

78

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon MARGARET SNITMAN

of BALDWIN County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by MRS. AMANDA KEFN

against said RAY McCURDY, EVA PIERCE, DELIA McCURDY NYGAARD, MARONE McCURDY, ABASHABA McCURDY NIMS, BARBARA McCURDY HALVORSEN, MINNIE McCURDY HERSCHKOVITZ, MARGARET SNITMAN and J. G. McCURDY, RUFUS R. McCURDY, MRS. CALLIE McCURDY PLATT and MRS. DAISY McCURDY STEVENS,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richardson, Register of said Circuit Court, this 17th day of September, 1934.

T. W. Richardson Register

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.

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon Ray McCurdy, Eva Pierce,

Delia McCurdy Nygaard, Marone McCurdy, Abashaba McCurdy Nims, Barbara McCurdy Halvorsen, Minnie McCurdy Herschkovitz, Margaret Snitman, J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt, Mrs. Daisy McCurdy Stevens,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Amanda Kern

against said Ray McCurdy, Eva Pierce, Delia McCurdy Nygaard, Marone McCurdy, Abashaba McCurdy Nims, Barbara McCurdy Halvorsen, Minnie McCurdy Herschkovitz, Margaret Snitman, J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt, and Mrs. Daisy McCurdy Stevens,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, M. A. Stone, Register of said Circuit Court, this 17th day of September 1934

M. A. Stone Register

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

AMANDA KERN,
Plaintiff,

-VS-

RAY McCURDY, ET AL.
Defendants.

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

This matter coming on to be heard is submitted for final decree on bill of complaint, decree pro confesso and request for decree in vacation as noted by the Register, and the Court understanding the same is of the opinion that the Complainant is entitled to the relief prayed for and that the several parties to said proceedings are the joint owners of the property mentioned in said bill of complaint, and that said property cannot be divided by metes and bounds, but it is necessary that the same be sold under the orders of this Court so that an equitable division of the same by distribution of the proceeds of the sale can be made among the joint owners.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Register of this Court shall proceed, after thirty days notice by publication in some news paper published in Baldwin County, Alabama, to sell the property described in the bill of Complaint, in front of the Courthouse door of Baldwin County, Alabama, during the legal hours of sale, to the highest bidder for cash for partition and division among the several joint owners thereof as shown by said bill of complaint.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court shall proceed to hold a reference to ascertain what would be a reasonable Attorney's fee for the services of the Solicitors of record, Rybart, Heard & Chason in and about the prosecution of these proceedings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register shall hold a reference to ascertain the respective interests or amounts that shall flow from said sale as the distributive interest of the several parties to this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register report her actions in the premises for further orders of this Court.

DATED AT MONROEVILLE, ALABAMA, this 24th
day of November, 1934.

F. W. Hare
Judge.

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. 130

INSURED PARCEL

No. _____

Return to Mrs. W. A. Stone & Co.

Street and Number,
or Post Office Box

(NAME OF SENDER)

Post Office at _____

Rev. 3-24 05-0116

State _____

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. 127

INSURED PARCEL

No. _____

Return to Mrs. Mary Alice Stone & Co.

Street and Number,
or Post Office Box

(NAME OF SENDER)

Post Office at _____

Rev. 3-24 05-0116

State _____

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. 134

INSURED PARCEL

No. _____

Return to Mrs. Mary Alice Stone & Co.

Street and Number,
or Post Office Box

(NAME OF SENDER)

Post Office at _____

Rev. 3-24 05-0116

State _____

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. _____

INSURED PARCEL

No. _____

Return to Mrs. Mary Alice Stone & Co.

Street and Number,
or Post Office Box

(NAME OF SENDER)

Post Office at _____

Rev. 3-24 05-0116

State _____

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. 133

INSURED PARCEL

No. _____

Return to Mrs. Mary Alice Stone & Co.

Street and Number,
or Post Office Box

(NAME OF SENDER)

Post Office at _____

Rev. 3-24 05-0116

State _____

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. 136

INSURED PARCEL

No. _____

Return to Mrs. Mary Alice Stone & Co.

Street and Number,
or Post Office Box

(NAME OF SENDER)

Post Office at _____

Rev. 3-24 05-0116

State _____

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

Signature of addressee
J. M. Purdy
(Signature of addressee's agent)

Date of delivery _____, 19____
Form 3511

6-5-6113

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

Signature of addressee
Larry M. Purdy Stevens
(Signature of addressee's agent)

Date of delivery _____, 19____
Form 3511

6-5-6113

RETURN RECEIPT

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

Signature of addressee
J. M. Purdy
(Signature of addressee's agent)

Date of delivery _____, 19____
Form 3511

6-5-6113

RETURN RECEIPT

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

Signature of addressee
Robert P. Purdy
(Signature of addressee's agent)

Date of delivery _____, 19____
Form 3511

6-5-6113

RETURN RECEIPT

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

Signature of addressee
Larry M. Purdy Stevens
(Signature of addressee's agent)

Date of delivery _____, 19____
Form 3511

6-5-6113

RETURN RECEIPT

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

Signature of addressee
Larry M. Purdy Stevens
(Signature of addressee's agent)

Date of delivery _____, 19____
Form 3511

6-5-6113

Filed Sept 29 1994
Office of the
Postmaster
City of New York

Filed Sept 29 1994
Office of the
Postmaster
City of New York

Filed Sept 29 1994
Office of the
Postmaster
City of New York

Filed Sept 29 1994
Office of the
Postmaster
City of New York

Filed Sept 29 1994
Office of the
Postmaster
City of New York

78

Jan. 14th 1935

Hybart, Heard & Chason

~~Gentlemen,~~

You will please hold ~~up~~ my
check as deposit for the
property bid transferred from
Marion McCurdy to Mrs. Minnie
Herschkovitz the bid was \$150⁰⁰/_{xx}

Respectfully Yours

Mrs. Minnie Herschkovitz
111. 25. Chase St.
Pensacola Fla

AMANDA KIERN,

Complainant,

-vs-

RAY McCURDY ET AL,

Respondents.

)
) IN THE CIRCUIT COURT-IN EQUITY
)

) STATE OF ALABAMA
)

) BALDWIN COUNTY.
)

This matter coming on to be heard on Objection to the confirmation of this Court of the Report of the Register of the sale of certain lands made by her under the order of this Court entered on November 24th, 1934, and the same being understood, it is the opinion of the Court that said Report should be confirmed and approved;

It is, therefore, ORDERED, ADJUDGED AND DECREED that the Report of the Register of said sale be and the same is confirmed.

