

Geo B Hayward

299

CIRCUIT COURT OF

Francis E Wolcott et al

COUNTY.

IN EQUITY.

I, *W. Hayward*

, Register of said Court, do hereby certify that I

did, on the _____ day of _____, 192____, send to _____

Francis E Wolcott

Defendant.

whose address was _____

At Peewaburg Tenn.

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill

of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such

receipt was duly received and filed by me in this cause, on the *8* day of *May*, 192*1*.

Witness my hand, this

12

day of

May

192*1*.

W. Hayward

Register.

No. 997

CIRCUIT COURT OF
BALDWIN COUNTY.
IN EQUITY.

Geo B Henyuan

vs.

Elizabeth Turner

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

Filed in office on this 17
day of May 1921
D. Williams

Register.

RECORDED

Geo B Haynes

Francis Edgworth
et al

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

I, *J W Whiteman*, Register of said Court, do hereby certify that I

did, on the _____ day of _____, 192____, send to _____

Francis Edgworth

Defendant.

whose address was _____

Middle Grove Ky

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill

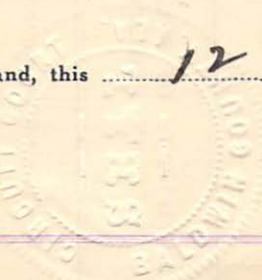
of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such

receipt was duly received and filed by me in this cause, on the *8* day of *May* 192*1*.

Witness my hand, this *12* day of *May* 192*1*.

J W Whiteman

Register.



No. 299

CIRCUIT COURT OF
BALDWIN COUNTY.
IN EQUITY.

George B. Haynes

vs.

Elizabeth W. Travers

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

Filed in office on this 12th

day of May 1921

J. W. [Signature]

Register.

RECORDED

Geo B Haynes

vs.
Elizabeth Turner
et al

CIRCUIT COURT OF
Baldwin COUNTY,
IN EQUITY.

I, J. W. McInerney Register of said Court, do hereby certify that I

did, on the 9th day of February 1921, send to

Ashley Wilson Defendant

whose address was St Petersburg Fla.

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such receipt was duly received and filed by me in this cause, on the 22nd day of

Feb 1921

Witness my hand, this 22nd day of Feb 1921

J. W. McInerney

Register.

No. 299

CIRCUIT COURT OF

Baldwin COUNTY,
IN EQUITY.

Geo B Haynes

vs.

Elizabeth W Tower
et al

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this 22

day of Feb 1921

J. W. Riccison

Register.

RECORDED



Received 8 Deeds from the Register of
Circuit Court of Baldwin Co Ala that
were introduced in evidence in Cause
of State Bank of Foley vs J Barnes La Corte
et-al.

April 21, 1923

W C Beebe

Baldwin County, Alabama.

April 9th, 1923.

Received of T. W. Richerson, Register of the Circuit Court, Baldwin County, Alabama, the sum of \$146.50 for Royce B. Wolcott, the sum of \$146.50 for Kenneth W. Wolcott and the sum of \$146.50 for Frances E. Wolcott making a total of \$439.50, being in accordance with the decree rendered by Hon. John D. Leigh, Judge of the Circuit Court, Baldwin County, Alabama on the 22nd day of January, 1923, in the matter of George B. Haynes vs Elizabeth W. Towner, et al in the Circuit Court, Baldwin County, Alabama.

Page & Moorer, Attorneys,

By _____

Bay Minette, Alabama.

April 9th, 1923.

Received of T. W. Richerson, Register in the Circuit Court, Baldwin County, Alabama, the sum of \$146.50 for Royce B. Wolcott, the sum of \$146.50 for Kennety W. Wolcott and the sum of \$146.50 for Frances W. Wolcott, making a total of \$439.50, being in accordance with the decree rendered by Hon. John D. Leigh, Judge of the Circuit Court, Baldwin County, Alabama on the 22nd day of January, 1923, in the MATTER OF George B. Haynes vs Elizabeth W. Towner, et al in the Circuit Court, Baldwin County, Alabama.

Page & Moorer, Attorneys,

By

At Moorer

RICKARBY & BEEBE
LAWYERS
ARCADE BUILDING

ELLIOTT G. RICKARBY
W. C. BEEBE

BAY MINETTE, ALA.

April 7th, 1923.

Received of T. W. Richerson, register, the sum of \$ 439.50
being the amount due to Elizabeth W. Towner, under the decree of
the Circuit Court of Baldwin County, Alabama, in Equity, in the
case of Geo B. Haynes vs. Elizabeth W. Towner, et al, pending therein,
rendered the 22 day of January, 1923.

E. Rickarby & Beebe
Solicitors for Elizabeth W. Towner.

W. C. BEEBE
ELLIOTT G. RICKARBY

ALABAMA
ARCADE BUILDING
LAWYERS
RICKARBY & BEEBE

GEORGE B. HAYNES,
COMPLAINANT

VS

ELIZABETH TOWNER, ET AL
DEFENDANTS

CIRCUIT COURT, BALDWIN COUNTY,
ALABAMA, IN EQUITY.

TO THE HONORABLE HOHN D. LEIGH, JUDGE OF SAID COURT:

The undersigned Register, under and by virtue of a decree heretofore rendered in this cause on the 13 day of December, 1922, after due and proper notice to the parties to this cause did on the 28 day of December, 1922, hold a reference to determine the respective interest of the parties defendant in and to the funds held by him under a former decree of this court rendered on the 1 day of February, 1922, W.C. Beebe, Esq., appearing for Elizabeth W. Towner, and H.D. Moore, as attorney for Royce B. Walcott, and guardian ad litem for Kenneth W. Walcott and Frances E. Walcott, appearing, and evidence being introduced, and attorneys agreeing, the Register finds and reports that Elizabeth W. Towner as the widow of Perry B. Walcott is entitled to one sixth of the said funds, after deducting all costs, in lieu of dower, and that the said Royce B. Walcott, Kenneth B. Walcott and Frances E. Walcott are entitled to the balance, share and share alike; that the said Elizabeth W. Towner, claims additional amounts of \$400.00 and \$300.00 for money loaned the said Perry B. Walcott and for money paid by her on a note made by him, respectively, but that she agrees by her counsel to accept in full settlement of said claims and her dower interest of one sixth of the moneys held by this Register in this cause for the heirs and distributees of the said Perry B. Walcott, and the said Royce B. Walcott, Kenneth W. Walcott and Frances E. Walcott agreeing that she be paid such amount in full settlement as aforesaid,

Now therefore the Register having in his possession the sum of 902.50, and the court costs, including guardian ad litem fees, being \$23.50, leaving a balance to be distributed as aforesaid the sum of \$879.00; the said Elizabeth W. Towner is entitled to the sum of \$439.50, and Royce B. Walcott is entitled to the sum of \$146.50, Kenneth W. Walcott is entitled to the sum of \$146.50, Frances E. Walcott is entitled to the sum of \$146.50.

Respectfully submitted., this January, 1922.

D. W. Dickinson
Register

AFTER FIVE DAYS RETURN TO
T. W. RICHESON
CLERK OF THE CIRCUIT COURT AND
REGISTER IN CHANCERY
BAY MINETTE, ALA.

T.W.Richerson

Bay Minett Alabama.

