_

STATE OF ALABAMA, BALDWIN COUNTY

I, Carl L. Schlich, a Notary Public, in and for said County and State, hereby certify that Maybelle G. Rossing, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that being informed of the contents of this conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of January A.D. 1945.

Carl L. Schlich

Notary Public; Baldwin County, Alabama.

My commission expires July 27, 1947.

Bonded by American Surety Co. At N.Y.

STATE OF ALABAMA, \_\_\_\_\_ COUNTY.

I, \_\_\_\_\_ a \_\_\_\_\_ in and for said County and State, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ came before me the within named \_\_\_\_\_ known to me to be the wife of the within named \_\_\_\_\_ who, being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

In Witness Whereof, I hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_\_\_.

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WARRANTY DEED  
1-10-45

From 95  
Maybelle G. Rossing

to  
L. D. Carpenter  
and  
Kate Carpenter

STATE OF ALABAMA, BALDWIN  
COUNTY  
Filed 2/21/45 10:45 A.M. 15  
Recorded Deed book 89, page 15  
and certify that the following  
Privilege Tax has been paid  
Deed Tax .50  
Mortgage Tax

W. R. Stuart  
Judge of Probate

By: L.S.W.

L.D. Carpenter  
c/o G.B. Carpenter  
Rt.1 Loxley, Ala.

D. 50  
R. 75  
125

L. D. CARPENTER ET AL

Vs.

OWEN STAPLETON ROSSING ET ALSCIRCUIT COURT OF  
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 30th  
day of December, 1947, a copy of the Bill of Complaint filed in this cause was  
sent to Mrs. Constance Greco

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  
3rd day of January, 1947, 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. Constance Greco et als

Defendant

This the 13th day of February, 1947

Alice J. Dush Register.

3  
RECORDED

No. 1794

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

In Equity.

L. D. Carpenter, et al

Vs.

Owen Stapleton Rossing  
et al

DECREE PRO CONFESSO AFTER  
NOTICE BY REGISTERED MAIL

Filed in office this 13 day of

Feb

, 1947

W. J. Duck

Register

Entered in O. B. Page

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

L. D. Carpenter et als  
Complainant,  
Vs. Owen Stapleton Rossing et als  
Respondent.

In the Circuit Court.  
In Equity No. 1794.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent \_\_\_\_\_

Owen Stapleton Rossing et als

by the Sheriff of Baldwin County, on the 31st day of December,  
1946.

And it further appears to the Register, that the said \_\_\_\_\_

Owen Stapleton Rossing et als

\_\_\_\_\_, the Respondent<sup>s</sup>, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of W. C. Beebe Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said \_\_\_\_\_

Owen Stapleton Rossing

This 13th day of February, 1947.

Alice J. Hensch  
Register.

No. 1794

RECORDED

CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.  
IN EQUITY

L. D. Carpenter et als

Complainant,

Vs.

Owen Stapleton Rossing et als

Respondent.

DECREE PRO CONFESSO ON  
PERSONAL SERVICE.

Issued this 13 day of February,  
1947.

Alice J. Alcock  
Register.

Evelyn McNeil, being duly sworn deposes and says; My name is Evelyn McNeil. I am over the age of twenty-one years. I am the daughter of L. D. and Kate Carpenter. I was with Papa when he and Mrs Rossing made their trade. She showed him Lot eight (8) and nine (9) in Block seven (7) of Highway's Addition to Loxley, and sold him those lots. He immediately built a house on the Lots and has lived there continuously since. He paid her \$300.00. At the time he bought, Helen Mattei was in possession of Lots eight (8) and nine (9) in Block six (6).

Evelyn McNeil

Mr. Hall, guardian ad litem, stated that he would make no cross examination.

A. J. Sinclair, being duly sworn deposes and says; My name is A. J. Sinclair. I am over the age of twenty-one years. I came along while Mr. Carpenter and Mrs Rossing were on the lots the day he bought the lots she showed him, sold to him, and put him in possession of, and on which he has built a house and is now living, are the Lots eight (8) and nine (9) in Block seven (7). I stopped there with him and we all discussed it. Mrs. Mc Neil was with them.

