and the Bay Minette, Ala.,\_ 193\_

IN ACCOUNT WITH

# G. W. ROBERTSON

Please Return Bill With Remittance

Judge of Probate, Baldwin County

Recording	from	to	Privilege Tax	Rec. Fee	Total
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Mar of the second se	in Automaticana Automaticana	f Acuston a	er de la companya de la compa		
					Citrar (Palace ) and an an



In the above stated cause a Decree Pro Confesso having been taken against the Defendant, S and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by LLOYD A. MAGNEY,

this written request to deliver the papers in this cause to the Judge for final decree in vacation.

LLOYD A. MAGNEY,

Solicitor for Complainant.

RECORDED Quel 2-394

No.

# The State of Alabama **BALDWIN COUNTY**

## IN EQUITY **Circuit Court of Baldwin County**

BANGERT. ET AL..

Complainants,

VS.

FOX, ET ALS.,

Respondents.

# NOTE OF TESTIMONY

8thFiled in Open Court this day of October, <u>- 193 8</u> R.S. DUCK clerk, - register REGISTER BAY HINEY BEDALLY

## LLOYD A. MAGNEY LAWYER FOLEY, ALABAMA August 22, 1938

Hon. R. S. Duck, Register in Chancery, Bay Minette, Alabama.

#### RE: BANGERT VS. FOX ET AL

Dear Sir:-

With reference to the summons to Mabel Hopkins Mills which was returned to you by the postoffice, there is a mistake in the address and I wish that you would re-mail the summons and bill to the following address: Mabel Hopkins Mills, Arden Hill Farm, <u>Alcomdale</u>, Alberta, Canada; this should be sent, of course, by registered mail and endorsed for delivery only to the person to whom addressed.

Please advise me when you receive the registered mail receipt.

Very truly your nagney.

LAM:E

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RHEA PETIT	T BANGERT	- 8c	V. C. PF	ւրդ դուր				
		- <b>-</b>	Complai		<b>1</b>	1	COURT	
		vs.	: . :			Daiuw		•
ESTHER HO	pkinS FOX	, ET	ALS.,			IN H	EQUITY.	
			Respond	lents.	a la			

	In this ca	use it bei	ng made to	appear to	the Register	that or	n the	Sth	· - ·	
day of	July			4 (, a co]	py of the Bill	of Com	plaint file	d in this c	ause	was
sent to		MABLE	HOPKINS	MILLS,	Arden	H <b>ill</b>	Farms,	Alcomda	ile,	
	•••••	Albe	erta, Car	ada	•••••••••••		•••••••••		••••	• • •]*

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 7 thSeptember, 1938 \_\_\_\_\_\_ such receipt was duly day of 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

MABLE HOPKINS MILLS,

This the 7<sup>th</sup> day of 0ct., 1938 ###

R. 5. Duch Register. By <u>Mullie Thanysan</u> Deputy

Defendant....

8602	Decree Pro	Confesso	After	Notice	By	<b>Registered</b> 1	Mail
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RHEA PETTIT BANGE	R, & V.	C. PETTIT,				
		Complair	nants.	CIRCUIT	COURT	OF
	vs.			Baldwi	n County.	
ESTHER HOPKINS F	OX, ET A	5.,		INE	QUITY.	
		Respondent	;s. )	· · · · · · · ·		

In this cause it being made to appear to the Register that on the	<u>18th</u>
day ofJuly===1938, a copy of the Bill of Complaint f	filed in this cause was
sent to D. EDNA HOPKINS DEGROFF, 120 North Ave	nue 54, Los
Angeles, California	· · · · · · · · · · · · · · · · · · ·

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

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

D. EDNA HOPKINS DeGROFF Defendant

This the 7th Oct. #### 1938.

By: <u>Naushii Hanguan</u> Deputy

8602	D€	ecree Pro	o Confess	o After No	tice	By Reg	ister	ed Mail.		MOORE FTG	CO-BAY MINEST
	• :					······································	-				
		RHEA	PETTIT	BANGERT	&	V. C.	PET	TTT,			
						Compl	aina	ints,	AT A STA	UIT COU	
				V8.	********	:			Ba	Idwin Cou	nty.
		ESTH	ER HOPK	INS FOX,	ΈT	ALS.	. و			N EQUIT	Y
•						Resp	onde	nts.			