7/1800
1005

1020
306
714



1928

GEORGE B. HAYNES,
Complainant,

-vs-

ELIZABETH W. TOWNER, ROYCE
B. WOLCOTT, KENNETH W. WOL-
COTT and FRANCES E. WOLCOTT,
Defendants,

) IN THE CIRCUIT COURT OF
(

(BALDWIN COUNTY, ALABAMA.
(

(IN EQUITY.
(

This cause is submitted on behalf of Complainant on the original bill of Complaint, decree pro confesso against ELIZABETH W. TOWNER and ROYCE B. WOLCOTT and the depositions of J. W. Randall, M. B. Dewey, Royce B. Wolcott and certified copy of deed from P. C. Dings and Alice Dings, wife, to Perry W. Wolcott and George B. Haynes and on behalf of Kenneth W. Wolcott and Frances E. Wolcott, minors, their answer filed by H. D. Moorer, Esq, their guardian ad litem.

T. W. Ricmore
REGISTER.

THE STATE OF IOWA,)
Scott County.) ss

Deposition of Royce B. Wolcott, a witness sworn on the nineteenth day of October nineteen hundred and twenty-one at Davenport in said State and County, under and by virtue of a commission issued out of the Circuit Court of Baldwin County, Alabama in a certain cause therein pending between George B. Haynes, the complainant, and Elizabeth Towner, et al, defendants. The said Royce B. Wolcott, being first duly sworn to speak the truth, the whole truth, and nothing but the truth, doth depose and say as follows:

To the first interrogatory he saith: My name is Royce B. Wolcott; age 25; residence 2101 West Fifth Street, Davenport, Iowa.

To the second direct interrogatory he saith: I knew Perry B. Wolcott; said Perry B. Wolcott is not living; he died February 5th, 1912, Chicago, Illinois; his place of residence was 5758 South Park Avenue, Chicago, Illinois.

To the third direct interrogatory he saith: The names, ages and post office addresses of each of the children of Perry B. Wolcott are as follows: Royce B. Wolcott, age 25, residence 2101 West Fifth Street, Davenport, Iowa; Kenneth W. Wolcott, age 18, residence Eckelson, North Dakota; Frances E. Wolcott, age 16, residence Middle Granville, New York. The name, age and address of the widow of Perry B. Wolcott is Charlotte E. Towner, definite age unknown but thought to be about 65 years, address 1005 Ninth Street, Fargo, North Dakota.

To the first cross interrogatory he saith: There were no adopted children. All the children above named of Perry B. Wolcott were his natural children. Their mother was Mabel Wilson Wolcott; she is not living.

Royce B. Wolcott

I, the undersigned, commissioner in said commission named, hereby certify that I am not of counsel or of kin to any of the parties to this cause, nor in any manner interested in the result thereof; that I am personally acquainted with said witness, Royce B. Wolcott, and know him to be the identical person named in said commission; that he was sworn and examined as above stated; and that his evidence was taken down as near as might be, in his own language, and was subscribed by him in my presence on the 19th day of October 1921, and at the place as above stated.

W. B. Linn

Commissioner.

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

George B. Haynes Complainant

vs.

Elizabeth Tower, et al Defendant

Oral examination before the Register of the following witnesses:

J. W. Randall and W. B. Dewey.

who reside in Alabama, said examination being conducted in Bay Minette Alabama,

on this the 15th day of September, and there being present

W. C. Beebe, solicitor for complainant

Henry D. Moorer, guardian ad litem for Kenneth B. Walcott and Francis E. Walcott, minors

The said J. W. Randall being first sworn to speak the truth, the whole truth and nothing but the truth,

testified as follows: Examination by W.C. Beebe, for Complainant

My name is J.W. Randall. I reside at ~~Robertdale~~ ^{Robt Dale} Alabama. I have business in and near Robertsdale. I have resided at Lowley for more than ten years. I know North half of Southeast quarter of Section Thirty-two, Township Five South of Range Four East, Baldwin County, Alabama. It is about two miles northeast of Robertsdale. I have known it for about ten years. It is cut-over pine lands. About ten acres have been cleared and stumped and were formerly cultivated. There is a small house on it. The house is beginning to go to rack. One one side several acres are low marshy. Most of the land is fairly level. The lands are unproductive and will probably decrease in value for several years. The lands could not be divided into two parts of equal value. The lands could not be equitably divided so as to give to one person owning an undivided interest one half interest a portion of said lands equivalent to a half interest in value. The lands could not be equitably divided between parties one of whom had a half interest, and three others owning an undivided one-sixth interest. The lands could not be equitably divided into any portions. It is so situated that if it were divided the respective pieces would be of very little value. Some parts would of necessity be cut off from public roads, and the character of the land is such that parts are worthless unless adjoining lands are used in connection with it. As a whole tract it is fairly good lands, subdivision would destroy its value. It is to the best interest of the owners that it be sold for division.

Cross-examination by H.D.Moorer, guardian ad litem:

I have known this land for eight or nine years at least. No one is renting it now. The premises are in such condition as to have no rental value. If allowed to remain idle it will greatly decrease in value and improvements thereon will become absolutely valueless. It would take considerable amount of money to repair buildings and fences so as to give the premises a rental and a sale in its present condition would be beneficial to the owners

J.W. Randall

Witness M.B. Dewey being first sworn to speak the truth the whole truth and nothing but the truth testified as follows:

Examination by W.C.Beebe, for Complainant:

My name is M.B. Dewey,. I reside at Loxley, Ala. and have resided there for more than ten years. I know the N¹/₂ of SE¹/₄ of Sec 52, Tp. 5 S, R 4 E. It is comparatively level lands, broken and marshy on the back. Formerly about ten acres were cultivated. Fencing around the ten acres is falling down. There is a kind of a house on it. It was a pretty good house foremerly, but has been unoccupied for several years and has about been ruined for want of up-keep. It is not worth as much today as it was two or three years back and will continue to decrease in value. It cannot be equitably divided, and it is to the interest of the owners that it be sold for division. It is worth probably twenty- to twenty-five dollars an acre. ~~Twenty~~ about fifteen acres on each forty could be profitably cultivated. To divided it would necessarily give to some lands that was good and to some lands that were of no marketable value.

Cross-examination by H.D.Moorer, guardian ad litem for minor defendants:

I do not know any of the parties interested in this matter nor do I know the number of them. And I know from the nature of the land and from the location of same that it cannot be equitably divided into any number or parts, a portion of the land has been cleared and other improvements made and it is impossible to divide the property so as to give each heir and equitable share, there is no one living on the premises at present and no one to keep the premises in repair and it is gradually decreasing in value until it has no rental value on account of the land suitable for cultivation not being protected from livestock. it would take a great deal to repair the buildings and other improvements so as to give the place a rental value, and as the present owners do not live here and cannot see how the place is managed I considere it very much to the interest of all concerned to sell the premises and divide or re-invest the proceeds. I think twenty dollars per acre would be good price for this property.

M.B. Dewey,

I, J. W. Richardson, as Register

hereby certify that the foregoing deposition.... on oral examination was, taken down by me in writing in the words of the witness and read over to them and they signed the same in the presence of myself, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the 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 in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the 15th day of September, 1921

J. W. Richardson (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....
.....	days' attendance at \$1.50 per day	\$.....

REGISTER'S FEES.