A. J. Sinclair

Mr. Hall, guardian ad litem, stated that he would make no cross examination.

**THE STATE OF ALABAMA,**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

L. D. CARPENTER & KATE CARPENTER Complainant

VS.

OWEN STAPLETON ROSSING, ADMR. ET AL Respondent

I, Hazel Nall  
as ~~Register and~~ Commissioner  
have called and caused to come before me L. D. Carpenter, Evelyn McNeil and  
A. J. Sinclair

witnesses named in the Requirement for Oral Examination, on the 11 day of February  
1947, at the office of W. C. Beebe  
in Bay Minette, Alabama, and having first sworn said Witness es to speak the  
truth, the whole truth, and nothing but the truth, the said L. D. Carpenter  
doth depose and say as follows:

My name is L. D. Carpenter. I am over the age of twenty-one years and reside at Loxley, in Baldwin County, Alabama. Owen Stapleton Rossing is over the age of twenty-one years and he is the administrator of the estate of Maybell G. Rossing. Helen Rossing Mattei, who is over the age of twenty-one years. Both of them live in Baldwin County, Alabama. Constance Rossing Greco who is over the age of eighteen years and is a married woman and lives at 329 Cobert Street, Brooklyn, N.Y. Cheri Grace Rossing is a minor over the age of sixteen years and lives at Loxley in Baldwin County, Alabama, they are the heirs of Maybelle G. Rossing, deceased and are all of the heirs. On the 10th day of January, 1945, I purchased from Mrs Maybelle G. Rossing Lots eight (8) and nine (9) in Block seven (7) in Highway's Addition to Loxley, Baldwin County, and paid her therefor \$300.00 in cash. She went on said Lots with me and placed me in possession of them. I immediately begun construction of a house on said Lots in which I have lived continuously since its completion. It cost over \$3000.00. She executed a deed to me purporting to convey the said Lot 8 and 9 in Block 7, dated January 10, 1945 and recorded in the office of Judge of Probate in Baldwin County, Alabama in Deed Book 89, page 15. But through an error of the draftsman, the lands were erroneously described in said deed as Lot 8 and 9 in Block 6, of such addition. I did not know of this error until a short while before this suit was filed, when I had an abstract made for the purpose of selling the property. I attach such deed to my deposition as exhibit "A". Mrs Maybelle G. Rossing died July 22, 1946. Owen Stapleton Rossing was appointed administrator of her estate September 10, 1946 and he acting as such now. At the time we went to see the Lots I thought she had already sold Lots 8 & 9 in Block 6 to her daughter Helen Rossing Mattei and Helen had erected a small house on them and was in possession of them. She afterwards sold Lots 8 & 9 in Block 6 to Alex Barns, he has additional improvements and is in possession of them. Upon discovering the error in the description of the land in my deed, I ask the heirs to give me a deed of correction, which they have not done because of the fact that some of them are minors.

L D Carpenter

Mr. Hall, guardian ad litem, stated that he would make no cross examination

ORAL EXAMINATION.

I, Hazel Nell, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~s~~ on Oral Examination was taken down by me in writing in the words of the witness ~~and~~ read over to ~~them~~ and ~~they~~ signed the same in the presence of myself, W. C. Beebe and H. W. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ~~or~~ had proom made before me of the identity of said witness ~~or~~; 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 11 day of February, 194 7.

Hazel Nell (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed \_\_\_\_\_, 194 \_\_\_\_\_

Recorded in \_\_\_\_\_, Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_, Register.

# THE STATE OF ALABAMA, Baldwin County

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of One Dollar and other valuable considerations

to me in hand paid by L. D. Carpenter and Kate Carpenter

the receipt whereof is hereby acknowledged I, Maybelle G. Rossing

do grant, bargain, sell and convey unto the said

L. D. Carpenter and Kate Carpenter  
the following described lands situated in Baldwin County, Alabama, to-wit:

Lots eight (8) and nine (9) in block six (6) in "THE HIGHWAYS" an addition to the town of Loxley,

TO HAVE AND TO HOLD to the said L. D. Carpenter and Kate Carpenter

their heirs and assigns forever.

