

316

THE STATE OF ALABAMA, :  
: IN THE CIRCUIT COURT OF SAID COUNTY,  
BALDWIN COUNTY. :  
IN EQUITY.

To the Honorable John D. Leigh, Judge of said Court:

Your petitioner, Pearl C. Smith, respectfully represents unto your Honor as follows:

1. That she is a resident of the County of Baldwin, State of Alabama, and over the age of twenty-one years.

2. That she is the mother of Dicie Zerbanette Smith, who is a minor, over the age of eighteen years, residing with your petitioner in said County of Baldwin, State of Alabama; that the father of said minor is dead and said minor has no legal guardian.

3. Your petitioner further shows unto your Honor that it will be to the best interests of said Dicie Zerbanette Smith, minor aforesaid, to be relieved of the disabilities of nonage:

The premises considered, she prays that your Honor make and enter a decree relieving her, the said Dicie Zerbanette Smith, of the disabilities of nonage, and that such other proceedings be had and such further orders and decrees be made as may be necessary in the premises and as will invest the said minor with the right to sue and be sued, contract and be contracted with, buy, sell and convey real estate, and generally to do and perform all acts which she could lawfully do if she were twenty-one years of age. And your petitioner will ever pray, etc.

Pearl C. Smith

Petitioner.

Sworn to and subscribed before me  
this 27th day of August, 1921, and as evidence  
thereof I hereunto affix my official seal.

Leonelia Hall  
Notary Public, Baldwin  
County, Ala.

I, W.R. Stuart, as Sheriff of Baldwin County, Alabama, did on the 31st day of August, 1921, serve a copy of the above petition on said Dicie Zerbanette Smith.

W.R. Stuart

Sheriff of Baldwin County, Ala.



Dicie Zerbanette Smith,  
a minor.

Petition asking for removal  
of disabilities of nonage.

In the Circuit Court of  
Baldwin County, Ala.

to be presented in the Court as follows:

resident of the County of Baldwin, State of

age of two years and ten months.

of eighteen years, residing with your

of Baldwin, State of Alabama; that you

and said minor has no legal guardian.

your honor and it

and said minor

of the disabilities of nonage;

and that your honor

the said Dicie Zerbanette Smith,

of the disabilities of nonage, and that said minor

be held and administered to and for the benefit

necessarily in the exercise and use of all

and that to the end the said minor

be, all and sundry that relate, and generally to

of age, and your petition will ever

and that you will ever

and that you will ever

and that you will ever

and that you will ever

and that you will ever

and that you will ever

and that you will ever

and that you will ever

and that you will ever

and that you will ever



*Handwritten signatures and names:*  
Dicie Zerbanette Smith  
M. J. ...  
W. J. ...

*Vertical handwritten text:*  
Sheriff of Baldwin County, Ala.

It is ordered by the Court that all evidence in support of the allegations of this petition or in relation thereto, be taken by affidavits of witnesses filed with the Register of this Court.

This 26<sup>th</sup> day of August 1921.

*John D. Leigh*, Judge.

RECORDED



Dicie Zerbanette Smith,  
a minor.

-----  
Petition asking for removal  
of disabilities of nonage.

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In the Circuit Court of  
Baldwin County, Ala.  
In Equity.

-----  
*Filed Sept 1st 1921*  
*T. M. McInerney*  
*Register*

RECORDED

IN THE MATTER OF THE PETITION OF :  
PEARL C. SMITH TO HAVE :  
DICIE ZERBANETTE SMITH, A MINOR, :  
RELIEVED FROM THE DISABILITIES :  
OF NONAGE. :

No.  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

A copy of the petition filed in this cause by  
Pearl C. Smith having been served on me by the Sheriff of Baldwin  
County, Alabama, on this the 31<sup>st</sup> day of August, 1921,  
I, the said Dicie Zerbanette Smith, for answer thereto, say, that  
I have read each paragraph of said petition and the prayer thereto  
and admit all of the allegations contained in each paragraph  
thereof, and pray the court to grant the petition.

Witness my hand this 31<sup>st</sup> day of August, 1921.

Dicie Zerbanette Smith.