.....	days at \$1.50 per day	\$.....
.....	words at 20 cents per hundred

The State of Alabama,

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Geo B Haynes

vs. Complainant,

Elizabeth Power
d-ae

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of Witnesses

for Complainant

Filed 15th day of Sept, 1921

Published by order of the Court,

day of _____, 19____

T. W. Richardson
Register.

MARSHALL & BRUCE CO., NASHVILLE
RECORDED

GEORGE B. HAYNES,
Complainant,

-VS-

ELIZABETH W. TOWNER, ROYCE
B. WOLCOTT, FRANCES W. WOL-
COTT and KENNETH W. WOLCOTT)

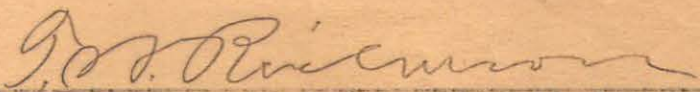
(IN THE CIRCUIT COURT OF
)
(BALDWIN COUNTY, ALABAMA.
)
(IN EQUITY.
)

By virtue of a decree rendered on the 28th day of October, 1921, by the Honorable John D. Leigh, Judge of this Court, in said cause I shall proceed to sell to the highest and best bidder for cash at public out cry in front of the Court House Door of Baldwin County, Alabama, during the legal hours of sale on Monday, December 12th, 1921, the following described real property, situated in the County of Baldwin, State of Alabama, to-wit:

The North half of the Southwest quarter of Section Thirty-two, Township Five South of Range Four East, containing eighty acres, more or less,

to satisfy said decree.

Witness my hand this the 31st day of October, 1921.



Register, Equity Division, Circuit Court,
Baldwin County, Alabama.

GEORGE B. HAYNES,
COMPLAINANT

VS

ELIZABETH W. TOWNER,
ET AL, RESPONDENTS

CIRCUIT COURT BALDWIN COUNTY, ALABAMA.

IN EQUITY

This cause coming on to be heard upon the report of the Register made the ~~4th~~¹² day of ~~January~~^{January} 1922, and it being considered by the court, it is therefore ordered, adjudged and decreed that the same be and is in all things ratified and confirmed and the Register is hereby directed to pay over to heirs and distributees of Perry B. Walcott, named in said report, or to their counsel of record the respective amounts specified in said report.

Done this the ~~22~~²² day of ~~January~~^{January} 1923.

John D. Leigh
Judge

EQUITY

George B. Haynes,)
 vs)
 Elizabeth W. Towner,)
 et al.,)

Circuit Court Baldwin County, Alabama.
 IN EQUITY.

Whereas there is held by the register in the above styled cause a certain sum of money belonging to the heirs of Perry B. Walcott, coming into his hands from the sale of certain property belong to George B. Haynes and the heirs of said Perry B. Walcott; that Elizabeth W. Towner is the widower of said Perry B. Walcott, that Royce B. Walcott, Kenneth W. Walcott and Frances E. Walcott are the children of said Perry B. Walcott, and such are all the heirs of said Perry B. Walcott; that said Elizabeth W. Towner claims a re-imbusement out of said sum for money loaned said Perry B. Walcott during his lifetime ^{being} the sum of \$400.00, used by the said Perry B. Walcott in the purchase of said property, and a further re-imbusement of \$300.00 for money paid by her on a note of the said Perry B. Walcott, and whereas it is the desire of the parties to amicably adjust said matters,

NOW THEREFORE, it is agreed by and between said Elizabeth W. Towner, by Rickarby & Beebe, her attorneys, and ~~by~~ the said Kenneth W. Walcott, Royce B. Walcott and Frances E. Walcott, by their attorneys Page & Moorer, that the said Elizabeth W. Towner ^{or her attorneys of record} shall be paid out of said proceeds now in the hands of the Register the sum of \$439.50 in full settlement of her said claims against said estate and of her dower interest therein, and that the balance thereof being the sum of 439.50 be paid over to said children of the said Perry B. Walcott ^{or their attorneys of record.}

Intered into this 13th day of December, 1922.

Rickarby & Beebe
 For Elizabeth W. Towner

Page & Moorer

For Royce B. Kenneth W. Frances E. Walcott

GEORGE B. HAYNES,
Complainant,

-vs-

ELIZABETH W. TOWNER,
Defendant,

(IN THE CIRCUIT COURT OF
)
(BALDWIN COUNTY, ALABAMA.
)
(IN EQUITY SITTING.
)

TO WH

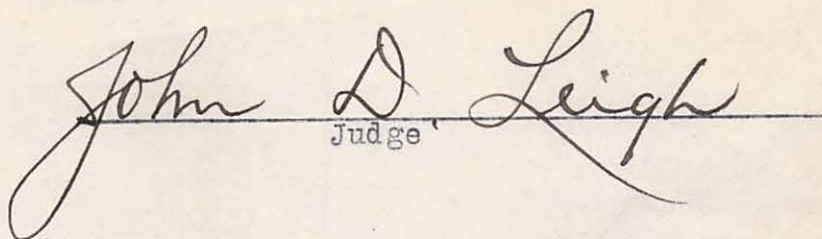
This cause coming on to be heard upon the report of sale by the Register of this Court made December 15th, 1921, and it being considered and it appearing to the Court that said sale was in all particulars conducted in strict conformity with its decree heretofore made; that W. A. Stoddard having fairly purchased the said property at Two Thousand Dollars and this being a reasonable and fair value of such property, said sale be and is hereby in all particulars confirmed and the said T. W. Richerson, Register of this Court, be and he is hereby authorized and directed to execute a deed of conveyance, conveying to the said W.A. Stoddard, all the interest of the parties to this suit, in and to the following described land, situated in the County of Baldwin, State of Alabama, to-wit:-

North half of the Southeast quarter of Section Thirty-two, Township Five South of Range Four East, Baldwin County, Alabama.

And the said Register is hereby ordered and directed to hold a reference to determine and fix a reasonable attorney's fee to be allowed Complainants solicitors in this cause; that the same be charged in the cost of this cause.

That the said Register is further directed to hold a reference and ascertain and determine the interest of the parties to this cause in the proceeds of such sale and to report his findings to this Court for consideration.

Done this the 31st day of December, 1921.


Judge

GEORGE B. HAYNES,
Complainant,

-vs-

ELIZABETH W. TOWNER,
Defendant,

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(
)
(
)
(
)
)
(
)
)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY SITTING.

TO THE HONORABLE JOHN D. LEIGH, Judge of said Court.

Your Register, T. W. Richerson, shows unto your Honor that acting under and by virtue of and in strict conformity with your decree rendered October 28th, 1921, in this cause, on December 12th, 1921, he did proceed to sell the property described in said decree, to-wit:

North half of the Southeast quarter of Section Thirty-two, Township Five South of Range Four East, Baldwin County, Alabama, in front of the Court House Door of Baldwin County, Alabama, at public out-cry for cash to the highest bidder after having given notice of the time, place and terms of sale by posting at the Court House Door for Thirty days prior thereto and by publication in the Fairhope Courier, a newspaper published in Baldwin County, Alabama, for four successive weeks in its issues of November 11th, 18th, 25th and December 2nd, 1921; and at such sale W. A. Stoddard purchased said property for Two Thousand Dollars the same being the highest and best bid therefor; that such sum has been paid to the undersigned Register in cash and he holds the same subject to the orders of this Court.

Wherefore your Register submits this report for confirmation or rejection.

This the 15th day of December, 1921.



Register.

