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MYRTLE M. KELLY,

Complainant,

VS.

A. L. LEE and THE PACE

COMPANY, a Corporation,

Respondents.

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

Comes your Complainant, MYRTLE M. KELLY, formerly MYRTLE M. WATERS, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

- 1. That she is a resident of San Diego, California, and over twenty-one years of age.
- 2. That the Respondent, A. L. LEE, is over twenty-one years of age, and a resident of Baldwin County, Alabama; that the Respondent, THE PACE COM-PANY, is a corporation with its principal place of business in the City of Pensacola, Florida.
- 3. That your Complainant is in the quiet and peaceable possession, claiming to own the same in her own right, of the following described lands in Baldwin County, Alabama, to-wit:

The North half of the Northwest quarter of Section 11, Township 4 South of Range 5 East.

- 4. Complainant further alleges that the Respondents, A. L. LEE and THE PACE COMPANY, a Corporation, claim or are reputed to claim some right, title, or interest in, or encumbrance upon said lands.
- 5. That your Complainant further alleges that no suit is pending to question or test the validity of such claim, right, title, or interest in, or encumbrance of the said Respondents, and the Complainant therefore calls upon the Respondents to set forth and specify their right, title, or interest in, or encumbrance upon said land and to show how and by what instrument the same is derived or created.

#### PRAYER FOR PROCESS.

WHEREFORE, the premises considered, Complainant prays that your Honor will take jurisdiction of the cause made by this Bill of Complaint and by appropriate process make the said A. L. LEE and THE PACE COMPANY, a Corporation, re-

spondents to this Bill of Complaint, requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

#### PRAYER.

Complainant further prays that upon the hearing of this complaint, this Honorable Court establish the title of Complainant in and to the lands herein described, and further find and decree that the said A. L. LEE and THE PACE COMPANY, a Corporation, have no claim, right, title, or interest in, or encumbrance upon the said lands herein described, or any part thereof, and further grant unto your Complainant such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Bulestale Muly Solicitors for the Complainant.

FOOT NOTE:

The Respondents, A. L. LEE and THE PACE COMPANY, a Corporation, are required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 5, inclusive, but not under oath, oath being hereby expressly waived.

Solicitors for the Complainant.

## The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama-GREETING:

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N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

## The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

April, 1937  Paka 4 8 10	To Any Sheriff of the	state of Alab	ama—GREE	IING:		
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April, 1937  (Paka # 8 1)						ż
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N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

MYRTLE M. KELLY,

Complainant,

VS.

A. L. LEE and THE PACE COMPANY,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 322

Now come the Respondents in the above entitled cause, by their attorney, and respectfully shows that the Complainant in the said cause is a non-resident of the State of Alabama.

WHEREFORE, Respondents move the Court to require the said Complainant to deposit or secure the Court costs in the said cause or dismiss said Bill of Complaint out of this Court.

Attorney for Respondents.

Respondents demand a trial of said cause by jury.

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IN SEE GIRCOTE COURSE OF PALIFITH COUNTY, ALADADA,

TO HONOBARIE F. N. MARS, JUNE OF HIS CENCULY COURT OF BALINIES COUNTY, ALABAMA, IN RECIPTS

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as follows:

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- S. That your Complained is in the quiet/and peaceable presented.

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  Baldwin County, Alebana, toward.

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openions to this BIS of Complaint, requiring them to plyid, answer or down to present the present the present of this Sementic Court.

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MYRTLE M. KELLY.

Complainant.

VS.

A. L. LEE AND THE PACE COMPANY, A CORPORATION.

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 322.