It further appearing to the Court that the Register in ascertaining the several amounts due the joint owners thereof did not take into consideration any commissions that she was entitled to for the conducting and making of said sale, and it further appearing to the Court that the Register failed to take into consideration in ascertaining said amount due said joint owners, the costs that have accrued and will accrue since the making of said sale by way of Deeds and other incidental costs;

It is, therefore, ORDERED, ADJUDGED AND DECREED that the Register is to deduct said costs incident to said sale and which have occurred since said sale, from the several amounts due the said joint owners, each joint owner bearing his or her proportionate expenses by a deduction of the said costs from the said amounts ascertained heretofore to be due them.

It is further ORDERED, ADJUDGED AND DECREED that the Register pay over to Hybart, Heard & Chason, Solicitors for Complainant, the sum of One Hundred Dollars (\$100.00), and that he disburse the other items or fees as appearing in said Report, and after deducting the pro rata costs that have been incurred since said sale from the distributive interests of said joint

(page two)

owners, that he disburse the same to them, or their Attorneys of Record, and will report his action in the premises.

This Sub. 6, 1935-

F. W. Hale

Judge of the 21st Judicial Circuit.

[Faint, illegible handwritten notes or signatures in the lower half of the page]

AMANDA KERN,

Complainant,

-vs-

RAY McCURDY ET AL,

Defendants.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

TO THE HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT OF ALABAMA:-

The undersigned M. A. Stone, Register of the aforesaid Court, in pursuance to that certain order made by your Honor on November 24th, 1934, referring to her as Register to sell the property described in the Bill of Complaint in that certain cause wherein Amanda Kern was Complainant and Ray McCurdy et al were Defendants, and also ordering that she hold a reference to ascertain what would be a reasonable Attorneys' fee for the services of the Solicitors of Record, Hybart, Heard & Chason, in and about the prosecution of these proceedings, and also ordering that she hold a reference to ascertain the respective interests or amounts that shall flow from said sale as the distributive interests of the several parties to said proceedings, respectfully begs leave to report as follows:-

That on, to-wit, the 31st day of December, 1934, after thirty days notice by publication in the Baldwin Times, a newspaper published in Baldwin County, Alabama, she did sell the property described in said Bill of Complaint in front of the Court-house Door of Baldwin County, Alabama, during the legal hours of sale, to the highest bidder, for cash, for partition and division among the several joint owners thereof as shown by said Bill of Complaint. That she did offer for sale the following described property of the Estate of Reuben McCurdy, Deceased, viz:-

Northeast Quarter of Northwest Quarter of Section Twenty-seven, Township Six South of Range Four East; Lots Five and Six, Block Three, Factory Addition to Summerdale; also, commencing at a point 500 feet from South side of Samuel Tinney Homestead, thence East to bank of Fish River, thence South 261.25 feet, thence West 2090 feet, thence North 261.25 feet,

MRS. AMANDA KERN,

(page one)

Complainant, in Block 32 Kendrick's Subdivision
of the Town of Robertsdale;

-72-

RAY McCURDY, EVA PIERCE,
DELIA McCURDY NYGAARD,
MARONE McCURDY, ABASHADA
McCURDY NIMS, BARBARA Mc-
CURDY HALVORSEN, MINNIE
McCURDY MERSCHKOVITZ,
MARGARET SWITMAN and J. C.
McCURDY, RUFUS H. McCURDY,
MRS. CALLIE McCURDY PLATT
and MRS. DAISY McCURDY
STEVENS,

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Respondents.

TO THE HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA:-

Your Gratrix, Amanda Kern, humbly complaining of the
Defendants, shows unto your Honor in a matter as follows:-

FIRST:

That all of the Defendants are residents of the State
of Alabama, Baldwin County, with the exception of Barbara McCurdy
Halvorsen, who resides at Woods, South Dakota, Minnie McCurdy
Herschkovitz who resides at 127 W. Romana Street, Pensacola, Flor-
ida, and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy
Platt and Mrs. Daisy McCurdy Stevens, who reside at Monroe, Louis-
iana; that all the parties to this suit are over the age of twenty-
one years.

SECOND:

Your Gratrix further shows unto your Honor that she
and the said Defendants are the joint owners of the following
described real estate situated in Baldwin County, Alabama, to-wit:-

Northeast Quarter of Northwest Quarter of section
Twenty-seven, Township Six South of Range Four East;
Lots Five and six, Block Three, Factory Addition to
Summerdale; also, commencing at a point 500 feet
from South side of Samuel Tinney Homestead, thence
East to bank of Fish River, thence South 261.25 feet,
thence West 2000 feet, thence North 261.25 feet,
thence East to point of beginning, lying and being
on the west bank of Fish River in section 6, Township
7 South of Range 3 East;

and that your Honor will further order a reference to
Lots 1 and 2, Block 1, Brewton's Addition to the Town
of Robertsdale;

(page one)

(page two)

MRS. AMANDA KERN,

Complainant,

vs

RAY MCGURDY, EVA PIERCE,
DELIA MCGURDY NYGAARD,
MARGIE MCGURDY, ABRAHAMA
MCGURDY HENS, BARBARA MCGURDY
HALVORSEN, MINNIE
MCGURDY HERSHKOVITZ,
MAYBANTY SUTHERAN and J. C.
MCGURDY, RUFUS R. MCGURDY,
MRS. CALLIE MCGURDY PLOTT
and MRS. DAISY MCGURDY
STEVENS,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY
STATE OF ALABAMA
BALDWIN COUNTY.

TO THE HON. F. W. HANE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA:

Your Oratrix, Amanda Kern, humbly complaining of the
Defendants, shows unto your Honor in a matter as follows:-

FIRST:

That all of the Defendants are residents of the state
of Alabama, Baldwin County, with the exception of Barbara McGurdy
Halvorsen, who resides at Woods, South Dakota, Minnie McGurdy
Herschkovitz who resides at 127 W. Romana Street, Pensacola, Flor-
ida, and J. C. McGurdy, Rufus R. McGurdy, Mrs. Callie McGurdy
Plott and Mrs. Daisy McGurdy Stevens, who reside at Monroe, Louis-
iana; that all the parties to this suit are over the age of twenty-
one years.

SECOND:

Your Oratrix further shows unto your Honor that she
and the said Defendants are the joint owners of the following
described real estate situated in Baldwin County, Alabama, to-wit:-

Northeast quarter of Northwest quarter of Section
Twenty-seven, Township six south of Range Four East;
Lots Five and Six, Block Three Factory Addition to
Summersdale; also, commencing at a point 500 feet
from South side of parcel Finney homestead, thence
East to bank of Fish River, thence south 261.25 feet,
thence west 3050 feet, thence north 261.25 feet,
thence East to point of beginning, lying and being
on the west bank of Fish River in section 6, Township
7 South of Range 3 East;

Lots 1 and 2, Block 1, Newton's Addition to the town
of Robertsdale;

(page two)

Lots 10, 11, 16 in Block 32 Kendrick's subdivision of the Town of Robertsdale;

Lot 4, Block 2, Brewton's Addition to the Town of Robertsdale.