THE STATE OF ALABAMA, :  
BALDWIN COUNTY. :

Before me, Cornelia Hall, a Notary Public for said County in said State, personally appeared James M. Voltz, who being by me duly sworn according to law, upon his oath says:

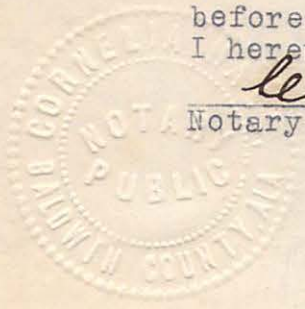
" My name is James M. Voltz ; I live in the same Town in which Pearl C. Smith and her daughter, Dicie Zerbanette Smith, live in Baldwin County, Alabama. I have known Dicie for *Eighteen* years or more. I often see Dicie and have talked with her a good many times and from her appearance and the manner in which she talks and conducts herself I believe her to be over eighteen years of age. Dicie has good habits and is a young woman of intelligence and I believe she is capable of managing her own business and should be allowed to do so, and generally to do and perform all acts which she could lawfully do if twenty-one years of age. I believe it would be to the interest of Dicie to be relieved from the disabilities of nonage."

Sworn to and subscribed

*James M. Voltz*

before me this 31st, day of August, 1921, and as evidence thereof I hereunto affix my official seal.

*Cornelia Hall*  
Notary Public, Baldwin County, Ala.





THE STATE OF ALABAMA, :  
:  
BALDWIN COUNTY. :

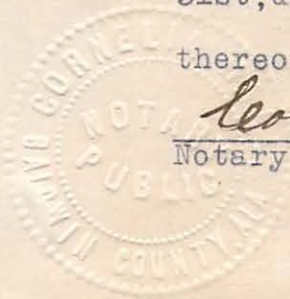
Before me, Cornelia Hall, a Notary Public for said County in said State, personally appeared Pearl C. Smith, who being by me duly sworn according to law, upon her oath says:

" My name is Pearl C. Smith. I live in Bay Minette, Alabama. I am over twenty-one years of age and the mother of Dicie Zerbanette Smith; Dicie is a minor over the age of eighteen years and lives with me, her father is dead and she has no legal guardian, she owns an interest in some property in Baldwin County, Alabama, and I believe she should be allowed to manage and control her own property, and that it would be to the interest of the said Dicie Zerbanette Smith to be relieved from the disabilities of nonage so that she can do all acts she could lawfully do if twenty-one years of age; she is industrious, has a good education and good common sense with it and her habits are excellent."

Pearl C. Smith

Sworn to and subscribed before me this  
31st, day of August, 1921, and as evidence  
thereof I hereunto affix my official seal.

Cornelia Hall  
Notary Public, Baldwin County, Ala.



RECORDED



RECORDED

*Handwritten notes:*  
C. L. Kessler  
Jesse L. Kessler  
Dicie Zerbanette Smith  
Pearl C. Smith

STATE OF ALABAMA, :  
BALDWIN COUNTY. :

Before me, Cornelia Hall, a Notary Public for said County in said State, personally appeared Jesse L. Kessler, who being by me duly sworn according to law, upon his oath says:

"My name is Jesse L. Kessler; I am over the age of twenty-one years and live in BayMinette, Alabama, and am personally acquainted with Dicie Zerbanette Smith, a minor, she lives with her Mother, Pearl C. Smith, in BayMinette, Alabama; I have known Dicie since childhood, she is my sister's child, I often converse with her, she is over eighteen years of age and from her conversation with me and the manner in which she conducts herself I believe she is capable of managing her own business; she has good habits, is industrious and has a good education and I believe that she should be allowed to manage her own affairs and that it would be to her interest to be relieved of the disabilities of nonage."

*Jesse L. Kessler*  
\_\_\_\_\_

Sworn to and subscribed before me this 31st, day of August, 1921, and as evidence thereof I hereunto affix my official seal.

*Cornelia Hall*  
\_\_\_\_\_  
Notary Public, Baldwin County, Ala.





THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 316,

In the matter of the petition of Pearl C. Smith  
for the removal of the disabilities of non-age of Dicie Zerbanette  
Smith, a minor.