And I do covenant with the said L. D. Carpenter and Kate Carpenter

that I am seized in fee of the above

described premises; that I have the right to sell and convey the same; that the said

premises are free from all incumbrances; and that I will, and my heirs

executors and administrators shall forever WARRANT AND DEFEND the same to the said

L. D. Carpenter and Kate Carpenter

heirs and assigns, against the lawful claims of all persons whomsoever.

Witness my hand and seal this 10th. day of January, 19 45

WITNESS:

Maybelle G. Rossing L. S.

L. S.

L. S.

State of Alabama, Baldwin County

I, Carl L. Schlich, a Notary Public

in and for said County and State, hereby certify that Maybelle G. Rossing

whose name is signed to the foregoing conveyance and who

is known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of January A. D. 1945

Notary Public, Baldwin County, Ala.,  
My commission expires July 27, 1947.  
Bonded by American Surety Co. of N.Y.

State of Alabama, \_\_\_\_\_ County.

I, \_\_\_\_\_, a \_\_\_\_\_

in and for said County and State, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_

came before me the within named \_\_\_\_\_

known to me to be the wife of the within named \_\_\_\_\_

who, being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

In Witness Whereof, I hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, 194\_\_\_\_

## Warranty Deed

FROM

1-10-45

Maybelle G. Rossing

TO

L.H. Carpenter 41  
State Carpenter

THE STATE OF ALABAMA,

COUNTY

OFFICE OF JUDGE OF PROBATE

I hereby certify that the foregoing deed was

filed in this office for record on the 10th day

of January, 1945, at 10 o'clock, A.M.

and that the following Privilege Tax has

been paid. 10 of Mortgage, page

Deed recorded in Book 10 and examined by

Mortgage Tax 10 Judge of Probate

By L.H. Judge of Probate

L.H. Carpenter

R.F. 1408 P. Rossing

Sally Ann

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

## Circuit Court

To Hazel Nell

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine L. D. Carpenter, Evelyn McNeil and A. J. Sinclair

as witnesses in behalf of L. D. Carpenter in a cause pending in our Circuit Court in Baldwin County, of said State, wherein L. D. Carpenter is

Complainant  
and Owen Stapleton Rossing as admr. et al. is

Respondent

on oath, to be by you administered, upon Oral examination  
to take and certify the deposition S of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 11 day of February, 19    

Alvise J. Smith  
Register

Commissioner's Fee, \$     

Witness' Fees, \$

L. L. Carpenter  
Kate Carpenter  
Complainant,

VS.

Over Stephen Rossing  
admr. de al Respondent.

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

NO. ....

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from

Bay Minette, in the County of Baldwin

Alabama, the place of trial of said cause, to-wit:

L. L. Carpenter  
Evelyn McNeil and John  
Chair

2. That said complainant requires an oral examination of said witnesses before a com-

missioner appointed by the Register of this Court.

W. C. Biehl

Solicitor for Complainant.

NOTE:

Complainant suggests the name of

Hazel Hall

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

W. C. Biehl

Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION.

J. Carpenter et al.  
Complainant,

Vs.

Robert Stobelan Rossier  
Admiral et al Respondent.

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

Filed this 7 day of July,  
1947....

Alice J. Wacker  
Register.

L. D. CARPENTER AND  
KATE CARPENTER,  
COMPLAINANTS,

VS.

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR,  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI,  
DEFENDANTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY:

Come Constance Rossing Greco and Cheri Grace Rossing, minor  
Defendants in the above styled cause, by H. M. Hall, their guardian  
ad litem heretofore appointed by this Honorable Court, and denies  
each, every and all allegations, separately and severally, made  
in the bill of complaint in this cause and demands strict proof  
of the same.

This February 4th, 1947.