Your oratrix further shows unto your Honor that on account of the diverse character of said land and its diverse location and the diverse use that it would naturally have to be put to, that it would be impossible to divide said lands by metes and bounds, and that it is necessary that a sale be had of said lands for an equitable division of the same by a distribution of the proceeds of said sale among said joint owners so as to bring about an equitable division.

PRAYER FOR PROCESS.

To the end that equity may be had in the premises your oratrix prays that the usual writ of process issue to the following defendants, to-wit, Ray McCurdy, Eva Pierce, Delia McCurdy Nygaard, Marone McCurdy, Abashaba McCurdy Sims, Barbara McCurdy Halvorsen, Minnie McCurdy Herschkovitz, Margaret Smitman and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt and Mrs. Daisy McCurdy Stevens, and that said process be served upon all of said defendants that reside in the State of Alabama by a copy being served upon them by a duly constituted officer, and that service be had upon those who are non-residents of the State of Alabama by mailing a copy of this Bill of Complaint to them and registering the same, with a demand for a registered return receipt.

PRAYER FOR RELIEF.

THE PREMISES CONSIDERED your oratrix prays that upon a final hearing of this cause that your Honor will enter a decree directing the Register of this Court to proceed to sell said lands at public outcry in accordance with the rules of this Court after due publication of the same for thirty days, to the highest bidder, for cash, for partition and division among the joint owners thereof, and that your Honor will further order a reference to be held to ascertain the respective amounts that are to be paid over

(page two)

(page three)

to said joint tenants, including your Oratrix, and that said Register shall also ascertain a reasonable Attorneys' fee to be paid to her Solicitors of Record, Messrs. Hybart, Heard & Chason, for their services in this proceedings. Your Oratrix prays for such other, further, different and general relief as in equity may seem just and meet.

Hybart, Heard & Chason
Solicitors for Complainant.

FOOT NOTE:-

Respondents are required to answer paragraphs one and two of the foregoing Bill of Complaint, but answer under oath is hereby expressly waived.

Hybart, Heard & Chason
Solicitors for Complainant.

✓
80

78

Jan. 14th 1935

Hybart, Heard & Chason

~~Gentlemen,~~


You will please hold ~~up~~ my
check as deposit for the
property bid transferred from
Marion Mc Curdy to Mrs. Minnie
Herschkowitz the bid was \$150⁰⁰/₁₀₀

Respectfully Yours


Mrs. Minnie Herschkowitz
111. W. Chase St.
Pensacola Fla

Mrs Delia Nygaard Summerdale aka
 Mrs C McCurdy Summerdale
 Mrs. S. Smitman Summerdale
 Ray McCurdy Summerdale
 Mrs. M. Herschkovitz, 1.11 west Chase St,
 Mrs. B. A. Halverson, Wood, S. Dakota.
 Mrs. Auanda Kern - Pensacola, Florida -
 Barrancas Ave. Route 1.

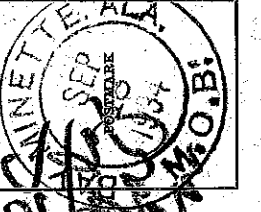
RECEIPT FOR REGISTERED ARTICLE No. 133
 15 fee paid, class postage paid. 1934
 Declared value, \$50.00
 From Mrs Mary Alice Stone
 Addressed to Mrs M. Herschkovitz
 Return receipt fee 3 in person 10 Special delivery fee. 2
 Delivery restricted to addressee or order Postmaster, per 2
 5-6889



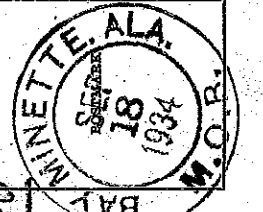
RECEIPT FOR REGISTERED ARTICLE No. 134
 15 fee paid, class postage paid. 1934
 Declared value, \$50.00
 From Mrs Mary Alice Stone
 Addressed to Mrs M. Herschkovitz
 Return receipt fee 3 in person 10 Special delivery fee. 2
 Delivery restricted to addressee or order Postmaster, per 2
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 15 fee paid, class postage paid. 1934
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 From Mrs Mary Alice Stone
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RECEIPT FOR REGISTERED ARTICLE No. 136
 15 fee paid, class postage paid. 1934
 Declared value, \$50.00
 From Mrs Mary Alice Stone
 Addressed to Mrs M. Herschkovitz
 Return receipt fee 3 in person 10 Special delivery fee. 2
 Delivery restricted to addressee or order Postmaster, per 2
 5-6889



Mrs. Eva. Pierce Fairhope, Ala.
 P. Route - 1. Bx. 51.
 Hold \$500 of Ray Mc Gredya to Hyatt
 H & Charin

78

10
 Mrs. Eva. Pierce
 P. Route - 1
 Bx. 51
 Fairhope, Ala.
 10
 X

10
 Mrs. Eva. Pierce
 P. Route - 1
 Bx. 51
 Fairhope, Ala.
 10
 X

10
 Mrs. Eva. Pierce
 P. Route - 1
 Bx. 51
 Fairhope, Ala.
 10
 X

10
 Mrs. Eva. Pierce
 P. Route - 1
 Bx. 51
 Fairhope, Ala.
 10
 X

78

F. Henderson
 111 N. Blount St.
 Birmingham Ala

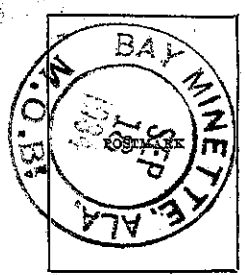
Lot 4 Bk 2, Brewton's Addn. Robertsdale, \$200.00 Imp \$200.00
 Lots 10, 11, 16 Bk 32. Kend. Sub. Div. Robertsdale, \$200.00 Imp. \$100.
 Lots 1 & 2 Bk 1 Brewton Addn. \$200.00 Imp. \$200.00
 12 1/2 acres in Sec. 6 7 South. 3, \$200.00 Imp. \$300.00
 Lots 5 & 6 Factory Addn. Summerdale \$200.00 Imp. \$50.
 NE 1/4 of NW 1/4 Sec. 27 6 South. 4 \$400.00 Imp. \$100.00
 Sale 500

78

Mrs Ma Stone
 Please Deliver to Mr Jake Chasany
 Fifty Dollars \$50.00 my Bid on
 Monday, Property to rent
 Lots 5-6 Factory addn. at Summerdale.
 Mrs. S. Sritman.