GEORGE B. HAYNES,)
 Complainant, (IN THE CIRCUIT COURT OF BALDWIN
 -VS-) COUNTY, ALABAMA.
 ELIZABETH W. TOWNER, ROYCE (
 B. WOLCOTT and FRANCES E.) IN EQUITY.
 WOLCOTT AND KENNETH W. WOL- (
 COTT.)
 Defendants, (

This cause coming on to heard was submitted by the Com-
 plainant on the original bill, decree pro confesso against Elizabeth
 W. Towner and Royce B. Wolcott, depositions of J. W. Randall, M. B.
 Dewey and Royce B. Wolcott and certified copy of deed from P. C. Dings
and Alice Dings, wife to Perry B. Wolcott and George B. Haynes and
 by Defendants, Kenneth W. Wolcott and Frances E. Wolcott, minors on
 answer filed by H. D. Moorer, Esq. guardian ad litem heretofore duly
 appointed and qualified for them and the same being considered the
 Court is of the opinion that the complainant, George B. Haynes, is the
 owner of an undivided one-half interest in and to the lands described
 in the complaint; that defendants, Royce B. Wolcott, Kenneth W. Wolcott,
 and Frances E. Wolcott, each own an undivided one-sixth interest in said
 lands subject to the right of dower of Elizabeth W. Towner and that the
 lands described in the bill of complaint cannot be equitably partitioned
 and it is to the best interest of the minors named in said bill of com-
 plaint and of all the parties in interest that said lands be sold for
 division and the said complainant is entitled to the relief prayed for
 in said bill:

NOW THEREFORE it is ordered, adjudged and decreed that the
 interest of all the parties to this suit in and to the lands described
 in said bill of Complaint; namely:

The North half of the Southeast quarter of Section Thirty-
 two, Township Five South of Range Four East of Baldwin County, Alabama.
 be sold and the Register of this Court is hereby ordered and directed
 to proceed to sell the interest of all the parties of this suit in said
 lands at public out-cry in front of the Court House Door of Baldwin
 County, Alabama, during the legal hours of sale for cash to the highest
 bidder after giving notice of the time, place and terms of sale, together
 with a description of the property to be sold by advertisement for thirty
 days in four consecutive weekly issues of some newspaper published in

Baldwin County, Alabama, and by posting notice at the Court House Door for thirty days prior to said sale, and to report to this Court any and all acts he shall do by virtue of this decree that the same may be approved or disapproved upon the consideration by this Court.

Done this the 28th day of October, 1921.

John D. Leigh
Judge.

RECORDED

GEORGE B. HAYNES,
Complainant,

-VS-

ELIZABETH W. TOWNER, ROYCE
B. WOLCOTT, KENNETH W. WOL-
COTT and FRANCES E. WOLCOTT.
Defendants,

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

Comes the Complainant in the above styled cause and
moves that the same may be submitted to the Honorable John D.
Leigh, for final decree.

Richard H. Leigh
Solicitors for Complainant.

The Minors, Kenneth W. Walcott and Frances E. Walcott,
by their guardian ad litem, Henry D. Moorner, hereby
agrees that the said cause as stated above may be sub-
mitted to the court for final decree.

Dated this 26th day of October, 1921.

Henry D. Moorner
Guardian Ad Litem.

State of Alabama,

County of Baldwin

Know all men by these presents, That for and in consideration of the sum of Twelve Hundred (\$1200.00) Dollars, to us in hand paid by George B Haynes and Perry B Wolcott, the receipt whereof is hereby acknowledged, we P C Dings and Alice Dings, his wife, do grant, bargain, sell and convey unto the said George B Haynes and Perry B Wolcott, the following described lands situated in Baldwin County, Alabama, to-wit:-

Farms Nine (9) and Ten (10), being the north one-half of the south-east one-quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section Thirty-two (32), Township Five (5) South, Range Four (4) East, containing Eighty(80) acres more or less.

To have and to hold to the said George B Haynes and Perry B Wolcott, their heirs and assigns forever, and we do covenant with the said George B Haynes and Perry B Wolcott, that we are seized in fee of the above described premises, that we have the right to sell and convey the same, that the said premises are free from all incumbrances and that we will and our heirs, executors and administrators shall forever warrant and defend the same to the said George B Haynes and Perry B Wolcott, heirs and assigns, against the lawful claims of all persons whomsoever.

Witness our hand and seal, this 26th day of April, 1911.

Witness:

P C Dings (LS)

Alice Dings (LS)

State of Oklahoma, |

County of Carter. |

I, E C Wymore, a Notary Public in and for said State and County, hereby certify that P C Dings, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this 26th day of April, 1911.

(seal)

E. C. Wymore, Notary Public,

Carter County, Oklahoma,
My com. Exp. My commission expires Jan 27, 1914.

State of Oklahoma,

County of Carter.

I, E C Wymore, a notary public in and for said State and County, do hereby certify that on the 26th day of April, 1911, came before me the within named Alice Dings, known to me to be the wife of the within named P C Dings, who being examined separate and apart from her husband in reference to her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In Witness Whereof, I hereunto set my hand this 26th day of April, 1911.

(seal)

E. C. Wymore, Notary Public,
Carter County, Oklahoma,
My Com. Exp 1-27-1914.

Filed for record May 3rd, 1911,

Recorded May 9th, 1911.

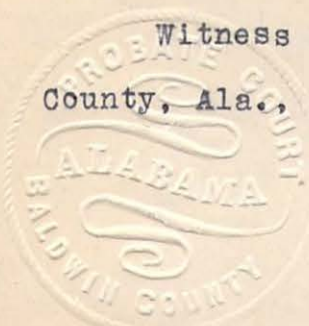
J H H Smith, Judge of Probate,--B.

The State of Alabama,

Baldwin County.

I, James M Voltz, Judge of Probate in and for said State and County, hereby certify that the above and foregoing is a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 17 N. S. at page 500, now on file in the office of the Judge of Probate of Baldwin County, Ala.,

Witness my hand and the seal of the Probate Court, Baldwin County, Ala., this 25th day of October A.D., 1921.



James M. Voltz
Judge of Probate Court.

Certified Copy of
W. ed. for P. C. Dinga.
And Alice Dinga

To
Percy Wolcott
And Geo B. Hargraves and
On behalf of Kenneth W
Wolcott and Francis E
Wolcott.

Filed Oct 26/21
T. W. Hickey
Register

RECORDED

STATE OF ALABAMA,)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALA.

In Equity.

George B. Haynes.
Complainant.

vs

Elizabeth Towner, Royce B.
Walcott, Kenneth W. Walcott,
and Frances E. Walcott.
Defendants.

RECORDED

Comes Kenneth B. Walcott and Francis E. Walcott
by their Guardian AdLitem, Henry D. Moorer and for answer
to the complaint filed in the above styled cause says:

FIRST: The Defendants are not informed as to the alle-
gations contained in paragraph FIRST and demands strict
proof of same.

SECOND. The Defendants by their Guardian Ad Litem denies
the ownership of any interest of the Complainant in and
to the property described in said complaint and admits that
they own an interest in and to the said property and as to
the exact interest in same they are not informed and ask
this court to determine same for them.

The Defendants deny each and every allegation con-
tained in paragraph SECOND not herein expressly admitted
and demand strict proof of same.

THIRD: The Defendants deny each and every allegation con-
tained in paragraph THIRD and demand strict proof of same.

Henry D. Moorer, Guardian Ad
Litem for Kenneth B. Walcott
and Francis E. Walcott, minors.

George B. Haynes,
Complainant.

vs

Elizabeth W. Towner,
Royce B. Wolcott,
Kenneth W. Wolcott,
and Frances E. Wolcott.

) IN THE CIRCUIT COURT,
)
) BALDWIN COUNTY, ALABAMA.

)
) In Equity.
)
)

TO HON. JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT, BALDWIN
COUNTY, ALABAMA, - In Equity.