J. H. Seel  
Guardian ad litem for Cheri  
Greco Rossing and Constance  
Rossing Greco.

L. D. CARPENTER AND  
KATE CARPENTER,  
COMPLAINANTS,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

VS

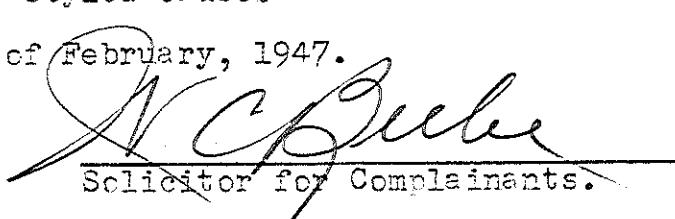
IN EQUITY:

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR,  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI,  
DEFENDANTS.

More than thirty days having elapsed since the service of summons and bill of complaint in the above styled cause on OWEN STAPLETON ROSSING, as administrator of the estate of Maybelle G. Rossing, deceased, OWEN STAPLETON ROSSING and HELEN ROSSING MATTEI, and they having failed to appear and plead, answer or demur.

Now comes the Complainants by their solicitor of record, W. C. Beebe, and moves that a Decree Pro Confesso be granted in the above styled cause against the said OWEN STAPLETON ROSSING, as administrator of the estate of Maybelle G. Rossing, deceased, OWEN STAPLETON ROSSING and HELEN ROSSING MATTEI, Defendants, in the above styled cause.

This the 3 day of February, 1947.

  
Solicitor for Complainants.

L. D. CARPENTER AND  
KATE CARPENTER,  
COMPLAINANTS,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

VS

IN EQUITY:

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR,  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI,  
DEFENDANTS.

In this cause it appearing that more than thirty days have elapsed since the service of summons and bill of complaint on CONSTANCE ROSSING GRECO, a minor over the age of eighteen years and on CHERI GRACE ROSSING, a minor over the age of sixteen years, and neither of them having nominated any person to act as guardian ad litem to represent them in the above styled cause;

And it appearing that H. M. Hall is not interested in the said proceedings and is a competent and suitable person to act as guardian ad litem for the said minors in the said cause;

NOW THEREFORE the said H. M. Hall be and he is hereby appointed as guardian for the said minors, CONSTANCE ROSSING GRECO and CHERI GRACE ROSSING, with full authority and direction to do and perform whatsoever shall be necessary and proper in the premises.

WITNESS my hand and seal of office this the 3rd  
day of February, 1947.

Alice J. [Signature]  
Clerk of the Circuit Court of  
Baldwin County, Alabama.

L. D. CARPENTER AND  
KATE CARPENTER,  
COMPLAINANTS,

VS.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR,  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI,  
DEFENDANTS.

IN EQUITY:

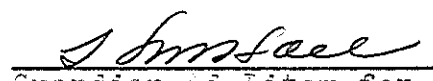
Service having been had on all of the parties defendant in the above styled cause, decrees pro confesso having been taken against the adults, guardian ad litem having been appointed for the minors, and testimony for the complainants' having been taken and returned to this court;

The complainants, therefore, moved that this cause be set down for final decree.

This the 13 day of July, 1947.

  
Solicitor for Complainants

I hereby accept service of the foregoing motion.

  
Guardian Ad Litem for Cheri  
Grace Rossing and Constance  
Rossing Greco.

7  
Lal Carpenter  
et vs  
P. J. Rasinghur  
et al

Motion for  
discovery

Filed Feb 13, 1947  
Alice J. Duck  
Key West

7  
Lal Carpenter  
et vs  
P. J. Passing Allen  
et al

Motion for Quire  
decreed

Filed July 13, 1947  
Alice J. Duck  
Clerk

L. D. CARPENTER AND  
KATE CARPENTER,  
COMPLAINANTS,

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

VS.

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR,  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI,  
DEFENDANTS

TO H. M. Hall, ATTORNEY-AT-LAW, GREETINGS:

You are hereby notified that under and by virtue of an order of the Court made and entered in the above entitled cause on the 2 day of February, 1947, you were appointed to represent and act as guardian ad litem for CONSTANCE ROSSING GRECO, a minor over the age of eighteen years and on CHERI GRACE ROSSING, a minor over the age of sixteen years, and also to represent and act as guardian ad litem and attorney for any and all other minors, and all persons in the armed services of the United States of America, and all persons under any legal disability, and all unknown persons or parties who may claim or have any interest in the subject matter of this suit.