RECEIPT FOR REGISTERED ARTICLE No. 137

10 fee paid, 1 class postage paid, 9-18-1934 (Date)
 Declared value, \$500 Surcharge paid, \$0
 From Mrs Mary Alice Stone, Ala (Sender)
 Addressed to Barbara M. Stone, Ala (Address)
 Accepting employee will place initials in space below, indicating restricted delivery.
 Return receipt fee 0 in person 1.00 Special delivery fee 2
 Delivery restricted to addressee or order Postmaster, per 2



RECEIPT FOR REGISTERED ARTICLE No. 138

15 fee paid, 1 class postage paid, 9-18-1934 (Date)
 Declared value, \$500 Surcharge paid, \$0
 From Mrs Mary Alice Stone, Ala (Sender)
 Addressed to Barbara M. Stone, Ala (Address)
 Accepting employee will place initials in space below, indicating restricted delivery.
 Return receipt fee 3 in person 1.00 Special delivery fee 2
 Delivery restricted to addressee or order Postmaster, per 2



78

Summersdale
April 3rd 1935

Mr. Black -
Registering Court
I have been thinking over
my deed and find
that it does not
state what Block
my lots are in.
And that is very
necessary, would
you please go to the
books and find out
the block and put
on my deed. And
then go in the
recording book and
have it put on there.
Thanking you for same -
Mrs. Smitman

78

BAY MINETTE, ALA.

June 9-35

Mrs. Stone -

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

Nov 29.

Summersdale
Bay Minette
J. W. Hardy

W- 4 1/2 T-

13 32

Thence South 261.25 feet, thence North 261.25 feet, thence East to point of beginning, 17.5 feet, then in Section 5, Township 7, South of Range 3 East, Lots 1 and 2, Block 1, Brewton's Addition to the Town of Robertsdale, Division 10, 11, 16 in Block 32, Kendall's Subdivision of the Town of Robertsdale, Lot 4, Block 2, Brewton's Addition to the Town of Robertsdale, and the same may be had this 26th day of November, 1935, at 10 o'clock in the forenoon, at the office of the Circuit Court of Baldwin County, Alabama, in and to the said records.

Published Every Thursday

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

R. B. Vail
Editor and Proprietor

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

R. B. Vail, being duly sworn, deposes and says that he is
the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay
Minette, Baldwin County, Alabama; that the notice hereto attached of _____

Amanda Kern

vs

Ray M. Curdley et als.

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication	<u>November 22</u>	<u>1934</u>	Vol. <u>45</u>	No. <u>44</u>
Date of second publication	<u>November 29</u>	<u>1934</u>	Vol. <u>45</u>	No. <u>45</u>
Date of third publication	<u>December 6</u>	<u>1934</u>	Vol. <u>45</u>	No. <u>46</u>
Date of fourth publication	<u>December 13</u>	<u>1934</u>	Vol. <u>45</u>	No. <u>47</u>

Subscribed and sworn before the undersigned this 14 day of

January 1935
Chas. Smith
Notary Public,
County of Baldwin
State of Alabama

R. B. Vail
Publisher

LEGIONAIRES MEET IN BOY
The greatest Thanksgiving of your
our distorted viewpoint — give thanks
— will bring joy instead of sadness —
a scanty dollar — it has never been
ice and greed — These gender unrest
of the lack of it with which to secure
its mental unrest, worries, troubles and
aving to accumulate it
than said. Happiness is something that
is to be happy. To see your neighbor
urks giving your first real Thanksgiving
and Avarice. (The old Angier.)

Mrs Ma Stone

78

Please deliver to Mr John Chasun Jr
\$150.00 one Hundred Fifty Dollars May
Bid on Lot 4 - Block 2 - Benton add
to town at Rutledge, Ark

Delia Nygaard

ROBERT S. DUCK
Register and Clerk of the Circuit
Court, Baldwin County
BAY MINETTE, ALA.

My bid on the McCurdy property - lots 10-11-16
block 32 Kendrick sub-division, town of Robertsdale
is \$60.00.

Ray McCurdy

This the the same property that I. Hurchavitz
bid \$50.00

January 12th, 1935.

STATE OF ALABAMA,
BALDWIN COUNTY.

WHEREAS, Marone McCurdy at the sale held under Order of Judge F. W. Hare, wherein he directed that the property owned by Reuben McCurdy, Deceased, be sold at public sale, did bid One Hundred Twenty Dollars (\$120.00) on Lots One and Two, Block One; Brewton's Addition to the Town of Robertsdale;

AND WHEREAS, Minnie Herschkovitz has offered to bid One Hundred Fifty Dollars (\$150.00) on said property above described, and it being agreeable with the said Marone McCurdy that his bid be withdrawn and said bid of \$150.00 be substituted therefor;

IT IS THEREFORE UNDERSTOOD AND AGREED by both said Marone McCurdy and Minnie Herschkovitz that said \$150.00 bid be substituted for Marone McCurdy's \$120.00 bid, and that the Judge approve same.

Marone M. Curdy

Witnesses
John H. Hason
Mary S. Green

**CHANCERY EXECUTION
BILL OF COSTS**

No. 78

Amanda Kern

Vs.