Your petitioners, Royce B. Wolcott, Kenneth W. Wolcott and Frances B. Wolcott respectfully represents and shows unto Your Honor as follows:

That on the 17th day of January, 1922, T. W. Richardson, as Register, by virtue of a decree rendered by this Honorable Court made report in the above styled cause, said decree being dated December 31st, 1921 ordering the said Register to hold a reference to determine the interest of the parties in and to the money the proceeds of the sale as ordered by this Court, the original report being attached hereto and marked exhibit "A". That in the said report one half of the proceeds was given the the Complainant and the remained to the defendants and the Register failed to report or determine the interest of the said defendants in and to their share of the amount received by them or ordered paid over to them.

That on the 1st day of February, 1922, Your Honor made an order or decree confirming the report of the said Register, a copy of said decree is hereto attached and marked exhibit "B". In this decree this Court decrees that the Complainant is entitled to \$902.50 and that the Defendants are entitled to the sum of \$902.50 without any determination of the interest, right or share of each Defendant.

Your petitioner prays that Your Honor will order a reference held by the Register, T. W. Richardson to determine the right, share or interest of each defendant in and to the said sum of money and that upon the said deter-

mination Your Honor will order the share, right or interest of your petitioners paid over to each of them or to their attorneys of record.

Dated this 12 day of December, 1922.

[Handwritten Signature]
PAGE & MOORE,
Attorneys for Petitioners.

[Faint handwritten notes]

Exhibit "A"

GEORGE B. HAYNES,
Complainant,
-VS-
ELIZABETH TOWNER, et al,
Defendants,

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

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF SAID COURT.

The undersigned Register, under and by virtue of a decree heretofore rendered in this cause on the 31st day of December, ~~1921~~, 1921, after due and proper notice to the parties to this suit did on the 14th day of January, 1922, hold a reference to determine the attorney's fee to be allowed Complainant's solicitors in this cause and to determine the interest of the respective parties to this suit in the money now held by your Register in this cause, W. C. Beebe, appearing for Complainant and Henry D. Moorer as guardian ad litem, appearing for the minors and testimony being adduced the Register finds that \$50.00 is a reasonable attorney's fee to be allowed Complainant's solicitors; that Complainant, George B. Haynes, owns a one-half interest in said funds; that the Defendants who are the widow and the heirs and distributees of Perry B. Wolcott are entitle to one-half of such money.

That the costs of Court, including Complainant's solicitors fee is \$195⁰⁰; that your Register received from W. A. Stoddard, purchaser of the lands heretofore sold in this cause, \$2000.00; that after paying the costs of Court your Register holds a balance of \$1805⁰⁰; that the Complainant, Geo. B. Haynes, is entitle to the sum of \$ 902^{50/100}; that the said Defendants are entitle to \$ 902^{50/100}. Your Register further reports that at the request of the Defendants he has not determined the particular amounts due the respective Defendants.

WHEREFORE Your Register submits this report and respectively asks that this report be confirmed and that he be directed to pay over to the said George B. Haynes the said sum

of \$ 902 ⁵⁰/₁₀₀ and that the said sum of \$ 902 ⁵⁰/₁₀₀,
belonging to said Defendants be held subject to orders by the
Court.

Respectively submitted this the 17th day of Jan-
uary, 1922.

D. W. Reel
Register.

RECORDED

GEORGE B. HAYNES,	(IN THE CIRCUIT COURT OF BALDWIN
COMPLAINANT.)	
	(COUNTY, ALABAMA.
VS)	
	(IN EQUITY.
ELIZABETH TOWNER, et al,	(
DEFENDANTS,)	

This cause coming on to be heard upon the report of the Register made the 17th day of January, 1922, and it being considered by the Court, it is therefore ORDERED, ADJUDGED and DECREED that said report be and is in all things ratified and confirmed and the Register is hereby directed to pay over to George B. Haynes the sum of Nine hundred and Two Dollars and Fifty Cents and to retain the sum of Nine Hundred and Two Dollars and Fifty Cents for the defendants named in the original bill, subject to further orders by this Court.

Done this the 1st day of February, 1922.

John D. Leigh
 Judge.

RECORDED

Geo B Haynes

vs. Elizabeth G. Tower et al

CIRCUIT COURT OF
BALDWIN COUNTY,
IN EQUITY.

I, J. W. Rice

Register of said Court. do hereby certify that I

did, on the 9th day of February 1921, send to

Elizabeth G. Tower Defendant
D. Argo N. D.

whose address was

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the

Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court;

and that such receipt was duly received and filed by me in this cause, on the 17th day of

Feb 1921

Witness my hand, this 17th day of February 1921

J. W. Rice

Register.



No. 299

CIRCUIT COURT OF

Baldwin COUNTY,

IN EQUITY.

Geo B Haynes

vs.

Elizabeth Tower
et al

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this 17th
day of February 1921

W. McIlwain

Register.

RECORDED



BON

Received of E. W. Richert, of Baldwin Co, Circuit Court, check
on Baldwin County, Bank for the sum of nine hundred two and 50/100
(\$902.50) amount due George B Hayes in cause of George B Hayes
--versus-- Elizabeth W Turner et al.

February 1922.

FAIRHOPE, ALA.

Jan 2

1922

M

L. W. Richerson

IN ACCOUNT WITH

E. B. GASTON

PUBLISHER OF THE FAIRHOPE COURIER



AND JOB PRINTER

*Draw 11 - Dec 2 155 Ward
Dtc 2 Equity notes 4t*

697

*Recd Paid
E. B. Gaston*

RETURN AFTER 5 DAYS TO

The Fairhope Courier

E. B. GASTON, ED. & PUB.

FAIRHOPE - ALABAMA



J. W. Richerson
Day Minette
Ala

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 Ashley Wilson, Francis E. Wolcott,
Royce B Wolcott, Elizabeth W Towner, Kenneth W Wolcott,

of _____ 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 _____

George B Hynes,

against said _____

Ashley Wilson, Francis E Wolcott, Royce B Wolcott, Elizabeth
W Towner, Kenneth W Wolcott,

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. Richerson, Register of said Circuit Court, this 7th, _____ day of February,

_____ 1921.

T. W. Richerson

Register.

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

Serve on

Circuit Court of Baldwin County
In Equity

No.

SUMMONS

vs.

Solicitor for Complainant

Recorded in Vol. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this

day of 192

Sheriff

Executed this day of

..... 192

by leaving a copy of the within summons with

Defendant

Sheriff

By

Deputy Sheriff

*Copy of Summons,
sent by Reg mail
to Depts.*

Filed Oct
25th 1921
T. W. Whicomon
Register

Geo. B. Haynes

vs

Elizabeth Towne et al

Reposition of Royce B. Wolcott.

mailed the 21st day of October 1921
at Birmingham,
Commissioner.

To - J. W. Rickerson

Clerk and Register Circuit Court
Baldwin County
Alabama.

SAM T. WHITE, PRES. & GEN. MGR.
W. R. WEIR, VICE PRES.
DICK R. LANE, VICE PRES.

A. T. BLAKEMORE, SECY.
CHAS. H. TAPPERT, TREAS.
SAM J. WHITE, SALES MGR.

WHITE LILY MANUFACTURING CO.

MANUFACTURERS OF
WASHING MACHINES.

DAVENPORT, IOWA.
October 22, 1921.

Hon. T. W. Richerson,
Bayminette, Alabama.

Dear Sir:

I am enclosing herewith, deposition of Royce B. Wolcott and also my commission to take said deposition.

My fee for services in this matter is ten dollars which kindly forward to me at your earliest convenience.

Trusting that this is satisfactory, I beg to remain

Yours very truly,

A. T. Blakemore

Commissioner

ATB/FH.

THE WHITE LINE IS THE RIGHT LINE.



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 Ashley Wilson, Francis B Wolcott,

Royce B Wolcott, Elisabeth V Connor, Kenneth E Wolcott,

of _____ 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 _____

George B H. [unclear]

against said _____

Ashley Wilson, Francis B Wolcott, Royce B Wolcott, Elisabeth V Connor, Kenneth E Wolcott,

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. Richerson, Register of said Circuit Court, this 7th day of February, 1921.

T. W. Richerson

Register.

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

Original

Serve on

Circuit Court of Baldwin County
In Equity

No.

SUMMONS

vs.

Solicitor for Complainant

Recorded in Vol. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this
day of 192.....

Sheriff

Executed this day of
..... 192.....

by leaving a copy of the within summons with

Defendant

Sheriff

By
Deputy Sheriff

*Copy sent
Deft by Reg mail*

RETURN RECEIPT.

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

Samuel Wolcott

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, MAY 5 - 1921, 191

Form 3811

05-6116

*Filed
May 19 1921
New Bedford
Registered*

Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 992

INSURED PARCEL

No. _____

Return to T. N. Richerson

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at _____

Baymuntt
Ala

State _____

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

POSTMARK OF DELIVERING
OFFICE



RETURN RECEIPT.

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

[Faint signature]

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *Feb. 14*, 19*21*

Form 3811

Filed Feb 17 1921
J. M. Reimann
Registered

05-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 239

INSURED PARCEL

No. _____



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

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

Return to

T. H. Pickerson

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at

Boyettsville

State

Ala

RETURN RECEIPT.

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

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *Feb 19*, 19*21*

Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 744

INSURED PARCEL

No. _____

*Fixed
February
27 1921
W. J. ...
Regist.*

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

POSTMARK OF DELIVERING
OFFICE

FEB
19
1921
A.M.

AND DATE OF DELIVERY

Return to J. W. Richman
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at _____

State Ala

RETURN RECEIPT.

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

Frances Holcott

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, May 4, 1921

Form 3811

05-6118

Filed
May 8/1921
Postmaster
Registered

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 943

INSURED PARCEL

No. _____

Return to

T. W. Richeson

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

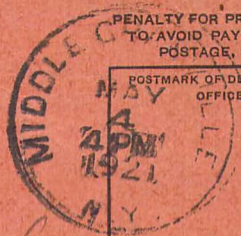
Post Office at

Bay Minette

State

Ala.

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



POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

RETURN RECEIPT. 19316

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

Royce B. Wolcott

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, _____

4-16-1921

Form 3811

Filed
Apr 20 1921
M. M. M.
Registered

16-3116

Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 944

INSURED PARCEL

No. _____



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

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

Return to _____

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at _____

State _____

DEPOSITED IN THE

BALDWIN COUNTY BANK

OF BAY MINETTE, ALA.

By

J. R. Johnson

12 / 19 1921

PLEASE LIST EACH CHECK SEPARATELY

DOLLARS

CENTS

Currency

Gold

Silver

Checks

Mastercard 2000 00

DUPLICATE
NON-NEGOTIABLE

5

Total, \$

SEE THAT ALL CHECKS and DRAFTS are ENDORSED

GEORGE B. HAYNES,
Complainant,

-VS-

ELIZABETH TOWNER, et al,
Defendants,

(
)
(
)
(
)
(

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

Interrogatories propounded by Complainant to Royce B. Wolcott, 2101 W. 5th, St. Davenport, Iowa...is, Defendant.

FIRST: State your name, age and place of residence.

SECOND: State whether or not you knew Perry B. Wolcott.

Is the said Perry B. Wolcott living, if not state when and where he died and what was his place of residence?

THIRD: If you say that he is dead, give the names, ages and Post Office addresses of each of his children and of his widow, if any, state whether or not these were all of his children or whether any children are now dead and if they are dead state whether or not they had children and if so state their names, ages and Post Office addresses.

Rickarby Beebe
Solicitor for Complainant

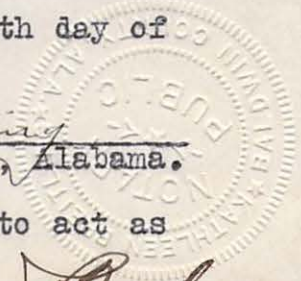
STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, KATHLEEN BREITLING, a Notary Public, in and for said state and county this day personally appeared W. C. BEEBE, who being by me duly sworn deposes and says that he is attorney for the Complainant in the foregoing cause, that answers to the foregoing interrogatories filed by the Complainant to Royce B. Wolcott, Defendant, if truly and fully answered will be material evidence for Complainant.

W C Beebe

Sworn to and subscribed before me this the 19th day of September, 1921.

Kathleen Breitting
Notary Public, Baldwin County, Alabama.



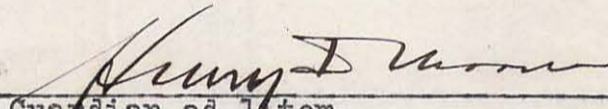
Complainant suggest A. T. Blakemore as a suitable person to act as commissioner in the premises.

Rickarby Beebe

GEORGE B. HAYNES, (IN THE CIRCUIT COURT OF BALDWIN
Complainant,)
-VS- (COUNTY, ALABAMA.
ELIZABETH TOWNER, et al,)
Defendants, (IN EQUITY.

Cross-interrogatories propounded by Henry D. Moorer,
Guardian ad litem for Kenneth W. Wolcott and Francis E. Wolcott,
minors.

FIRST: State whether or not any one of the persons
named as children of Perry B. Wolcott were adopted children, if so
state which was an adopted child. Are all the persons you named as
children of Perry B. Wolcott his natural children? State who their
mother was and whether or not she is living and if living whether or
not she was divorced from Perry B. Wolcott.



Guardian ad litem.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

To A.T. Blakemore

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commissioners, and by these presents do authorize you, ~~or any one or more of you~~, at such time and place as you may appoint, to call before you and examine Royce B Wolcott 2101 W. 5th St Davenport, Iowa.

as witnesses in behalf of Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

George B Haynes

is Complainant

and Elizabeth Towner et al

are Respondent, 's

on oath to be by you administered, upon interrogatories by Complainant and Cross interrogatories to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 20th day of September 1921.

J. M. Dickerson
Register.

DIRECTIONS FOR EXAMINATION OF WITNESSES UPON INTERROGATORIES.

1. If the time and place of executing the Commission are named therein, or in a notice appended thereto, the testimony must be taken at the time and place designated; if no time and place are designated, the Commissioners will call the witness before them at such time and place as they may appoint, and administer to him an oath to speak the truth, the whole truth, and nothing but the truth, in answer to the interrogatories to be propounded to him. The time and place of examining witnesses should be stated in the caption of the deposition.

2. The caption and deposition should be as follows:

THE STATE OF ALABAMA, }
County. }

Deposition of Richard Howe, a witness sworn (or affirmed, as the case may be) on the.....day of.....19.....
 at.....in said State and County, under and by virtue of a commission issued out of the.....

Court of.....in a certain cause therein pending between James Jones, the plaintiff (or complainant), and Samuel Young, defendant (or respondent). The said Richard Howe, being first duly sworn to speak the truth, the whole truth, and nothing but the truth, doth depose and say as follows:

To the first interrogatory he saith: (Here write the answer of the witness as nearly as may be in the language of the witness, using the first person where he uses it).

To the second direct interrogatory he saith: (Write the answer to this interrogatory, and all others, as directed above).