Attached hereto and made a part hereof is a copy of the notice of the pendency of the bill of complaint in this cause.

This the 3<sup>rd</sup> day of February 1947.

Alice J. Luck  
Register

I, H. M. Hall, named as guardian ad litem for Constance Rossing Greco and Cheri Grace Rossing do hereby accept such appointment and deny all allegations made in the bill of complaint and demands strict proof of the same.

This February 3rd, 1947.

H. M. Hall  
Guardian ad litem for Cheri Grace  
Rossing and Constance Rossing Greco.

L. D. CARPENTER AND  
KATE CARPENTER,  
COMPLAINANTS,

VS.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

OWEN STAPLETON ROSSING,  
AS ADMINISTRATOR  
OWEN STAPLETON ROSSING,  
CONSTANCE ROSSING GRECO,  
CHERI GRACE ROSSING AND  
HELEN ROSSING MATTEI

IN EQUITY:

This cause is submitted on behalf of the Complainants upon the bill of complaint, services as shown by the return of the Sheriff on the Defendants, the decree pro confesso against Owen Stapleton Rossing as administrator of the estate of Maybelle G. Rossing, deceased, and Owen Stapleton Rossing and Helen Rossing Mattei, and the appointment of H. M. Hall as guardian ad litem, the depositions of L. D. Carpenter and exhibit "A" thereto attached and depositions of Evelyn McNeil and A. J. Sinclair, motion that cause be set down for final decree;

And on behalf of Constance Rossing Greco and Cheri Grace Rossing, ~~this cause is submitted on the answer of H. M. Hall~~ as their guardian ad litem.

Alice J. Luck  
Register

J. Thompson  
Guardian Ad Litem

W. C. Grebe  
Solicitor for Complainants.

RECORDED  
L. A. Carpenter  
Owner Stapleton  
Rossing

Note of Testimony

1794

Filed July 13, 1947  
Alvin J. Leuch  
Register

## PROBATE JUDGE

Bay Minette, Ala., 2/19, 1947

Received of

[illegible]

### 3 RECORD

MARSHALL &amp; BRUCE-NASHVILLE

*W. P. Smith* TOTAL

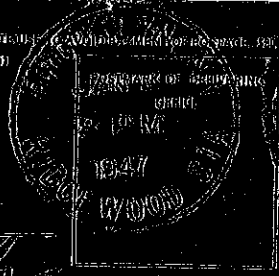
## Judge of Probate.

REGISTERED ARTICLE No. \_\_\_\_\_  
Fee paid, 1st class postage paid, 12/30, 1946  
Declared value, \$ \_\_\_\_\_ Surcharge paid, \$ \_\_\_\_\_  
From Albert J. Buch Circuit Clerk  
(Sender)  
Addressed to B. A. Smith  
(Street and number) (Post office and State)  
329 Central St. Birmingham, Ala.  
(Street and number) (Post office and State)  
Accepting employee will place initials in space below, indicating restricted delivery  
Return receipt fee \_\_\_\_\_  
Delivery restricted to addressee { in person \_\_\_\_\_  
or order \_\_\_\_\_  
Fee paid 2.00 Special delivery fee \_\_\_\_\_  
Postmaster, per \_\_\_\_\_



Post Office Department  
OFFICIAL BUSINESS

POSTAGE WILL BE PAID BY ADDRESSEE  
PERMIT NO. 1000  
WASHINGTON, D.C.



Paid with  
this stamp

Name of Addressee *Alice J. Smith*

Street and Number,  
or Post Office Box, *Circle 10*

REGISTERED ARTICLE

No.

*52*

Post Office

UNREGISTERED PARCEL

No.

No.

*State*

RETURN RECEIPT

FORM NO. 10-40

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

DATE RECEIVED

(Postmark or receipt reference)

2

Office of the Postmaster

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