Plaintiff

Ray McCurdy et al

Defendant

FEES OF REGISTER		Dollars	Cents	Brought Forward	\$
Filing each bill and other papers	D-2 S-9	1	10	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Issuing each subpoena	S	1	00	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof	S 12	4	80	Each notice sent by mail to creditor	15
Entering each return thereof	S	2	00	Filing, receipting for and docketing each claim, etc.	25
For each order of publication	S	1	00	For all entries on subpoena docket, etc.	50
Issuing writ of injunction		1	50	For all entries on commission docket, etc. (S-152) (D-500)	50
For each copy thereof			50	Making final record, per 100 words	15
Entering each return thereof			15	Certified copy of decree	1 00
Issuing Writ of Attachment		1	00	Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof			15	Total Fees of Register	5281
Docketing each case	S	1	00	FEES OF SHERIFF	
Entering each appearance	D		25	Serving and returning subpoena on deft.	50
Issuing each decree pro confesso on per. ser.	S	1	00	Serving and returning subpoena for witness	65
Issuing each decree on publica.		1	00	Levying attachment	3 00
Each order appointing guardian		1	00	Entering and returning same	25
Any other order by Register			50	Selling property attached	
Issuing commission to take testimony			50	Impaneling Jury	75
Receiving and filing	S		10	Executing writ of possession	2 50
Endorsing each package	S		10	Collecting execution for costs	1 50
Entering order submitting cause	S		50	Serving and returning sci. fa., each	65
Entering any other order of court			25	Serving and returning notice	65
Noting all testimony	S		50	Serving and returning writ of injunction	1 50
Abstract of cause, etc.		1	00	Serving and returning writ of exeat	1 50
Entering each decree	D 2		75	Taking and approving bonds, each	75
For every 100 words over 500	D		15	Collecting money on execution	
Taking account, etc.		3	00	Making deed	2 50
Taking testimony, etc.	S		15	Serving and returning application, etc.	1 00
Each report, 500 words or less	D		2 50	Serving attachment, contempt of court	1 50
For every 100 words over 500	D		15	Total Fees of Sheriff	9 00
Amount claimed less than \$500, etc.		2	00	RECAPITULATION	
Issuing each subpoena	Holding Sales		25	Register's Fees	5281
Witness certificate, each	and reference		25	Sheriff's Fees	9 00
Issuing execution, each			75	Commissioner's Fees	
Entering each return			15	Solicitor's Fees	
Taking and approving bond, each		1	00	Witness Fees	
Making copy of bill, etc.			15	Guardian Ad Litem	
Each notice not otherwise provided for			50	Printer's Fees	13 32
Each certificate or affidavit, with seal			50	Trial Tax	3 00
Each certificate or affidavit, no seal			25	Recording Decree in Probate Court	
Hearing and passing on application, etc.		3	00	Total	81.13
Each settlement with receiver, etc.		3	00		
Examining each voucher of Receiver, etc.			10		
Examining each answer, etc.		3	00		
Recording Resignation	Stamps		1 86		
Entering each certificate to Supreme Court			50		
Taking questions and answers, etc.			25		
For all other ser relating to such proceedings		1	00		
For services in proceeding to relieve minors, etc. same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.	D		6 50		
Sub Total Carried Forward					

The State of Alabama, No. 78
Baldwin County. Circuit Court, In Equity Spring Term, 193 5
 To Any Sheriff of the State of Alabama—GREETING:
 You are hereby commanded, That of the goods and chattels, lands and tenements of
Estate of Reuben McCurdy, Deceased Defendant
 you cause to be made the sum of _____ Dollars,
 which Amanda Kern Plaintiff
 recovered of it on the 13th day of February 193 5
 by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of
Eighty One and 13/100 Dollars,
 costs of suit, and have the same to render to the said Robert S. Duck
 and make return of this Writ and the execution thereof, according to law.
 Interest from None 193 _____ to date of collection.
 Witness my hand, this 13 day of February 193 5
Robert S. Duck, Register.

MRS. AMANDA KERN,

Complainant,

-vs-

RAY McCURDY, KYA PIERCE,
DELIA McCURDY NYGAARD,
MARONIE McCURDY, ABASHARA
McCURDY NIMS, BARBARA Mc-
CURDY HALVORSEN, MINNIE
McCURDY HERSCHKOVITZ,
MARGARET SHITMAN and J. C.
McCURDY, RUFUS H. McCURDY,
MRS. CALLIE McCURDY PLATT
and MRS. DAISY McCURDY
STEVENS,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY
STATE OF ALABAMA
BALDWIN COUNTY.

TO THE HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA:—

Your Oratrix, Amanda Kern, humbly complaining of the
Defendants, shows unto your Honor in a matter as follows:—

FIRST:

That all of the Defendants are residents of the State
of Alabama, Baldwin County, with the exception of Barbara McCurdy
Halvorsen, who resides at Woods, South Dakota, Winnie McCurdy
Herschkovitz who resides at 127 W. Romana Street, Pensacola, Flor-
ida, and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy
Platt and Mrs. Daisy McCurdy Stevens, who reside at Monroe, Louis-
iana; that all the parties to this suit are over the age of twenty-
one years.

SECOND:

Your Oratrix further shows unto your Honor that she
and the said Defendants are the joint owners of the following
described real estate situated in Baldwin County, Alabama, to-wit:—

Northeast quarter of Northwest quarter of section
Twenty-seven, Township six South of Range Four East;
Lots Five and Six, Block Three, Factory Addition to
Summersdale; also, commencing at a point 500 feet
from South side of Samuel Finney Homestead, thence
East to bank of Fish River, thence South 261.25 feet,
thence West 2090 feet, thence North 261.25 feet,
thence East to point of beginning, lying and being
on the west bank of Fish River in Section 6, Township
7 South of Range 3 East;

Lots 1 and 2, Block 1, Brewton's Addition to the Town
of Robertsdale;

(page two)

Lots 10, 11, 16 in Block 32 Kendrick's Subdivision
of the Town of Robertsdale;

Lot 4, Block 2, Brewton's Addition to the Town of
Robertsdale.

Your Oratrix further shows unto your Honor that on account of the diverse character of said land and its diverse location and the diverse use that it would naturally have to be put to, that it would be impossible to divide said lands by metes and bounds, and that it is necessary that a sale be had of said lands for an equitable division of the same by a distribution of the proceeds of said sale among said joint owners so as to bring about an equitable division.

PRAYER FOR PROCESS.

To the end that equity may be had in the premises your Oratrix prays that the usual writ of process issue to the following defendants, to-wit, Ray McCurdy, Eva Pierce, Delia McCurdy Nygaard, Marone McCurdy, Abashaba McCurdy Nims, Barbara McCurdy Halvorsen, Minnie McCurdy Herschkovitz, Margaret Saitman and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt and Mrs. Daisy McCurdy Stevens, and that said process be served upon all of said defendants that reside in the State of Alabama by a copy being served upon them by a duly constituted officer, and that service be had upon those who are non-residents of the State of Alabama by mailing a copy of this Bill of Complaint to them and registering the same, with a demand for a registered return receipt.

PRAYER FOR RELIEF.

THE PREMISES CONSIDERED your Oratrix prays that upon a final hearing of this cause that your Honor will enter a decree directing the Register of this Court to proceed to sell said lands at public outcry in accordance with the rules of this Court after due publication of the same for thirty days, to the highest bidder, for cash, for partition and division among the joint owners thereof, and that your Honor will further order a reference to be held to ascertain the respective amounts that are to be paid

(page two)

over to said joint tenants, including youratrix, and that said register shall also ascertain a reasonable Attorneys' fee to be paid to her Solicitors of Record, Messrs. Hybart, Heard & Chason, for their services in this proceedings. Youratrix prays for such other, further, different and general relief as in equity may seem just and meet.

BILL OF COMPLAINT

IN THE
COURT OF
COMMON PLEAS
FOR THE COUNTY OF
MICHIGAN

IN THE
CIRCUIT
COURT
OF THE
STATE OF
MICHIGAN

Hybart, Heard & Chason
Solicitors for Complainant.