This cause coming on to be heard, was submitted  
for decree on the petition of Pearl C. Smith for the removal of the  
disabilities of non-age of Dicie Zerbanette Smith, a minor over the  
age of eighteen years, and also upon the affidavits of James M. Voltz,  
Jesse L. Kessler and Pearl C. Smith in support of said petition, and  
thereupon, upon consideration thereof, the Court is satisfied that  
it will be to the interest of the said Dicie Zerbanette Smith to be  
relieved from the disabilities of non-age, therefore, it is ordered,  
adjudged and decreed by the court that the said Dicie Zerbanette  
Smith, a minor, who is over the age of eighteen years be and she  
is relieved from the disabilities of non-age and she is vested  
with the right to sue and be sued, contract and be contracted with,  
to buy, sell and convey real estate and generally to do and perform  
all acts which such minor could lawfully do if she were twenty-one  
years of age.

It is further ordered that the said Pearl C. Smith pay  
the costs of this proceeding, for which execution may issue.

Done at Brewton, Alabama, this 1<sup>st</sup> day of September,  
1921.

*John D. Leigh*, Judge.



Dicie Zerbanette Smith,  
a minor.

In Circuit Court, in Equity.

Decree relieving the said  
Dicie Zerbanette Smith of her  
disabilities of nonage.

*Filed Sept 2nd/921*  
*D. W. Beeman*  
*Register*

RECORDED

Dicie Zerbanette Smith, a minor.

This cause coming on to be heard, was admitted  
for decree on the petition of said D. C. Smith for the removal of the  
disabilities of non-age of Dicie Zerbanette Smith, a minor over the  
age of sixteen years, and also upon the affidavits of James H. Vofsi,  
James H. Vofsi and Pearl C. Smith in support of said petition, and  
thereupon, upon consideration thereof, the court is satisfied that  
it will do so the interest of said Dicie Zerbanette Smith to be  
relieved from the disabilities of non-age, therefore, it is ordered,  
advised and decreed by the court that the said Dicie Zerbanette  
Smith, a minor, who is over the age of sixteen years as and she  
is relieved from the disabilities of non-age and she is vested  
with the right to sue and be sued, contracted and be contracted with,  
to buy, sell and convey real estate and to do and perform  
all acts which such minor could lawfully do if she were twenty-one  
years of age.

It is further ordered that the said Pearl C. Smith pay  
the costs of this proceeding, for which execution may issue.

Filed

*Sept 2nd 1921*  
*D. W. Beeman*  
*Register*



317

ORAL TESTIMONY; NOTICE OF TIME OF TAKING.

LENA DURDEN, COMPLAINANT,	:	
	:	IN THE CIRCUIT COURT OF BALDWIN
VS.	:	COUNTY, ALABAMA.
	:	
ANNA POOS, WILLIAM ECKMAN	:	IN EQUITY.
AND FRANK E. ECKMAN,	:	
RESPONDENTS.	:	

TO ANNA POOS, WILLIAM ECKMAN AND FRANK E. ECKMAN,  
 RESPONDENTS AND CROSS-COMPLAINANTS, OR TO RICKARBY, BEEBE AND HALL,  
 SOLICITORS FOR RESPONDENTS AND CROSS-COMPLAINANTS IN THE ABOVE  
 ENTITLED CAUSE:

TAKE NOTICE, that I, T.W. Richerson, Register of the  
 Circuit Court of Baldwin County, Alabama, will take the testimony  
 of D.P. Durden, Fred L. Brown, J.M. Smith, Mrs. Alice Morton and W.B.  
 Durden, all of Robertsdale, Alabama, and Martin Lowell of Fairhope,  
 Alabama, witnesses for complainant in the above entitled cause;  
 and that I will proceed to take the testimony of said witnesses  
 at my office in Bay Minette, Alabama, on the 19th, day of March, 1925,  
 between the hours of Nine thirty A.M., and Five O'Clock P.M., on  
 said day, and continue from day to day thereafter until completed.

WITNESS my hand this March 12th, 1925.

T.W. Richerson Register  
 Circuit Court, Baldwin County, Ala.



Original

Lena Durdan

Notice

Filed Mar 12/1925

J. M. Williams

Register

perve Copy on

W. C. Beebe

Atty for Dept.

Executed Mar 12<sup>th</sup>

1925 by serving  
Copy of within on

W. C. Beebe Atty

W. R. Stewart  
Suff