If there are cross or rebutting interrogatories, go through with them in the same manner, thus:

To the first cross interrogatory he saith, etc.

To the second cross interrogatory he saith, etc.

To the first rebutting interrogatory he saith, etc.

Neither party should be permitted to put to the witness, during his examination, any verbal question or suggestion; and if anything of the kind is done by either party, the Commissioner should write it down in the deposition just as it occurred.

The testimony may be written down by any one or more of the Commissioners, by the witness himself, or by any disinterested third party in the presence of the Commissioners, and be read over to the witness if he desire it, and must be subscribed by him.

3. The Commissioners must then add their certificate, as follows:

We, (or I, if only one acts), the undersigned, Commissioners in said commission named, hereby certify that we are not of counsel or of kin to any of the parties to this cause, nor in any manner interested in the result thereof; that we are personally acquainted with said witness, J——K——, and know him to be the identical person named in said commission (or have had proof made before us of the personal identity of the witness, and that he is the identical person named in said commission); that he was sworn and examined as above stated; and that his evidence was taken down, as near as might be, in his own language, and was subscribed by him in our presence on the.....day of.....19....., at the place above stated.

[L. S.]

[L. S.]

E. F.
 G. H.
 Commissioners.

If the Commissioners are not personally acquainted with the witness, they must have proof made before them that he is the identical person named in the commission, and so certify.

If the witness claims for his attendance, the Commissioners should state in their certificate the number of miles traveled, the number of days the witness attended, ferriage paid, if any, etc.

4. If any exhibits, writings, or papers are produced and used as evidence by the witness, they shall be annexed to the deposition to which they relate, and shall be identified by suitable letters or marks.

If the testimony cannot be taken in one day, the Commissioners, noting the same, may continue from day to day until completed.

5. The Commissioners will fold the depositions, commission, interrogatories, and exhibits, in a packet sealed with three seals. They will write their name or names across each seal, and direct thus:

A B
 vs.
 C D

Depositions of J K and L M

Mailed the.....day of.....19.....

E. F.
 G. H.

To (give name and style of Clerk, Register, or Judge of Probate, as the case may be),

.....County, Alabama.

If sent by private conveyance, should be endorsed: "Forwarded by R A, the.....day of.....19.....
 The package must be delivered to the officer to whom it is directed. The person bringing the deposition will be required to take an oath that it has not been opened or altered since he received it.

The Commissioner must return the commission.

No. 197

THE STATE OF ALABAMA,

Baldwin County,

CIRCUIT COURT, IN EQUITY.

Geo B Haynes,

Complainant

vs.

Elizabeth Towner et al.

Filed Oct 25th 1921
 Offered by agreement of Counsel
 Oct 25th 1921
 Defendant J. J. J.

COMMISSION TO TAKE DEPOSITION
 ON INTERROGATORIES.

COMMISSIONERS:

A. T. Blakemore

RECORDED

WITNESSES:

Royce B Wolcott

2101 W 5th St Davenport

IOWA.

BAY MINETTE, ALA. Jan 6th, 1922 No.

BALDWIN COUNTY BANK

61-258

PAY TO THE ORDER OF E.B. Gaston,

\$ 6.97

Six and 97/100 ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ DOLLARS

Printers Fee in
cause of Geo B Haynes vs
Elizabeth Towner Et-al.)

T. W. Richardson

RECEIPT FOR REGISTERED ARTICLE NO. 739 2/10, 1921

From T. M. Richerson class postage paid.

Addressed to Elizabeth H. Turner
1005 - 9th St Fargo

Return receipt desired

Delivery restricted { To addressee in person
05-6869 To addressee or order Postmaster, per mm



RECEIPT FOR REGISTERED ARTICLE NO. 740 2/10, 1921

From T. M. Richerson class postage paid.

Addressed to Royce B. Wolcott
Davenport Ia

Return receipt desired

Delivery restricted { To addressee in person
05-6869 To addressee or order Postmaster, per mm



RECEIPT FOR REGISTERED ARTICLE NO. 741 2/10, 1921

From T. M. Richerson class postage paid.

Addressed to Kenneth D. Wolcott
Middlebourne W. Va

Return receipt desired

Delivery restricted { To addressee in person
05-6869 To addressee or order Postmaster, per mm



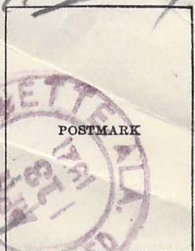
RECEIPT FOR REGISTERED ARTICLE NO. 942 4/13, 193

From J. W. Pichler class postage paid.

Addressed to Bryce B. Malcott
201 W. Fifth St.
Denver, Colo.

Return receipt desired

Delivery restricted { To addressee in person
To addressee or order Postmaster, per



RECEIPT FOR REGISTERED ARTICLE NO. 942 4/13, 193

From J. W. Pichler class postage paid.

Addressed to James E. Malcott
40 Ashley Nelson
St. Peterson, Wis.

Return receipt desired

Delivery restricted { To addressee in person
To addressee or order Postmaster, per



RECEIPT FOR REGISTERED ARTICLE NO. 743 2/11/1921

From J. W. Richardson class postage paid.

Addressed to Francis E. Walcott, City, St. Petersburg, Fla.

Return receipt desired [checked]

Delivery restricted { To addressee in person [checked] To addressee or order Postmaster, per L.B.



RECEIPT FOR REGISTERED ARTICLE NO. 744 2/11/1921

From J. W. Richardson class postage paid.

Addressed to Ashley Wilson, City, St. Petersburg, Fla.

Return receipt desired [checked]

Delivery restricted { To addressee in person [checked] To addressee or order Postmaster, per L.B.



THE STATE OF ALABAMA,
Baldwin County.

Geo . B. Haynes

No.

CIRCUIT COURT, IN EQUITY.

Complainant.....

Term, 19.....

vs.

Elizabeth Towner, eta l

Defendant.....

To Henry D. Moorer, Guardian ad litem for Kenneth B. Walcott and
Francis E. Walcott

Solicitors of Record.

Please take notice that in the above stated cause pending in the Circuit Court of Baldwin

County, in Equity, we will proceed at 4:30 o'clock on the 16th day of August 19 21

at the office of T.W. Richerson, Register

in Bay Minette Alabama, before

T.W. Richerson, Register to take the oral examination of the witnesses

J.W. Randall and M. D. Dewey

Witness, this the 12th day of August 19 21

Richard & Beebe
Solicitors for Complainant

To Register of the Circuit Court, in Equity:

Please summon the witnesses named in the above notice to appear before

for an oral examination, in pursuance with the foregoing notice.

Solicitors for

No.

THE STATE OF ALABAMA,

County,

CIRCUIT COURT, IN EQUITY.

vs.
Complainant

Defendant

NOTICE OF TIME AND PLACE OF
ORAL EXAMINATION.

Issued 19

Received copy of foregoing notice, waive application for oral examination, and consent that depositions of within named witnesses be taken before E.W. Richerson, Register, without commission.

This August 12th, 1921.

Guardian ad litem for Kenneth B. Walcott
and Francis E. Walcott.

RECORDED

Original

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, IN EQUITY SITTING:

Comes GEORGE B. HAYNES, and humbly complaining against
ELIZABETH W. TOWNER, ROYCE B. WALCOTT, KENNETH W. WALCOTT and
FRANCES E. WALCOTT, shows unto your Honor as follows:

FIRST: that complainant is over the age of twenty-one years,
and a resident of the city of Chicago, State of Illinois; that
Elizabeth W. Towner is over the age of twenty one years and a
resident of the city of Farge, N. D., her Post Office address
being 1005 Ninth Street; that Royce B. Walcott is over the age
of twenty-one years and a resident of Davenport, Iowa, his
Post Office address being the same; that Kenneth W. Walcott is
a minor, seventeen years of age, whose residence is Middle
Granville, New York; that Frances E. Walcott is a minor fifteen
years of age, whose residence and Post Office address is St.
Petersburg, Florida, c/o Ashley Wilson; that said minor is in
the custody and control of said Ashley Wilson; that complainant
does not know in whose custody, if anyone, the said Kenneth W.
Walcott is, and the Post Office address and place of residence last
known was as above stated, namely, Middle Granville, New York;
that complainant has been unable to ascertain whether or not said
Kenneth W. Walcott is now in Middle Granville, New York, but is
informed and believes that his residence and Post Office address
is still Middle Granville, New York; that the parents of said minors is
dead, they have no guardian, Ashley Wilson is their next of kin

SECOND: that complainant owns an undivided one half interest
in the North half of the Southeast quarter, section 32, Township
5nSouth, Range 4 East, Baldwin County, Alabama; that the other
undivided one half interest was owned by Perry B. Walcott, who is
now dead, having died intestate in the city of Chicago, Illinois,
February 5th, 1912; that his heirs and next of kin are his widow
the above named Elizabeth W. Towner, and three children, namely
the said Royce B. Walcott, Kenneth W. Walcott and Frances W.
Walcott, who, as the heirs of the said Perry B. Walcott are
now the owners of the said undivided one half interest in said lands;

that there has been no administration of said estate.

THIRD: that said lands are unimproved, unproductive and are of such physical shape and surface condition that they cannot be equitably divided between the owners of the respective interests; that it is to the interest of said complainant and said defendants as well that said property be sold for distribution.

WHEREFORE complainant prays that the said Elizabeth W. Towner, Royce B. Walcott, Kenneth W. Walcott and Francis E. Walcott each be made a party defendant to this bill of complaint, and by proper process be required to plead, answer or demur to this bill within the time, and under the usual penalties prescribed by law, and the practice of this Honorable Court; that upon final hearing of this cause, your Honor will judge and decree that said lands be sold at such time and in such manner as the court shall direct, and proceeds of such sale, after the payment of the costs of this cause, be divided among complainant and the respective defendants, as their interest shall appear; and complainant prays for such further and different relief as to the court shall seem meet and profitable in the premises.

Rickaby & Bebe
Solicitors for Complainant.

The defendants are required to plead or demur to all of the allegations of the foregoing bill, paragraphs one to three inclusive, but not under oath, oath is hereby expressly waived.

Rickaby & Bebe
Solicitors for Complainant.

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned officer, this day personally appeared W. C. Beebe, and being by me duly sworn, deposes and says that he is of counsel for the complainant in the cause of George B. Haynes vs. Elizabeth W. Towner, et al., this day filed on the equity side of the Circuit Court of Baldwin County Alabama; that Elizabeth W. Towner and Royce B. Walcott are each over the age of twenty-one years. Their residence and Post Office addresses being respectively as follows: Elizabeth W. Towner, 1005 Ninth Street, Fargo, N. D., Royce B. Walcott, Davenport, Iowa; that Kenneth W. Walcott and Frances E. Walcott are each minors, age seventeen and fifteen respectively; that Kenneth W. Walcott, when last heard of, was in Middle Granville, New York; that complainant has made diligent search to ascertain whether or not he is still at said place, but has been unable to do so; that his last known place of residence and Post Office address was Middle Granville, N. Y.; that Frances E. Walcott's present place of residence and Post Office address is St. Petersburg, Florida, in care of Ashley Wilson, in whose custody she is; that the parents of said minors are both dead, and neither minor has a guardian. that the aforesaid Ashley Wilson is the next of kin to said minors.

W. C. Beebe

Sworn to and subscribed before me this the 7th day of February 1921.

J. W. Reardon
Clerk Circuit Court.

THE STATE OF ALABAMA, }
Baldwin County. }

No.

CIRCUIT COURT, IN EQUITY.

George B. Waynes

Complainant

vs.

Elizabeth M. Gurner

Defendant

In this cause it is made to appear to the Register by the

that the Defendant Kenneth B. Walcott and Francis E. Walcott are

in the belief of affiant, infants 17 of 15 the age of 17 & 15/ respectively years; and that a summons on the Bill of Complaint in this cause was served upon the said infants, and upon Ashley Wilson as next of kin, by registered mail, on May 5th, 1921 and May 4th, 1921, and Feb 19, 1921 respectively,

said infant ~~on the~~ day of ~~19~~, and that as no one has been nominated by the said infants

to act as Guardian ad Litem for said infants; and it further appearing that H.D. Moorner, Esq is in all respects a suitable person to act as Guardian ad Litem for said infant; and having filed his consent in writing to act as such, it is now ordered by the Register that he is hereby appointed Guardian ad Litem in this cause for the said infant Defendant

Witness my hand, this 13th day of June 1921

H.D. Moorner

Register.

ACCEPTANCE.

I, H.D. Moorner hereby accept the above appointment as Guardian

ad Litem, and consent to act as such in the above cause.

Witness my hand, this 13th day of June 1921

H.D. Moorner

Guardian ad Litem.

THE STATE OF ILLINOIS,

Madison County,

CIRCUIT COURT, IN EQUITY.

George B. Heyman

vs.

Francis B. Maxwell

APPOINTMENT AND ACCEPTANCE
OF GUARDIAN AD LITEM.

Filed June 13th 1921

Wm. McCann
Register.

Resubbed

Recorded in..... Record.

Vol..... Page.....

RECORDED
Register.

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. Spring Term, 1921

George B. Haynes

Complainants

vs.

Elizabeth W. Towner, Royce B. Walcott, Kenneth W. Walcott, Francis E. Walcott
Defendants

Motion is hereby made for a Decree Pro Confesso against Elizabeth W. Towner, Royce B. Walcott

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of ~~publication~~ ^{service} by registered mail, ~~was~~ made under the order of this Court; and it having been shown by due proof to the Court that said Defendant ~~is a~~ ^{are} non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 13th day of June 1921

746 Code.

Richard V. Beebe
Solicitor.

No. 299

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Geo B Haynes

Complainants.

Vs.

Elizabeth Wescott

Defendants.

MOTION FOR DECREE PRO
CONFESSO, ON ~~PUBLICATION.~~

Ans vice by Reg Mail

Filed *June 13th 1921*

T. M. Rice

Register.

Recorded in Record,

Vol. Page

RECORDED

Register.

W. P.

Faint bleed-through text from the reverse side of the page, including "CONFESSO" and "RECORDED".

George B Haynes,

vs.

Elizabeth Towner et als.

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

In this cause it being made to appear to the Register that on the 10th Feb and 13th Feb day of

19²¹, a copy of the Bill of Complaint filed in this cause was sent to Ashley Wilson, Elizabeth W Towner, Royce B Wolcott, Kenneth Wolcott, and Frances E Wolcott,

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 Feb 17, 1921 April 20, 1921, day of

19....., such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Elizabeth W Towner and Royce B Wolcott,

Defendant.....

This the 13th, day of June, 19 21.

[Handwritten Signature]

Register.

4

No. 299

CIRCUIT COURT OF

Baldwin COUNTY,

IN EQUITY.

George B. Haynes

vs.

Elyse & Water
et al

DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL.

Filed in office this 13th day of
June 1921

J. M. McInerney
Register.

Entered in O. B. Page

RECORDED