In this cause it being made to appear to the Register that on the
day of July,1938
sent toANNA A. HOPKINS, 2102 North Avenue 52, Los Angeles, Celifornia
ج م

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.

ANNA A. HOPKINS,

By: Mullie Hampon Deputy

Defendant.....

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	RHEA	PETT	IT B	ANGERT,	8c V.	с.			:	1 2 -	
 	PETT	ΕŢ,		 L	·····			CIRCUI			-
			vs.	Co	mplai	nant	s,		win C	ounty -	•
; ; ;		<u>.</u>		- -				IN	EQU	ITY.	1

	In this caus	e it being	g made to ap	pear to the H	Register that on t	the18	3 <b>t</b> h		
day of .	Julyman	1938		, a copy of	the Bill of Compl	aint filed	in this	cause	was
sent to		J.	RAYMOND	HOPKINS,	, Crofton	Road,	Highl	and 1	Park,
, <i>.</i>	••••••	Illin	ois	• • • • • • • • • • • •			•••••		;

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.....

J. RAYMOND HOPKINS, Defendant

This the 7th day of 0ct., 1938. 192-

R.S. Duch Register. By: <u>Mulhis Manpun</u> Deputy

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F	RHE	IA PE	TTTT	BAI	GERT	, & V.	с.	PETTI	т,					: .	
:		1				Comp	lain	ants,	;	Ś	CII	RCUI	r cc	)URT	OF
					vs.	 : :				( (	>	Baldv	vin C	County —	7.
I	esț	HÈR	HOPK	TNS	FOX,	ET AI	S.,	-				IN	EQU	ITY.	
	4					Respo	nden	ts.		/	- - -		• •		10000000000000000000000000000000000000

	In this cause it being ma	de to appear t	o the Register t	hat on the	18th	
day of	July1938	<b></b> , a c	opy of the Bill o	f Complaint	filed in this	cause was
sent to.	FRANK	HOPKINS,	104 Wilcox	Avenue,	Meriden,	Connecticut
	• • • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • •	••••••	• • • • • • • • • • • • • •		
Defenda	nt, by registered mail, po	stage propaie	l, marked ''For e	delivery only	v to the perso	n to whom

addressed," and return receipt demanded addressed to the Register of this Court; and that on the 22nd \_\_day of 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

FRANK HOPKINS,

This the 7th day of Oct., --19382

By: Nandlie Hangen Deputy

Defendant....

RHEA PETTIT BANGERT & V. C. PETTIT,	
Complainants,	CIRCUIT COURT OF
Ψ۶.	Baldwin County.
ESTHER HOPKINS, FOX, E T ALS.,	IN EQUITY.
Respondents.	
nespondents.	<b>/</b>

	In this cause i	t being mad	le to appear t	o the	Register th	at on the	2017	
day of .	July,	1938	### 192, a c	opy o	f the Bill of	Complaint filed	in this cause	was
sent to		EARL L.	HOPKINS,	of	Orwell,	Vermont.		
								• • • •]
				_				

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

EARL L. HOPKINS,

8602 Decree Pro Confesso After Notice By Registered Mail.

Defendant

This the 7th day of 0ct. - 1938 ###

R.S. Duck Register. By: Naullie Thampson Deputy.

RHEA PETTIT BANGERT and V C. PETTIT,

vs.

Complainants,

#### IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN CHANCERY

DECREE

ESTHER HOPKINS FOX, EARL L. HOPKINS, FRANK HOPKINS, ANNA A. HOPKINS, J. RAYMOND HOPKINS, D. EDNA HOPKINS DEGROFF, and MABLE HOPKINS MILLS,

Respondents.

This cause coming on to be heard on the Bill of Complaint, the Certificate of the Register showing service upon each of the respondents by registered mail and decrees pro confesso against the respondents and each of them and was submitted to the Court and upon consideration thereof, the Court finds:

That the service upon the Respondents and each of them was due and regular and in conformity with the laws of the state of Alabama and the Court has jurisdiction of the subject matter and that the allegations of the Bill of Complaint are confessed and are true, and that the Complainants are entitled to relief as prayed.

The Court further finds that the Complainants are in the actual, peaceable possession of the lands described in the Bill of Complaint, that they own the same, and that the Respondents, nor any of them, have any right, title, interest, or incumbrance upon said lands or any part thereof.