FOOT NOTE:

Respondents are required to answer paragraphs one and two of the foregoing Bill of Complaint, but answer under oath is hereby expressly waived.

Hybart, Heard & Chason
Solicitors for Complainant.

REGISTERED
INDEXED
FILED
JAN 10 1907
CLERK OF COURT
COURT HOUSE
LANSING, MICHIGAN

78

The State of Alabama }
Baldwin County

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

AMANDA KERN,

COMPLAINANT

VS.

RAY MCCURDY ET AL

RESPONDENT

I, M. A. Stone

as Register ~~and Commissioner~~

have called and caused to come before me W. H. Hawkins and S. C. Jenkins,
Attorneys at Law,

witness^{es} named in the requirement for Oral Examination, on the 14th day of January

1935, at the office of Clerk Circuit Court

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 W. H. Hawkins and S. C.

Jenkins

doth depose and say as follows:

MRS. AMANDA KERN,

Complainant,

-vs-

RAY McCURDY, EVA PIERCE,
HELIA McCURDY MYGAARD,
MARCHE McCURDY, ABASHARA
McCURDY WIMS, BARBARA Mc-
CURDY HALVORSEN, MINNIE
McCURDY HERSCHKOVITZ,
MARGARET SMITHAN and J. C.
McCURDY, RUFUS R. McCURDY,
MRS. CALLIE McCURDY PLATT
and MRS. DAISY McCURDY
STEVENS,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY
STATE OF ALABAMA
BALDWIN COUNTY.

TO THE HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA:—

Your oratrix, Amanda Kern, humbly complaining of the
Defendants, shows unto your Honor in a matter as follows:—

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That all of the Defendants are residents of the State
of Alabama, Baldwin County, with the exception of Barbara McCurdy
Halverson, who resides at Woods, South Dakota, Minnie McCurdy
Herschkovitz who resides at 137 W. Romana Street, Pensacola, Flor-
ida, and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy
Platt and Mrs. Daisy McCurdy Stevens, who reside at Monroe, Louis-
iana; that all the parties to this suit are over the age of twenty-
one years.

SECOND:

Your oratrix further shows unto your Honor that she
and the said Defendants are the joint owners of the following
described real estate situated in Baldwin County, Alabama, to-wit:—

Northeast quarter of Northwest quarter of section
Twenty-seven, Township Six South of Range Four East;
Lots Five and Six, Block Three, Factory Addition to
Summersdale; also, commencing at a point 500 feet
from south side of Samuel Tinney Homestead, thence
East to bank of Fish River, thence South 361.25 feet,
thence West 2000 feet, thence North 361.25 feet,
thence East to point of beginning, lying and being
on the west bank of Fish River in section 6, Township
7 South of Range 5 East;

Lots 1 and 2, Block 1, Brewton's Addition to the Town
of Robertsdale;

(page two)

Lots 10, 11, 12 in Block 32 Kendrick's subdivision of the Town of Robertsdale;

Lot 4, Block 2, Brewton's Addition to the Town of Robertsdale.

Your oratrix further shows unto your honor that on account of the diverse character of said land and its diverse location and the diverse use that it would naturally have to be put to, that it would be impossible to divide said lands by notes and bounds, and that it is necessary that a sale be had of said lands for an equitable division of the same by a distribution of the proceeds of said sale among said joint owners so as to bring about an equitable division.

PRAYER FOR PROCESS.

To the end that equity may be had in the premises your oratrix prays that the usual writ of process issue to the following defendants, to-wit, Ray McCurdy, Eva Pierce, Delia McCurdy Nygaard, Marjorie McCurdy, Abashaba McCurdy Sims, Barbara McCurdy Halvorsen, Minnie McCurdy Herschkovitz, Margaret Smithman and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt and Mrs. Daisy McCurdy Stevens, and that said process be served upon all of said defendants that reside in the State of Alabama by a copy being served upon them by a duly constituted officer, and that service be had upon those who are non-residents of the State of Alabama by mailing a copy of this Bill of Complaint to them and registering the same, with a demand for a registered return receipt.

PRAYER FOR RELIEF.

THE PREMISES CONSIDERED your oratrix prays that upon a final hearing of this cause that your honor will enter a decree directing the Register of this Court to proceed to sell said lands at public outcry in accordance with the rules of this Court after due publication of the same for thirty days, to the highest bidder, for cash, for partition and division among the joint owners thereof, and that your honor will further order a reference to be held to ascertain the respective amounts that are to be paid

(page two)

(page three)

over to said joint tenants, including your coatrix, and that said Register shall also ascertain a reasonable attorneys' fee to be paid to her Solicitors of Record, Messrs. Hybart, Heard & Chason, for their services in this proceedings. Your coatrix prays for such other, further, different and general relief as in equity may seem just and meet.

Hybart, Heard & Chason
Solicitors for Complainant.

FOOT NOTE:-

700
Respondents are required to answer paragraphs one and two of the foregoing bill of Complaint, but answer under oath is hereby expressly waived.

Hybart, Heard & Chason
Solicitors for Complainant.

ROBERT S. DUCK
Register and Clerk of the Circuit
Court, Baldwin County
BAY MINETTE, ALA.

Amanda Kern
VS
Ray M. Cundy et al

Received of Robert S. Duck One Hundred Dollars, attorneys
fees as per decree dated February 6, 1935.

Hybart, Heard and Chason

by

J. Chason

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTC CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 78

Vacation

Term, 1923⁴

Amanda Kern

Complainant

vs.

Ray McCurdy et al

Defendant

To M. A. Stone, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Hybart Heard & Chason,

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Hybart Heard & Chason
Solicitor for Complainant.

78
Mrs MA Stone
Please return to Mr John Chason
\$120.00 P.S. on McCurdy Request to put
file ~~to~~ 102 Block 1.1. Request also to
form of - Return.
Mrs M A Stone

No. 78 ~~78~~ *78* Page.....

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THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Amanda Kern

VS.

Ray McCurdy

REQUEST FOR DECREE IN
VACATION

FILED November 22, 1923

W. A. Stone
Register

RECORDED IN _____ RECORD

VOL. _____ PAGE _____

Register

EIDS ON LAND OF ESTATE OF
REUBEN McCURDY
Assessed Value, and amount sold for.

NE $\frac{1}{4}$ of NW $\frac{1}{4}$ SEC. 27 6 South. 4 \$400.00 Imp. \$100.00
Sold \$500.00

Lots 5 & 6 Factory Adcn. to Summerdale, \$200.00
Mrs. Snitman, bid --\$50.00

12 $\frac{1}{2}$ acres in Sec. 6 7 South, 3 \$300.00 Imp. \$500.00
No Bid made on this land.