#### ANSWER AND CROSS BILL.

Now come the Respondents in the above entitled cause and for answer to the Bill of Complaint in said cause and to each and every paragraph thereof separately and severally and for this their Cross Bill say:

- 1. Respondents admit the allegations of paragraphs numbered 1 and 2 of the said Bill of Complaint.
- 2. Respondents deny that the Complainant owns and that she is in peaceable possession of the property described in the Bill of Complaint, namely: North Half of Northwest Quarter of Section 11, Township 4 South Range 5 East, Baldwin County, Alabama.
- 3. The Respondent, A. L. Lee, claims to own the land described in the Bill of Complaint, namely: North Half of Northwest Quarter of Section 11, Township 4 South Range 5 East, in Baldwin County, Alabama, under a tax title arising out of the tax sale held on to-wit, September 1, 1933, wherein the lands were sold by Jesse M. Smith, TaxCollector to the State of Alabama, which assigned the Certificate of Sale to A. L. Lee, and on to-wit, January 4, 1937 a tax deed was made by G. W. Robertson, Judge of Robate to A. L. Lee, dated January 4, 1937 and recorded in Deed Book 61 N. S. at Page 157, reference to which is hereby made as though the same were fully incorporated herein.
- 4. Respondents admit that no suit other than this suit is pending to enforce or test the validity of Complainant's title to or interest in the said lands.
- 5. Respondents deny each and all other allegations of the Bill of Complaint which are not herein specifically answered.

to answer each and every paragraph of the foregoing Cross Bill but not under oath, the behefit whereof is hereby expressly waived.

Solicitor for Respondents and Cross Complainants.

#### PRAYER FOR PROCEST.

The said A. L. Lee and The Pape Company, a Corporation, besing now answered the said Siil of Georgina, prgy that this their enswer may be taken and treated in all respects and and ones Siil and that the seif Myrale M. Keily be rade a perty respected to this Orese fill and that the Cross fill and that the Court.

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# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY to 18 de 500

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Sach certificate or affidavit, no seal 25	.		2 50	ļ '	i
Iearing and passing on application, etc. 3 00	[	Serving and returning application, etc.			
each settlement with Receiver, etc. 3 00	-   -	Serving and returning application, etc  Serving attachment, contempt of court	. 50 I 50	<b></b>	]
xaming each voucher of Receiver, etc _ 10			LJU	1	1
Examing each answer, etc. 3 00		TOTAL FEES OF SHERIFF			
ecording resignation, etc 75		D DO CADIMITA MICAT			
Intering each certificate to SupremeCourt 50		RECAPITULATION		2000	4
aking questions and answers, etc 25	.	Register's Eees	÷.		6
or all other ser relating to such proceedings 1 00		Sheriff's Fees			e#
for services in proceeding to relieve min-		Commissioner's Fees.			3
ors, etc., same fee as in similar cases.		Solicitor's Fees			1
		Witness Fees			1
commission on sales, etc: 1st \$100, 2 per		Guardian Ad Litem		1	1
cent: all over \$100 and not exceeding		Printer's Fees			1
\$1,000, 1 1-2 per cent; all over \$1,000,		Trial Tax	3 00		15 (A)
and not exceeding \$20,000, I per et; all		Recording Decree in Probate Court		'فيست	9
over 20,000, 1-4 of 1 per cent.		Recording Decree in Flobate Court		1	
T.		MOMAT		1	á
Sub Total Carried Forward		TOTAL		12	1
	1 1	1 1 8		*****	1.2

# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY tel 19 ellet vs. a Lee & a