It is therefore Ordered, Adjudged, and Decreed that the title of the complainants in and to the following described real estate in Baldwin County to wit:

Lot Fourteen (14) in Lyman's Addition to Magnolia Springs, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book U, page 135 and being a subdivision of a part of Sections Twenty-eight (28) and Thirty-three (33), in Township Seven (7) South of Range Three (3) East of St. Stephens, Meridian....

be and the same hereby is quieted and confirmed in the Complainants; that the Respondents

Esther Hopkins Fox, Earl L. Hopkins, Frank Hopkins, Anna A. Hopkins, J. Raymond Hopkins, D. Edna Hopkins Degroff, and Mable Hopkins Mills, nor any of them, have any right,

title, interest, claim, demand, or incumbrance upon said lands or any part thereof, and that the Complainants pay the costs of this action taxed at  $\frac{34}{24}$ . Dated this <u>104</u> day of October, 1938.

F. M. Hare Judge

RHEA PETTIT BANGERT and V. C. PETTIT,

vs.

Complainants,

ESTHER HOPKINS FOX, EARL L. HOPKINS, FRANK HOPKINS, ANNA A. HOPKINS, J. RAYMOND HOPKINS, D. EDNA HOPKINS DEGROFF, and MABLE HOPKINS MILLS,

Respondents.

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

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN CHANCERY

## PART ONE

Come now Rhea Pettit Bangert and V. C. Pettit and respectfully show to the Court that they are over the age of twentyone years and residents of Columbus, Ohio, and Washington D. C. respectively; that the Respondent, Esther Hopkins Fox is over the age of twenty-one years and a non-resident of the State of Alabama, residing at 5 Draper Street, Oneonta, New York; that the Respondent, Earl L. Hopkins is over the age of twenty-one years and a non-resident of the State of Alabama, residing in Orwell, Vermont; that the Respondent, Frank Hopkins, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at 104 Wilcox Avenue, Meriden, Connecticut; that the Respondent, Anna A. Hopkins is over the age of twenty-one years, a non-resident of theState of Alabama, residing at 2102 North Avenue 52, Los Angeles, California; that the Respondent, J. Raymond Hopkins is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Crofton Road, Highland Park, Illinois; that the Respondent, D. Edna Hopkins DeGraff, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at 120 North Avenue 54, Los Angeles, California; that the Respondent, Mable Hopkins Mills is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Arden Hill Farm, Alberta, Canada.

## PART TWO

1. That your Complainants are sister and brother, being the only children and the sole and only heirs at law of John C. Pettit, deceased.

2. That they are in the actual, peaceable possession, claiming to own the same in their own right, of the following described real estate in Baldwin County, Alabama, to-wit:-

> Lot Fourteen (14) in Lyman's Addition to Magnolia Springs, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book U, page 135 and being a subdivision of a part of Sections Twenty-eight (28) and Thirty-three (33), in Township Seven (7) South of Range Three (3) East of St. Stephens, Meridian....

3. That the Respondents are the sole and only heirs at law of Etta M. Hopkins, deceased, by virtue of the following facts:

Etta M. Hopkins married Eugene H. Smith and died intestate in 1896, a resident of the State of Colorado, without issue, leaving as her heirs at law at that time, her husband, Eugene H. Smith, who inherited a life estate in her real estate and four brothers, who inherited her real estate subject to the life estate of the said Eugene H. Smith. Upon the death of the said Eugene H. Smith, which occurred more than twenty years ago, the said brothers of Etta M. Hopkins Smith became her heirs, said brothers being as follows:

Irving Hopkins, who is now dead and left no issue him surviving.

John Hopkins, who is now dead and left no issue him surviving.

Levi Hopkins, who is now dead but left surviving three children as follows: Davis Hopkins, who is now dead, leaving no issue him surviving; the Respondent, Esther Hopkins Fox and the Respondent, Earl L. Hopkins.

Frank Hopkins, who is now deceased butleft surviving him, five children, to-wit: The Respondents, Frank Hopkins, Anna A. Hopkins, J. Raymond Hopkins, D. Edna Hopkins DeGroff and Mable Hopkins Mills. STATE OF ALABAMA BALDWIN COUNTY

Lloyd A. Magney, being first duly sworn, on his oath deposes and says: That he is the solicitor for the Complainants in the above entitled cause; that the has read and knows the contents of the foregoing bill of complaint and that the facts therein set forth are true.