Lots 1 and 2 Block 1 Brewton's Adcn. \$200.00 Imp. \$200.00
~~Marye McCurdy, bid \$120.00~~ *Minnie Renault 150⁰⁰*

Lots 10,11,16 Block 32, Kend. Sub.div. Robertsdale, \$200.00 Imp. \$100.00
I. Herchkrovitz, Bid \$50.00
111 W. Chase St., , Pensacola, Florida.

Lot 4 Block 2, Brewton's Adcn. Robertsdale, \$200.00 Imp. \$200.00
Mrs. Delia Nygaard Bid, \$150.00

The State of Alabama,
Baldwin County.

No. 78 CIRCUIT COURT IN EQUITY.

Amanda Kern

Complainant

vs.

Ray McCurdy et al

Defendant

Ray McCurdy, Eva Pierce,

Motion is hereby made for a Decree Pro Confesso against Delia McCurdy Nygaard,

Marone McCurdy, Abashaba McCurdy Nims, Barabara McCurdy Halversen,
Minnie McCurdy Herschkovitz, Margaret Snitman, J. C. McCurdy,
Rufus, R. McCurdy, Mrs. Callie McCurdy Platt, and

Mrs. Daisy McCurdy Stevens Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendants have failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 22nd day of November 19 34

Hybart, Heard & Shaw Solicitor.

The State of Alabama, } No. 78 CIRCUIT COURT IN EQUITY.
Baldwin County.

Mrs. Amanda Kern Complainant
vs.

Ray McCurdy et al Defendant

In this cause it appears to the Register
that a summons requiring the Defendant s, Ray McCurdy, Eva Pierce, Delia Mc
Curdy, Nygaard, Marone McCurdy, Abashaba McCurdy, Nims, Barbara.....
McCurdy Halvorsen, Minnie McCurdy Herschkovitz, Margaret Snitman,,
J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt, and
Mrs. Daisy McCurdy Stevens.

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days
after the service of said Summons upon them
was served upon them by the Sheriff of Baldwin County, Alabama, on the
And by Registered Mail. before October 18th, 1934.
day of

And the said Defendant s having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of Hybart, Heard & Chason

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things
taken as confessed against the said Defendants above named

Defendant aforesaid.

This 22nd day of November 19 34
M. A. Stone Register.

Amanda Kern

vs.

* Ray McCurdy et al

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

Motion for Decree for Decree Pro Confesso, on Personal Service, _____

Decree Pro Confesso on Personal Service, and Request for Decree in _____

Vacation _____

and in behalf of Defendant upon _____

M. A. Stone

Register.

AMANDA KERN,

Complainant,

-vs-

RAY McCURDY, EVA PIERCE,
DELIA McCURDY NYGAARD,
MARONE McCURDY, ABASHABA
McCURDY NIMS, BARBARA Mc-
CURDY HALVORSEN, MINNIE
McCURDY HERSCHKOVITZ, MAR-
GARET SNITMAN and J. C.
McCURDY, HUFUS R. McCURDY,
MRS. CALLIE McCURDY PLATT
and MRS. DAISY McCURDY
STEVENS,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

By virtue of a Decree rendered on the 24th day of November, 1934, by the Hon. F. W. Hare, Judge of the Circuit Court, Equity Side, in said cause, I shall proceed to sell to the highest and best bidder, for cash, at public auction, in front of the Courthouse in the City of Bay Minette, Baldwin County, Alabama, within the legal hours of sale, on Monday, the 31st day of December, 1934, the following described real estate in Baldwin County, Alabama, to-wit:-

Northeast Quarter of Northwest Quarter of Section Twenty-seven, Township Six South of Range Four East; Lots Five and Six, Block Three, Factory Addition to Summerdale; also, commencing at a point 500 feet from South side of Samuel Tinney Homestead, thence East to bank of Fish River, thence South 261.25 feet, thence West 2090 feet, thence North 261.25 feet, thence East to point of beginning, lying and being on the West bank of Fish River in Section 5, Township 7 South of Range 3 East;

Lots 1 and 2, Block 1, Brewton's Addition to the Town of Robertsdale;

Lots 10, 11, 16 in Block 32 Kendrick's Subdivision of the Town of Robertsdale;

Lot 4, Block 2, Brewton's Addition to the Town of Robertsdale.

Witness my hand this 26th day of November, 1934.


Register of the Circuit Court.

MRS. AMANDA KERN,

Complainant,

-79-

RAY McCURDY, KYA PIERCE,
DELIA McCURDY NYGAARD,
MARION McCURDY, ARASHARA
McCURDY NIMS, BARBARA Mc-
CURDY HALVORSEN, MINNIE
McCURDY HERSCHKOVITZ,
MARGARET SHESMAN and J. C.
McCURDY, RUFUS H. McCURDY,
MRS. CALLIE McCURDY PLATT
and MRS. DAISY McCURDY
STEVENS,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY
STATE OF ALABAMA
BALDWIN COUNTY.

TO THE HON. F. W. HANE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA:-

Your Oratrix, Amanda Kern, humbly complaining of the
Defendants, shows unto your Honor in a matter as follows:-

FIRST:

That all of the Defendants are residents of the State
of Alabama, Baldwin County, with the exception of Barbara McCurdy
Halvorsen, who resides at Woods, South Dakota, Minnie McCurdy
Herschkowitz who resides at 127 W. Roma Street, Pensacola, Flor-
ida, and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy
Platt and Mrs. Daisy McCurdy Stevens, who reside at Monroe, Louis-
iana; that all the parties to this suit are over the age of twenty-
one years.

SECOND:

Your Oratrix further shows unto your Honor that she
and the said Defendants are the joint owners of the following
described real estate situated in Baldwin County, Alabama, to-wit:-

Northeast quarter of Northwest quarter of Section
Twenty-seven, Township Six South of Range Four East;
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Summersdale; also, commencing at a point 500 feet
from South side of Samuel Tinney Homestead, thence
East to bank of Fish River, thence South 261.25 feet,
thence West 2000 feet, thence North 261.25 feet,
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7 South of Range 3 East;

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of Robertsdale;

(page one)

(page two)

Lots 10, 11, 16 in Block 32 Kendrick's Subdivision
of the Town of Robertsdale;

Lot 4, Block 2, Brewton's Addition to the Town of
Robertsdale.

Your Oratrix further shows unto your Honor that on ac-
count of the diverse character of said land and its diverse lo-
cation and the diverse use that it would naturally have to be put
to, that it would be impossible to divide said lands by metes
and bounds, and that it is necessary that a sale be had of said
lands for an equitable division of the same by a distribution of
the proceeds of said sale among said joint owners so as to bring
about an equitable division.

PRAYER FOR PROCESS.