DEFENDANT

	BILL OF		Pa. 1	
FEES OF REGISTER	ilars Cents	Brougt Forward\$	3	60
Filing each bill and other papers\$ 10	50000	For Receiving, keeping and paying		
Issuing each subpoena 50	3 0	out or distributing money, etc.: 1st		
Issuing each copy thereof40	E 0	\$1,000, 1%, all over \$1,000, and not		
Entering each return thereof I5	20	over \$5,000, 3-4 of 1%; all over \$5,-	. [	
For each order of publication 1 00	50	000 and not exceeding \$10,000, 1-2 of	1	
Issuing Writ of injunction I 50		1%, all over \$10,000 1-4 of 1%.		
For each copy thereof 50	Í	Receiving, keeping and paying out		
Entering each return thereof		money paid into court, etc., 1-2 of	1	
Issuing Writ of Attachment I 00		1% of amount received.	·	
Entering each return thereof				
Docketing each case 1 00	1 - 4	Hach house sent by man to creation		
Entering each appearance 25	100	Filing receipting for and docketing each	.	
	_   -	Ciaini, CC,	1	*
Issuing each decree pro confesso on per ser. 1 00		TOT MI CHINES ON BUDDOCKER MOULT		
Issuing each decree pro confesso on publica 1 00		For all entries on commission docket,	ļ	
Each order appointing guardian I 00	x 70	etc. 50	4	16
Any other order by Register 50	PU	Making final record. per 100 words 15	7	/ Y
Issuing Commission to take testimony50	512	Certified copy of decree 1 00	ļ	
Receiving and filing	340	Report of divorce to State Health Office 50	ĺ	
Endorsing each package 10		(Acts 1915)	.	
Entering order submitting cause 50		HOMAL HERO OF BEOLEGIED		
Entering any other order of court 25	.   '	TOTAL FEES OF REGISTER		1 31
Noting all testimony 50			めク	Q 0
Abstract of cause, etc.		FEES OF SHERIFF		1
Entering each decree 75		Serving and returning subpoena on deft. \$1 50	- /	5 2)
Hor every 100 words over 500 15		Serving and returning subpoena for	,	- 15 Park
Taking account, etc. 3 00		witness		
Taking testimony, etc 15		Withes		-
Each report, 500 words or less 2 50	,	Levying attachment 1 20 Entering and returning same 25		
For every 100 words over 500		Selling property attached		
Amount claimed less than \$500, etc 2 00				
Issuing each subpoena 25				
Witness certificate, each 25		Executing Writ of possession 2 50	Ì	
Issuing execution, each		Collecting execution for costs		
Entering each return 15		Octiving and returning serious, carefully		
Taking and approving bond, each 100		Cici Anns and Iciamins nonce		
Making copy of bill, etc		Serving and returning writ of injunction 1 50		
Each notice not otherwise provided for 50		Serving and returning writ of exeat 1 50		
Each certificate or affidavit, with seal 50		Taking and approving bonds, each 75		
Each certificate or affidavit, no seal 25	•	Collecting money on execution		
Hearing and passing on application, etc. 3 00	ŀ	Making Deed 2 50		
Each settlement with Receiver, etc. 3 00	}	Serving and returning application, etc. 1 00		
Examing each voucher of Receiver, etc 10		Serving attachment, contempt of court 1 50		
Examing each answer, etc. 3 00		TOTAL FEES OF SHERIFF_	- 1	<del></del>
Examing Cach and				50
		RECAPITULATION	۔۔۔	
Tilliering cach certificate to pup-		Register's Eees	7	60
1 aking ducstions and and area, and		Sheriff's Fees	<b>,</b>	1
For all other ser relating to such proceedings 1 00	1	Commissioner's Fees	/	SU
For services in proceeding to relieve min-	ļ	Solicitor's Fees	,	1
ors, etc., same fee as in similar cases.	1			
Commission on sales, etc: 1st \$100, 2 per	ļ	Witness Fees	1	1
cent; all over \$100 and not exceeding	1	Guardian Ad Litem	1	l
\$1,000, 1 1-2 per cent; all over \$1,000,		Printer's Fees	3	
and not exceeding \$20,000, 1 per ct; all	1	Trial Tax 3 00	- C2	0
over 20,000, 1-4 of 1 per cent.	ļ	Recording Decree in Probate Court	}	
		-	1	
Sub Total Carried Forward		TOTAL	112	11/
Dan Total Callied Formard	1		_	_ w

day of



#### RECEIPT FOR REGISTERED ARTICLE No. class postage paid 14 fee paid. Declared value (Post office and State) Addressed to (Streetand number) (Streetand number) (Streetand number) (Post office and State) Accepting employee will place initials in space below, indicating restricted delivery Special delivery fee Return receipt fee \_\_\_\_\_ Postmaster, per Delivery restricted to addressee Fee paid ....

5-6869