Joya anagney

Subscribed in my presence and sworn to before me this 16 day of July, 1938.

kus behuets

Notary Public

8602 De	cree Pro Confesso After Notice By Regi	istered Mail. MOORE PTG COBAY MINESTE
	· · · · · · · · · · · · · · · · · · ·	
RI	EA PETTIT BANGERT and V. C.	PETTIT
	Complainant	s, CIRCUIT COURT OF
	<b>VS.</b>	Baldwin County.
ES	THER HOPKINS FOX, ET AL.,	IN EQUITY.
· · · · · · · · · · · · · · · · · · ·	Respondents.	
		//
I	this cause it being made to appear to the	Register that on the 18th
day of		of the Bill of Complaint filed in this cause was
sent to		at 5 Draper Street, Oneonta,
	w Vomiz	

. . . . . . . . . . . . . . . .

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

ESTHER HOPKINS FOX

This the 7th Oct. 192-1938.

R. J. Duch Register. By: <u>Mauffic Zhampur</u> Deputy-Register.

. . . . . . . . . . . . . . .

Defendant

RHEA PETTIT BANGERT and V. C. PETTIT,

### Complainants,

VS.

ESTHER HOPKINS FOX, EARL L. HOPKINS, FRANK HOPKINS, ANNA A. HOPKINS, J. RAYMOND HOPKINS, D. EDNA HOPKINS DEGROFF, and MABLE HOPKINS MILLS,

#### Respondents.

STATE OF ALABAMA BALDWIN COUNTY

I, R. S. Duck, Register in Chancery, do hereby certify: That on the 18th day of July, 1938, I mailed a summons and copy of the Bill of Complaint to the Respondents as follows: 7-25-37 To Esther Hopkins Fox, 5 Draper Street, Oneonta, New York. 7-25-37 To Earl L. Hopkins, Orwell, Vermont.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA IN CHANCERY

CERTIFICATE OF REGISTER

7.22-37 To Frank Hopkins, 104 Wilcox Avenue, Meriden, Connecticut. To Anna A. Hopkins,  $210\frac{1}{2}$  North Avenue 52, Los Angeles, California.

7-37 To J. Raymond Hopkins, Crofton Road, Highland Park, Illinois.

7 - 26 - 37 To D. Edna Hopkins DeGroff, 120 North Avenue 54, Los Angeles, California.

۹.1.3° To Mable Hopkins Mills, Arden Hill Farm, Alberta, Canada. That each of said envelopes was sent by registered mail, with the proper United States postage affixed and marked "For delivery only to the person to whom addressed".

IN WITNESS WHEREOF: I have hereunto set my hand this <u>7</u> day of <u>Suffuels</u>, 1938. R. S. DUCK

clerk, - register

Deputy

By Jan Hice Thomp

Register.

RHEA PETTIT BANGERT and V C. PETTIT,

V.

Complainants,

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN CHANCERY

DECREE

ESTHEF HOPKINS FOX, EARL L. HOPKINS, FRANK HOPKINS, ANNA A. HOPKINS, J. FAYMOND HOPKINS, D. EDWA HOPKINS DEGROFF, and MABLE HOPKINS MILLS,

Respondents.

This cause coming on to be heard on the Bill of Complaint, the Certificate of the Register showing service upon each of the respondents by registered mail and decrees pro confesso against the respondents and each of them and was submitted to the Court and upon consideration thereof, the Court finds:

That the service upon the Respondents and each of them was due and regular and in conformity with the laws of the state of Alabama and the Court has jurisdiction of the subject matter and that the allegations of the Bill of Complaint are confessed and are true, and that the Complainants are entitled to relief as prayed.

The Court further finds that the Compleinants are in the actual, peaceable possession of the lands described in the Bill of Complaint, that they own the same, and that the Respondents, nor any of them, have any right, title, interest, or incumbrance upon said lands or any part thereof.

It is therefore Ordered, adjudged, and Decreed that the title of the complainants in and to the following described real estate in Baldwin County to wit:

Lot Fourteen (14) in Lyman's Addition to Magnolia Springs, according to the plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book U, page 185 and being a subdivision of a part of Sections Twenty-eight (28) and Thirty-three (38), in Township Seven (7) South of Bange Three (8) East of St. Stephens, Meridian....

be and the same hereby is quieted and confirmed in the Complainants; that the Respondents

Esther Hopkins Fox, Earl L. Hopkins, Frank Hopkins, Anna A. Hopkins, J. Raymond Hopkins, D. Edna Hopkins Degroff, and Mable Hopkins Mills, nor any of them, have any right, title, interest, claim, demand, or incumbrance upon said lands or any part thereof, and that the Complainants pay the costs of this action taxed at **24.36**. Dated this **10th** day of October, 1938.

F. W. HARE,

Judge

# REGISTER'S CERTIFICATE.

I, R/S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the above and foregoing is a true, correct and complete copy of the decree rendered by the Judge of the Circuit Court, in the above entitled cause, on the 10th day of October, 1938; the original of which is on file and enrolled in this office.

GIVEN under my hand and seal, this the 11th day of October, 1938.

<u>R.S. Burga</u> Regis By: <u>Aufflice Theman</u> Deputy-Register.





RECORDED Quel 2-394

The State of Alabama BALDWIN COUNTY

## IN EQUITY Circuit Court of Baldwin County

BANGERT, ET AL.,

Complainants,

VS.

FOX, ET ALS.,

No.

Respondents.

# NOTE OF TESTIMONY

Filed in Open Court this 8th

day of October, 193.8

R. S. DUCK

clerk, - register

REGISTER

By Machine Co., BAY HEREFY MAANTY

	Filed in office this 7th day of Oct., 1938 192 Py; Audio Moore Fraco.	Decree Pro Confesso After Notice By Registered Mail.		VS. VS. TOPXING POX FULATS.	V. C. FETTIT, Complainants.	RHEA FETTIT BANGERT, &	CIRCUIT COURT OF BALDWIN COUNTY, ALA. In Equity.	RECONDED No. 441	Mable Hopkins Mills
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Entered in O. B. .... RHEA PETTIT BANGERT & V. C. CIRCUIT COURT OF BALDWIN COUNTY, ALA. D. Edna Hopkins DeGroff PETTIT, ESTHER HOPKINS, FOX, ET ALS., Notice By Registered Mail. Decree Pro Confesso After 이지는 영화 <u>"0": 1 00</u> RECONDED No.\_\_\_441 In Equity. MOORE PTG CO. <u>1938</u>...-VS. ...Page ...... Complainants, Respondents . ---- 192---Deputy 

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建物 网络清朗 法运

Filed in office this 7th day of Oct. 1958 192 By Register By Register Entered in O. B. Page	ESTHER HOPKINS FOX, ET ALS., Respondents. Decree Pro Confesso After Notice By Registered Mail.	RHEA PETTIT BANGERT, & V. C. PETTT, Complainants, vs.	CIRCUIT COURT OF BALDWIN COUNTY, ALA. In Equity.	J. Raymond Hopkins, RECORDED No. 441
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In Equity. In Equity. PETTIT BANGEN PETTIT, Vs. Comp vs. Comp Registered By Registered 1938. 1938. Pag	Frank Honkins RECORDED
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MODRE PTG RO,	tered in O. BPage	Br: Kulliel Theupper Deputy	Oct., 1938. 192	Filed in office this day of	Decree Pro Confesso After Notice By Registered Mail.	Respondents.	vs. ESTHER HOPKINS FOX, BT ALS.	FETTIT, Complainanta.	RHEA PETTIT BANGERT & V. C.		In Equity.	CIRCUIT COURT OF BALDWIN COUNTY, ALA.	No. 441	Earl L. Hopkins
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## MR mark 216: Herei

RHEA PETTIT BANGERT and V. C. PETTIT, ESTHER HOPKINS FOX, et al CERTIFICATE OF REGISTER IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN CHANCERY Filed September 7, 1930 R. S. Duck Algester By : Noullie Theoryma LLOYD A. MAGNEY Attorney Foley, Alabama. TECORDEL 43. Complainants, Respondents. Puch





R. S. DUCK legister and Clerk Of The ucuit Court, Baldwin County Welle Bay Minette, Ala. 2. 6 1201 REGISTERED MAIL. qui RETURN RECEIPT REQUESTED. Mable Hopkins Mills, Arden Hills Farm, Alberta, Canada. DELIVER TO ADDRESSEE ONLY. E service and





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