To the end that equity may be had in the premises your
Oratrix prays that the usual writ of process issue to the follow-
ing defendants, to-wit, Roy McCurdy, Eva Pierce, Della McCurdy
Nygard, Marjorie McCurdy, Abashaba McCurdy Hines, Barbara McCurdy
Halvorson, Minnie McCurdy Henschkevitz, Margaret Smithson and J. C.
McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt and Mrs. Daisy
McCurdy Stevens, and that said process be served upon all of said
defendants that reside in the State of Alabama by a copy being
served upon them by a duly constituted officer, and that service
be had upon those who are non-residents of the State of Alabama
by mailing a copy of this Bill of Complaint to them and registering
the same, with a demand for a registered return receipt.

PRAYER FOR RELIEF.

THE PREMISES CONSIDERED your Oratrix prays that upon
a final hearing of this cause that your Honor will enter a decree
directing the Register of this Court to proceed to sell said
lands at public outcry in accordance with the rules of this Court
after due publication of the same for thirty days, to the highest
bidder, for cash, for partition and division among the joint own-
ers thereof, and that your Honor will further order a reference to
be held to ascertain the respective amounts that are to be paid

(page two)

(page three)

over to said joint tenants, including youratrix, and that said Register shall also ascertain a reasonable Attorneys' fee to be paid to her Solicitors of Record, Messrs. Hybart, Heard & Chason, for their services in this proceedings. Youratrix prays for such other, further, different and general relief as in equity may seem just and meet.

Hybart, Heard & Chason
Solicitors for Complainant.

FOOT NOTE:-

Respondents are required to answer paragraphs one and two of the foregoing Bill of Complaint, but answer under oath is hereby expressly waived.

Hybart, Heard & Chason
Solicitors for Complainant.

100

[Faint handwritten notes and scribbles]

MRS. AMANDA KEEN,

Complainant,

-vs-

RAY McCURDY, EVA PIERCE,
DELIA McCURDY NYGAARD,
MARONE McCURDY, ABASHABA
McCURDY NIMS, BARBARA Mc-
CURDY HALVORSEN, MINNIE
McCURDY HERSCHKOVITZ,
MARGARET SNITMAN and J. C.
McCURDY, RUFUS R. McCURDY,
MRS. CALLIE McCURDY PLATT
and MRS. DAISY McCURDY
STEVENS,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

TO THE HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
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Your Oratrix, Amanda Kern, humbly complaining of the
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Platt and Mrs. Daisy McCurdy Stevens, who reside at Monroe, Louis-
iana; that all the parties to this suit are over the age of twenty-
one years.

SECOND:

Your Oratrix further shows unto your Honor that she
and the said Defendants are the joint owners of the following
described real estate situated in Baldwin County, Alabama, to-wit:-

(Northeast quarter of Northwest quarter of Section
Twenty-seven, Township Six South of Range Four East;]
Lots Five and Six, Block Three Factory Addition to
Summerdale; also, commencing at a point 500 feet
from South (side of Samuel Finney Homestead, thence
East to bank of Fish River, thence South 261.25 feet,
thence West 2090 feet, thence North 261.25 feet,
thence East to point of beginning, lying and being
on the West bank of Fish River in Section 6, Township
7 South of Range 3 East;

Lots 1 and 2, Block 1, Brewton's Addition to the Town
of Robertsdale;

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Lots 10, 11, 16 in Block 32 Kendrick's subdivision
of the Town of Robertsdale;

Lot 4, Block 2, Brewton's Addition to the Town of
Robertsdale.

Your Oratrix further shows unto your Honor that on account of the diverse character of said land and its diverse location and the diverse use that it would naturally have to be put to, that it would be impossible to divide said lands by metes and bounds, and that it is necessary that a sale be had of said lands for an equitable division of the same by a distribution of the proceeds of said sale among said joint owners so as to bring about an equitable division.

PRAYER FOR PROCESS.

To the end that equity may be had in the premises your Oratrix prays that the usual writ of process issue to the following defendants, to-wit, Ray McCurdy, Eva Pierce, Delia McCurdy Nygaard, Marone McCurdy, Abashaba McCurdy Nims, Barbara McCurdy Halvorsen, Minnie McCurdy Herschkovitz, Margaret Snitman and J. C. McCurdy, Rufus R. McCurdy, Mrs. Callie McCurdy Platt and Mrs. Daisy McCurdy Stevens, and that said process be served upon all of said defendants that reside in the State of Alabama by a copy being served upon them by a duly constituted officer, and that service be had upon those who are non-residents of the State of Alabama by mailing a copy of this Bill of Complaint to them and registering the same, with a demand for a registered return receipt.

PRAYER FOR RELIEF.

THE PREMISES CONSIDERED your Oratrix prays that upon a final hearing of this cause that your Honor will enter a decree directing the Register of this Court to proceed to sell said lands at public outcry in accordance with the rules of this Court after due publication of the same for thirty days, to the highest bidder, for cash, for partition and division among the joint owners thereof, and that your Honor will further order a reference to be held to ascertain the respective amounts that are to be paid over

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to said joint tenants, including your Oratrix, and that said Register shall also ascertain a reasonable Attorneys' fee to be paid to her Solicitors of Record, Messrs. Hybart, Heard & Chason, for their services in this proceedings. Your Oratrix prays for such other, further, different and general relief as in equity may seem just and meet.

Hybart, Heard & Chason
Solicitors for Complainant.

FOOT NOTE:-

Respondents are required to answer paragraphs one and two of the foregoing Bill of Complaint, but answer under oath is hereby expressly waived.

Hybart, Heard & Chason
Solicitors for Complainant.

RECORDED
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Purchase

Filed Nov. 26, 1934

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The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Amenda Kern

vs.

Ray McCurdy et al.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued.....Nov. 22, 1934.....19

W. A. Stone
Register.

Moore Printing Company, Bay Minette, Ala.

ORAL EXAMINATION

I, M. A. Stone as Register and ~~Commissioner~~ hereby certify that the foregoing deposition s on Oral Examination was taken down in writing by me in the words of the witness ~~es~~ and read over to them and me signed the same in the presence of myself and John Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ~~es~~ or had proof made before me of the identity of said witness ~~es~~; 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 14th day of January 1935.

M. A. Stone (L.S.)

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THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Annabelle H. Orr
COMPLAINANT

vs.

Ray M. Cuddler
RESPONDENT

ORAL DEPOSITION

Filed Jan 14, 1935

M. A. Stone, Register.

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BILL OF COMPLAINT.

MRS. AMANDA KERN,

Complainant,

-VS-

RAY McCURDY ET AL,

Respondents.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Filed September 17, 1934

W. A. Stovall
Register.

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA