

CIVIL WITNESS CERTIFICATE

ORIGINAL

The State of Alabama,
BALDWIN COUNTY.

John J. Rumbold
vs.
Paul J. Murrell
et al

Equity Side

No. **752**

CIRCUIT COURT, *Aug 15th 1924* Term, 191

G. R. Saurey

Charges the *Complamant* to attendance as a
Witness in *his* behalf, in said case, as follows:

To	<i>one</i>	Days' attendance at \$1.50 per day,	- - - -	\$	<i>1.50</i>
To	<i>110</i>	Miles travel to and from Court, at 5 cents per mile,	- - - -	\$	<i>5.50</i>
		Total,	- - - -	\$	<i>7.00</i>

Sworn to before me, this *15* day of *Aug* 191*24*

Sub. No. _____ *J. P. [Signature]* Clerk Circuit Court.

CIVIL WITNESS CERTIFICATE

ORIGINAL

The State of Alabama,
BALDWIN COUNTY.

Deputy, Sec

No. 753

CIRCUIT COURT, Aug 15 Term, 1914

John J. Remondos et al

vs.

Paul S. Mueller et al.

Leon - Remondos

Charges the Court to attendance as a
Witness in his behalf, in said case, as follows:

To 15 Days' attendance at \$1.50 per day, - - - - \$ 15.00

To 110 Miles travel to and from Court, at 5 cents per mile, \$ 5.50

Total, - - - - \$ 20.50

Sworn to before me, this 15 day of Aug 1914

Sub. No. _____

J. P. [Signature] Clerk Circuit Court.

No.

Oct 30th 1914

Received of

J. W. Richardson at Registrar
Circuit Court of Baldwin County
Two hundred and ten & 00/100 DOLLARS

100

FOR

payment in full of my fee as
attorney for John J. Palmofas as guardian
of John Palmofas Jr. et al in
Case No 423 in Circuit Court of Baldwin Co., in City
of W. S. Hall

\$ 210.00

CIVIL WITNESS CERTIFICATE

ORIGINAL

The State of Alabama,
BALDWIN COUNTY.

Ex parte Alex Resnada
vs.
Paul Mueller et al

Equity Side
CIRCUIT COURT,

No. 751

August 15th Term, 1914

Charges the *Complement* to attendance as a
Witness in *his* behalf, in said case, as follows:

To	<i>One</i>	Days' attendance at \$1.50 per day,	- - - - -	\$	<i>1.50</i>
To	<i>110</i>	Miles travel to and from Court, at 5 cents per mile,	- - - - -	\$	<i>5.50</i>
		Total,	- - - - -	\$	<i>7.00</i>

Sworn to before me, this *15* day of *Aug* 191*4*

Sub. No. _____

J. W. Resnada Clerk Circuit Court.

423

PETITION TO SELL LAND FOR RE-INVESTMENT AND FOR DIVISION
OF FUNDS.

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

TO THE HON. JOHN D. LEIGH, JUDGE OF THE 21st.

JUDICIAL CIRCUIT OF ALABAMA.

1. Comes your complainant, John J. Resmondo, individually and as guardian of John Resmondo, Jr., Charlie Resmondo, and Lenora Resmondo, minors over 14 years of age and Harry Resmondo, a minor, under 14 years of age, duly appointed such guardian by the Probate Court of Baldwin County, Alabama, all of said minors reside with your petitioner near Summerdale, in Baldwin County, Alabama, and are children of your complainant and the latee Minnie S. Resmondo, who died intestate, was the owner of the real estate hereinafter described and was living on same as her homestead at the time of her death, which real estate was all of the lands and real estate owned in this State by the said decedent at the time of her death and with the improvements and appurtenances thereon did not exceed in value \$2000 and in area 160 acres of land.

2. That soon after the death of said decedent your complainant and said children moved off of and abandoned said homestead and has not resided thereon during the last past two years.

3. That said Minnie S. Resmondo was the mother of Annie Resmondo, now Annie Resmondo Mitchell, and the wife of Henry Mitchell who resides at Lillian, Baldwin County, Alabama, and the mother of Sophrona Resmondo, now the wife of Ernest Thames and lives with her said husband at 607 North Deviller Street, Pensacola, Fla.; that on the 30th day of January, 1922, said

Annie Resmondo Mitchell and Henry Mitchell and Sophrona Resmondo, now Sophrona Resmondo ~~Thames~~, said Sophrona Resmondo being over 18 years of age, was on December 20, 1921, relieved of the disabilities of non-age by a decree of the Circuit Court of Baldwin County, Alabama, sitting in equity, and after being relieved of the disabilities of non-age joined in a conveyance with said Annie Resmondo Mitchell and Henry Mitchell, her husband for a valuable consideration sold and deeded all of their right, title claim and interest in and to the following described real property situate in the County of Baldwin, State of Alabama, to-wit:-

Commencing in Northeast corner of Lot Number Three, known as the Francis Suarez claim on Perdido Beach in said County of Baldwin, thence running West sixteen hundred feet, thence South one hundred eighty-five feet, thence East sixteen hundred feet, thence North one hundred eighty five feet to place of beginning, also commencing at Southeast corner of Lot Number sixteen of said Francis Suarez claim, thence running West twenty-nine hundred feet, thence North two hundred eighty five feet, thence East sixteen hundred feet, thence South two hundred eighty five feet to place of beginning, to said John J. Resmondo, together with the improvements thereon, that on the 18th day of March 1922, said John J. Resmondo, and Annie ~~Hynn~~ Resmondo, his wife, for a consideration of \$200 paid to said John J. Resmondo by Paul F. Mueller, of 225 W. Washington Street, Chicago, Ill., sold and conveyed to said Paul F. Mueller all of their right, title, claim and interest in and to said property thereby investing in the said Paul F. Mueller with an undivided interest in said property.

4. That the said John Resmondo, Jr., Charles Resmondo, Lenora Resmondo and Harry Resmondo each own an undivided one-sixth interest in the property hereinabove described and that said Paul F. Mueller owns an undivided two-sixth interest in said property.

5. That it would be to the interest of said minors to sell said real estate for re-investment of the purchase money found to be due said minors, first. because the interest of

said minors would be promoted by the propose sale and reinvestment of the funds , second, because it is imperative that the State and County taxes be paid on the property from year to year and third, because the property does not yield any revenue with which to pay the taxes on the property.

6. That your complainant is an old man and is uneducated and has no means of support other than by manual labor and cannot maintain said minors by manual labor, has no income and by reason of his age is unable to support said minors in a manner suitable to their condition in life and is not able to pay the State and County taxes on the said property.

PRAYER FOR RELIEF.

WHEREFORE, your complainant prays your Honor to take jurisdiction of this cause and appoint a day for the hearing of this application and give such notice as may be required by law of the hearing of this application and appoint a guardian ad litem to represent and protect the interest of said John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors, and that such other proceedings, orders and decrees may be had and made as may be necessary to effectuate such sale for re-investment of such of the proceeds as may be ascertained by the Court to be due said minors, upon such terms and conditions, and at such place as may be authorized by law. And complainant prays for such other and further relief as may be just and proper to effectuate such sale, and so will ever pray, etc.

John J. Resmondo
 Individually and as guardian of
 John Resmondo, Jr., Charlie
 Resmondo, Lenora Resmondo and
 Harry Resmondo, minors.

FOOT NOTE:

The said Annie Resmondo Mitchell, Sophrona Resmondo Thames, and Paul F. Mueller, and John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors, are hereby

required to answer the allegations of the above stated bill of complainant from section one to six inclusive, but not under oath, oath to answers being expressly waived

Charles Hall
Attorney for complainant.

STATE OF ALABAMA, :
:
BALDWIN COUNTY. :

Before me, J. Cooney a
Notary Public for said County, in said State, personally appeared
John J. Resmondo, who being by me first duly sworn according to
law, doth depose and say, that he knows of his own knowledge that
the allegations as ~~stated~~ in the foregoing bill of complaint are
true

John J. Resmondo

Subscribed and sworn to before me this 5th day of ~~Jan~~
January 1924.



J. Cooney
Notary Public, Baldwin County,
Alabama.

EX PARTE JOHN J. RESMONDO :
INDIVIDUALLY AND AS :
GUARDIAN OF JOHN RESMONDO, JR., :
CHARLIE RESMONDO, LENORA :
RESMONDO AND HARRY RESMONDO, :
MINORS. :
vs. :
PAUL F. MEULLER ET AL, :
DEFENDANTS. :

IN CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA. IN EQUITY.
No. 423.

By virtue of the appointment to take the depositions endorsed in writing on the interrogatories by the solicitor filing same in the the above stated cause pending in said Court of said County, I, T. W. Richerson, as Register of said Court of said County, have called and caused to come before me John J. Resmondo, G. R. Suarez, Leon Resmondo and Elex Resmondo witnesses named in the direct and cross interrogatories, having first sworn said witnesses to speak the truth the whole truth and nothing but the truth the said witnesses deposes and says as follows:

DEPOSITION OF JOHN J. RESMONDO.
TO THE FIRST DIRECT INTERROGATORY HE SAITH:

My names is John J. Resmondo. I am sixty-three years of age. My post office address is Summerdale, Baldwin County, Alabama. I have been living at Summerdale, Alabama during the last past three years and prior to the last past three years I lived on the land the most of the time involved in this suit.

TO THE SECOND DIRECT INTERROGATORY HE SAITH:

I know John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, they are my children and also the children of Minnie S. Resmondo, my former wife who is now dead. John Resmondo, Jr, Lenora Resmondo and Harry Resmondo are living with me at Summerdale, Alabama, and Charlie Resmondo is in the United States Army somewhere in the State of Georgia. All of said minor children are over fourteen years of age except Harry Resmondo.

TO THE THIRD DIRECT INTERROGATORY HE SAITH:

I have been on the land described in the third direct interrogatory this day propounded to me. These two parcels of lands is a part of the Francis Suarez land claim on Perdido Beach in Baldwin County, Alabama, and is located in Section three (3) in Township eight (8) South Range six (6) East in Baldwin County, Alabama. There is but one Francis Suarez land claim in Township eight South Range Six (6) East in Baldwin County Alabama, and this Francis Suarez claim covers Section three (3) in said Township and Range. I was over and across the said land prior to January 1, 1922. This land was not in a good habitable condition prior to December 30, 1921. Before that time there was about three acres of it with an old rusty wire fence around it and there was an old delapidated dwelling on the land which contains two rooms and a kitchen and a small back borch attached to the dwelling. The value of the improvements on the land preceding January 1, 1922, would not exceed fifty (\$50.00) Dollars. I do not know of my own knowledge that any improvements have been placed on this land since January 1, 1922.

TO THE FOURTH DIRECT INTERROGATORY HE SAITH:

Prior to three years ago I did live on the land, since that time I have not lived on it. I moved off of the land about three years ago, I do not know the exact date. At the time I was living on this land Minnie S. Resmondo was my wife. About two years after my wife,

TO THE THIRTEENTH DIRECT INTERROGATORY HE SAITH:

The real estate described in interrogatory number three hereinabove mentioned constituted all the real estate owned by the said Minnie S. Resmondo at the time of her death. As well as I can tell there is described in interrogatory number three hereinabove mentioned about twenty-eight or thirty acres of land and at the time of the death of said Minnie S. Resmondo the lands and the improvements thereon was of less value than two thousand (\$2000.00) Dollars.

TO THE FOURTEENTH DIRECT INTERROGATORY HE SAITH:

Yes, I am somewhat interested in this suit because I think it would be to the best interest of the minors to sell the land.

John J. Resmondo

JOHN J. RESMONDO.

IN ANSWER TO THE FIRST CROSS INTERROGATORY HE SAITH:

I know the minors described in the first direct interrogatory, they are my children.

IN ANSWER TO THE SECOND CROSS INTERROGATORY HE SAITH:

I know the land described as the Francis Suarez land claim in Township eight (8) South Range six (6) East. The land is particularly described in my petition for the sale thereof filed in this Court February 2, 1924, there was about three acres of this land cleared at one time. Since it was cleared it has grown up in small under brush and when I left the land some three years ago it was not suitable for cultivation at that time. At that time there was about three acres of the land fenced and a part of that old fence is still there, and a part of it is rusted out as it was a wire fence. There was never over three acres of the land cultivated. There is no timber on the land of any marketable value. On account of the land being so far from transportation it is of little or no value. I left the land about three years ago, moved away from it. At the time I moved away there was a small building on the land containing three small rooms and a back porch attached thereto. The value of same ~~was~~ ^{with} about fifty (\$50.00) Dollars. The land is worth about fifteen (\$15) or ~~or~~ ^{or} twenty-five (\$25.00) Dollars per acre and the whole business is not worth exceeding six hundred (\$600.00) Dollars.

TO THE THIRD CROSS INTERROGATORY HE SAITH:

The neighborhood in which this land is located there is no body building there, it is seldom one can sell any land in this neighborhood and I know of no sales having been made in the neighborhood of this land recently. I consider a reasonable value for said land to be six hundred (\$600.00) Dollars because it is fifteen miles or more from a railroad and there is no way to get to and from the land except by private conveyances and at considerable costs. There is not as much as a public road within two and one half miles from the land.

TO THE FOURTH CROSS INTERROGATORY HE SAITH:

The financial condition of said minors is not good, they have no property except the property described in this suit and have no income of any kind and they are most two young for me to let them go away from home to work for themselves.

TO THE FIFTH CROSS INTERROGATORY HE SAITH:

Said land is not now being rented nor no portion of it and it can not be rented for a sufficient amount to do any good. They have no income to support them suitable to their prospects and condition in

life without the sale of this land.

John J. Resmondo

DEPOSITION OF GEORGE R. SUAREZ.

TO THE FIRST DIRECT INTERROGATORY HE SAITH:

I reside near what is known as Perdido Beach in Baldwin County, Alabama. My name is George Randolph Suarez. I am sixty-seven years of age and my post office address is Perdido Beach, Alabama. I have been living near the land involved in this suit all my life, have always been a resident of Baldwin County.

TO THE SECOND DIRECT INTERROGATORY HE SAITH:

I know Charlie Resmondo and John Resmondo, Jr, I know them all in a general way, that is I know said minors to be John Resmondo and Minnie S. Resmondo 's children. The two I know personally are over fourteen years of age and I think that they are all over fourteen years of age except the youngest whose name I believe to be Harry. I do not know who they are living with now. I saw John Resmondo Jr., a short time ago and he told me all of said minors were living with their father, John J. Resmondo. *Lenora Resmondo & Harry Resmondo*

TO THE THIRD DIRECT INTERROGATORY HE SAITH:

I have been upon the lands described in the third direct interrogatory propounded to me this day which is located in Section three (3) Township eight (8) South Range six (6) East known as Francis Suarez land claim on Perdido Beach in Baldwin County, Alabama, these lands are a part of of the Francis Suarez land claim on Perdido Beach and are in Section three (3) Township eight (8) South Range six (6) East in said County of Baldwin. There is not but one Francis Suarez land claim in Township eight (8) South of Range six (6) East in said County and that one is numbered Section three (3). I have known this land for more than fifty years and passed over and across it prior to January 1, 1922. Improvements on this land prior to January 1, 1922, were of no value, they were so delapidated that they were not worth improving, in fact improvements on the land preceding January 1, 1922, were of no marketable value whatever. Some improvements have been placed on the land by Mr. Paul F. Mueller, a prospective purchaser for the land since January 1, 1922, and Mr. Mueller paid for the material and labor for erecting said improvements on said land.

TO THE FOURTH DIRECT INTERROGATORY HE SAITH:

Said John J. Resmondo did live on the land involved in this suit and moved off of same about three years ago, his wife Minnie S. Resmondo, was living on the land with him at the time of her death. She died in Pensacola, Florida. John J. Resmondo moved off of the land soon after the death of his wife, Minnie.

TO THE FIFTH DIRECT INTERROGATORY HE SAITH:

The land has no timber of any value on it. The timber on it is very small and consist of some small pine saplings. The present value of the timber is about fifty (\$50.00) Dollars and not probably more. The distance from the land to the railroad is fifteen and one-half miles and the nearest station to the land is Foley, Alabama.

TO THE SIXTH DIRECT INTERROGATORY HE SAITH:

I know the father of John J. Resmondo, Jr, Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors, I also knew their mother, Minnie

S. Resmondo. John is living and Minnie is dead. John still has the care and custody of the minor children and supports and maintains them.

TO THE SEVENTH DIRECT INTERROGATORY HE SAITH:

Said minors have no income.

TO THE EIGHTH DIRECT INTERROGATORY HE SAITH:

Said property is not producing any revenue. It is not bringing in any money for the use and benefit of said minors. It would probably cost eight or ten thousand dollars to put the property in a position to bring in any income.

TO THE NINTH DIRECT INTERROGATORY HE SAITH:

In my opinion it would not be advantageous to the minors to keep said property. I think it would be best to sell the property for the maintenance and education of the minors or re-invest the proceeds, if any obtained from the sale. I am satisfied it would be most advantageous to the minors to use the money for their maintenance and education.

TO THE TENTH DIRECT INTERROGATORY HE SAITH:

Minnie S. Resmondo did leave minor children at the time of her death besides John Resmondo, Jr, Charlie Resmondo, Lenora Resmondo and Harry Resmondo, in fact all of her children were minors when she died. She left a daughter by the name of Annie Resmondo who is now the wife of Henry Mitchell and now resides near Summerdale, Alabama, and also a daughter by the name of Sophrona Resmondo, the wife of Ernest Thames, she lives at Pensacola, Florida. All of said minors are over fourteen years of age except Harry Resmondo.

TO THE ELEVENTH DIRECT INTERROGATORY HE SAITH:

I think it would promote the interest of said minors to sell said lands and use the money for their maintenance and education or re-invest the money for the benefit of said minors. I think it would be better to use the money for the maintenance and education of the minors.

TO THE TWELFTH DIRECT INTERROGATORY HE SAITH:

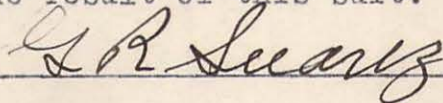
The said John J. Resmondo is an old man, uneducated and has no way of maintaining and supporting said minors other than by manual labor and I do not think he is able to support said minors in a manner suitable to their prospects and conditions in life.

TO THE THIRTEENTH DIRECT INTERROGATORY HE SAITH:

The real estate described in interrogatory number three herein-above mentioned constituted all the real estate owned by the said Minnie S. Resmondo in the state of Alabama at the time of her death. There is about twenty-eight or thirty acres of the land, a large part of it lies in a swamp. The value of the lands and the improvements thereon was of less value than one thousand (\$1000.00) Dollars at the time of the death of the said Minnie S. Resmondo. The land is very inferior, it is of little value for agricultural purposes. The larger part of the land is taken up by swamp in the front of the high land, all of the front part of the land is covered by swamp except about thirty feet

TO THE FOURTEENTH DIRECT INTERROGATORY HE SAITH:

I am not interested in the result of this suit.



GEORGE R. SUAREZ.

TO THE FIRST CROSS INTERROGATORY HE SAITH:

I have known the minors mentioned in the direct interrogatories filed in this cause all of their lives.

TO THE SECOND CROSS INTERROGATORY HE SAITH:

I know the land described as the Frances Suarez land claim in Township eight (8) South Range six (6) East in Baldwin County, Alabama. There is none of the land cleared, some of it has been cleared but has grown up in small underbrush. Two or three acres of it was at one time underwire fence but the old fence is all gone. The land is not what you can term timber land, it only has some very small pine growth on it of little or no marketable value. The said John J. Resmondo has not lived on the land within the last past three years. At the time he lived on the land there was an old delapidated building on the land which contained two rooms and a kitchen and a porch or gallery attached thereto, and the improvements at the time he lived on the land was of no marketable value. About two-thirds of this land is of no marketable value. It is cut up with swamp and gullies and I will say the land as a whole is not worth more than five dollars per acre, in its entity it is worth about one hundred and fifty dollars. There is no sale for lands of this character in the locality of this land, it is very seldom that you can get any body to buy land where this land is located. The distance from the land to the nearest rail road is fifteen and one-half miles and the nearest station is Foley, Alabama. I would consider two hundred and fifty dollars a reasonable value for said lands because there is no way to get to and from the land except by private conveyance as there is no public road within two and one-half miles of it.

TO THE THIRD CROSS INTERROGATORY HE SAITH:

The financial condition of said minors is bad, they have nothing except an interest in the property involved in this suit, they have no income whatever. In my answer to the second cross interrogatory I have already answered the most of the third cross interrogatory.

TO THE FOURTH CROSS INTERROGATORY HE SAITH:

This land is not being rented nor no portion of it. This land can not be rented for anything. They have no income whatever from which they can obtain a support and can not be educated and maintained in a manner suitable to their prospects and condition in life without a sale of this land.

TO THE FIFTH CROSS INTERROGATORY HE SAITH:

This land is not being rented now nor no portion of it and it can not be rented for a sufficient amount to support said minors in a manner suitable to their prospects and condition in life I think the land ought to be sold and the money obtained therefor used for the maintenance and education of said minors. And if the money can not be used for the support and maintenance of said minors then the proceeds from the sale ought to be re-invested for the benefit for said minors.

G. A. Suarez

Alex Resmondo a witness for complainant who being duly sworn testified as follows:-

To the 1st interrogatory he sayeth:-

My name is Alex Resmondo, and 52 years of age, my post office address is Perdido Beach, Baldwin County, Alabama. I have lived at Perdido Beach Baldwin County, Alabama, for 12 or 13 years next before the filing of this bill.

To the 2nd interrogatory he sayeth:-

I know John Resmondo Jr, Charlie Resmondo, Lenora Resmonda, and Harry Resmonda,

John Resmonda Jr., Charlie Resmonda, Lenora Resmonda and Harry Resmonda live near Summerdale Baldwin County, Ala, with their father John J. Resmonda.

John Resmondo, Jr, Lenora Resmondo and Cherlie Resmondo are over 14 years of age.

Harry Resmondo is under 14 years of age.

I do not know the exact age of John Resmondo Jr, Lenora Resmondo Charlie Resmondo or Harry Resmondo.

To the 3rd interrogatory he sayeth:-

I have been on the land described in the bill in this suit.

The land described in this cause is a part of the Francis Saurez land claim on Perdido Bay in Baldwin County Ala.

I do not know what section or Range this land is situated in.

There is only one Francis Saurez land claim in that part of the County that the land described in this cause is located *on Perdido Bay*

Perdido Beach is on Perdido Bay, Perdido Beach proper is a Post Office ~~on~~ on Perdido Bay.

I go upon this land frequently, I was on it several times during the year 1921, and have been on it several times since that time. On January 1st 1922 the improvements on this land were of little or no value there was an old dilapidated house on the land with 2 rooms, a kitchen and a gallery, and in my best judgment these improvements were not worth seventy five dollars.

There have been some improvements placed on this land since John J. Resmonda moved off of same. Mr. Paul J. Mueller had these improvements placed on the land and I presume he paid for same. of course I do not know for certain but I have reason to believe he did because I was paid for doing the work for Mr. Mueller through the hands of Mr. G.R. Saurez,

I do not know the value of the improvements played on this land by Mr. Mueller.

Direct
To the 4th, /interrogatory he sayeth:-

The said John J. Resmonda lived on the land involved in this suit but moved off of same about 3 years ago. John J. Resmonda had a wife by the name of Minnie S. Resmondo and she lived on the land with him and died while in Pensacola Fla.

I dont know just when minnie died, she died about 4 years ago, as well as I recollect, it might have been longer, John moved off of this land after his wife Minnie died, John has not lived on the land in the last past 3 years,

To the 5th Direct interrogatory he sayeth:-

There is some very small timber on the land, there are a few small pine trees and some small oak, the approximate value of the timber on the land is about \$50.00. This land is about 16 miles from any Railroad in Baldwin County, Foley is the nearest Railroad Station in Baldwin County to this land. There is a Lumber Railroad in the State of Florida about 8 miles from this land but the nearest Railroad Station to this land in Alabama is Foley.

To the 6th, direct interrogatory he sayeth:-

I know the father of said minors, I knew the mother of said minors, their mother was named Minnie S. Resmondo, the minor children are now in the care and custody of their father John J. Resmondo, he supports and maintains them.

To the 7th direct interrogatory he sayeth:-

Said minors have no income of any sort.

To the 8th direct interrogatory he sayeth:*

Said property is not producing any revenue or bringing in any money.

~~It is not producing any revenue or bringing in any money.~~

The probable cost to put the property in condition to bring in an income would be 6 or 7 thousand dollars.

To the 9th direct interrogatory he sayeth:-

In my opinion it would be to the best interest and to the advantage of the minors to sell said property for their maintenance and education, and if the property cannot be sold for their maintenance and education, then I think it would be to the best interest of said minors to sell the property for re investment of the proceeds.

To the 10th direct interrogatory he sayeth:-

Minnie S. Resmondo the wife of John J. Resmondo, at the time of her death left 2 minor children besides John Resmondo Jr. Charlie Resmondo Lenora Resmondo and Harry Resmondo, their names are as follows:-

Annie Resmondo now the wife of Henry Mitchell, at present Annie lives with her husband near Summerdale in Baldwin County, Alabama, and Sophronia Resmondo, now the wife of Ernest Thames, Sophronia lives with her husband Ernest Thames in Pensacola Florida, . The said Annie Resmondo Mitchell and Sophronia Thames are both over the age of 18 years, and I believe them to be 21 years of age.

To the 11th direct interrogatory he sayeth:-

I think it would promote the interest of said minors to sell said land and use the money for the maintenance and education of said minors and if the proceeds of the ~~sale of the land~~ said land by reason of the sale thereof cannot be used for the maintenance of said minors then the money of the proceeds from the sale in my opinion ought to be re-invested for the benefit of said minors,

To the 12th direct interrogatory he sayeth:-

I am personally acquainted with John J. Resmondo the father of said minors, he is an old man and not able to do hard work and has no means of support other than by manual labor. I know that he is not able to support and educate said minors in a manner suitable to their prospects and condition in life.

To the 13th Direct Interrogatory he sayeth:-

The real estate described in interrogatory number three heretofore mentioned constituted all of the real estate in this State owned by the said Minnie S. Resmondo at the time of her death.

There are about 28 acres of the land which is described in interrogatory number 3 above mentioned, and at the time Minnie S. Resmondo died said land with the improvements thereon was worth not exceeding nine hundred dollars. The land is cut up with swamps, hill and hollows, and the public road is 2 or 3 miles from the land, At this time the land and the improvements thereon would probably sell for 12 or 15 hundred dollars,

To the 14th direct interrogatory he sayeth:-

I am not interested in the result of this suit.

Alfred Resmondo

To the 1st Cross Interrogatory he sayeth:-

I have known John, Charlie, Lanora and Harry Resmondo, all of their lives,.

To the 2nd cross interrogatory he sayeth:-

I know the Francis Saurez land claim it is the only Francis Saurez land claim in Perdido Bay Baldwin Co, Ala that I know anything about. I cannot describe the land by metes and bounds, there was 2 or 3 acres of the land cleared at one time, but it has grown up in small bushes, ~~the fence that was around it all rotted down, recently there has been a fence put around about 1 Or 2 acres of the land~~, there are about 28 acres in the entire tract, there is none of the land in cultivation, the land without the buildings thereon is worth about \$5.00 per acre, because it is all cut up with swamps and gullies, the land in its entirety is not worth exceeding \$300.00, there is a small building on the land now and the value of same is about \$700.00, .

To the 3rd, cross interrogatory he sayeth:-

There is no sale for land of this character in that locality, at the present time, at least I do not know of any and I have not heard of any land of this character selling in this neighborhood for some time, . On account of the land being located as it is and the nature of the land and its suitability for cultivation I consider a reasonable value of said ~~value of~~ land to be \$7 Or 8 hundred dollars, The land is not suitable for cultivation,

To the 4th, cross interrogatory he sayeth:-

As said minors have no property other than their interest involved in this suit, their financial condition is bad, they have no income whatever.

To the 5th interrogatory he sayeth:-

This land is not being rented now, nor portion of it and cannot be rented for a sufficient amount to maintain and educate said minors nor for sufficient amount to pay the taxes thereon, said minors cannot be supported in a manner suitable to their prospects and condition in life other than by a sale of this land, and I don't think it advisable for the minors to hold this land any longer, because the State and County taxes have to be paid thereon from year to year and as before stated there is ~~no~~ income therefrom.

Alex Resmondo

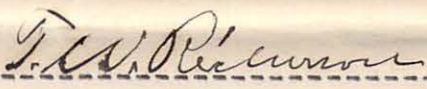
State of Alabama,
Baldwin County,

Circuit Court In Equity.

I. T. W. Richerson, as Register of said Court, hereby certify that the foregoing testimony was taken down in writing by me, in the words of the witnesses, and I have read over to them and they have sworn to and signed same in my presence on this the 15th day of August, 1924, in the office of the Clerk of the Circuit Court of said County, of Baldwin, State of Alabama. That I have personal knowledge of or had proof made before me of the identity of said witnesses, 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 depositions together with the interrogatories direct and cross, and the documents are deposited in an envelope, properly endorsed and signed and I have placed the same on file in my office.

Given under my hand and seal this the 15th, day of
August, 1924.


-----Register.

Witness Fee's 21.00.



John J. Resmondo, individually	:	
and as guardian of John	:	
Resmondo, Jr., Charlie Resmondo,	:	IN CIRCUIT COURT OF BALDWIN
Lenora Resmondo and Harry	:	
Resmondo, minors, Complainant.	:	COUNTY, ALABAMA. IN EQUITY.
vs.	:	
Paul F. Mueller et al	:	
Defendants.	:	

DIRECT INTERROGATORIES.

INTERROGATORIES to be propounded to G.R.Suarez, Alex Resmondo, Leon Resmondo and John J. Resmondo, all material witnesses for and on behalf of the complainant, and whose depositions, when taken, will be offered in evidence on the trial of said cause. All of said witnesses reside at or near Perdido Beach, Baldwin County, Alabama, except John J. Resmondo who resides at Summerdale, Alabama.

INTERROGATORY 1. To each of the above named witnesses:
Where do you reside? State your name, age and post office address. Where have you been living for the last past five years?

INTERROGATORY 2. To each of the foregoing named witnesses:
Do you know John Resmondo Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo? Where are they now living? State whether they are over fourteen or under fourteen years of age. If you do not know the age of each one of said minors then state their age as near as you can.

INTERROGATORY 3. To each of the foregoing named witnesses:
Have you been upon the following described real property situate in the County of Baldwin, State of Alabama, namely: Commencing in Northeast corner of Lot Number Three, known as the Francis Suarez Claim on Perdido Beach in said County of Baldwin, thence running West sixteen hundred feet, thence South one hundred eighty-five feet, thence East sixteen hundred feet, thence North one hundred eighty-five feet to place of beginning, also another parcel of land commencing at Southeast corner of Lot Number sixteen of said Francis Suarez Claim, thence running West twenty-nine hundred feet, thence North two hundred eighty-five feet, thence East sixteen hundred feet, thence South two hundred eighty-five feet to place of beginning? If you say yes, then state whether or not these two parcels of land is any part of the Francis Suarez land Claim on Perdido Beach in Baldwin County, also state on what section and in what Township and Range is this property situated. Is there more than one Francis Suarez land

Claim in Township eight South of Range six East in Baldwin County, Alabama? What Section does the Francis Suarez Land Claim cover in Township eight South of Range Six East in said County of Baldwin? Were you over and across the above described land prior to January 1, 1922? If you say yes, then state what condition this land was in and the kind of improvements on the land on and before December 30, 1921, and state the value of the improvements on the land preceeding January 1, 1922, also state whether any improvements have been placed on this land since January 1, 1922, if so who placed the improvements thereon or had them placed on the land. If you say there has been new improvements made on the land since January 1, 1922, then state if you know, who paid for the new improvements placed on the land since January 1, 1922.

INTERROGATORY 4. To each of the foregoing named witnesses:

Did the said John J. Resmondo ever live on the above described land or any part thereof? If you say yes, then state when he moved off of the land and state where he is now living. If you say John J. Resmondo did live on the land then state the name of his wife who was living thereon with him. If you say his wife's name was Minnie S. Resmondo, then state whether she is dead or alive. If you say she is dead then state as near as you can when and where she died. Did the said John J. Resmondo move off of the land before or after his wife, Minnie, died?

INTERROGATORY 5. To each of the foregoing named witnesses:

State whether the land has any timber on it, if so then state the kind of timber and the approximate value of the timber on the land, also state the approximate value of the land with out the timber. Please name the distance from the land to the nearest railroad, give the name of the railroad and the name of the nearest railroad station to the land.

INTERROGATORY 6. To each of the foregoing named witnesses:

Did you know the parents of the said John

Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors? If so name them. Are the parents of said minor children living or dead? Who has the care and custody of the minor children, and if you know state how they are supported and maintained.

INTERROGATORY 7. To each of the foregoing named witnesses:
State whether or not said minors have any income. If you say yes, then state whether their income is sufficient for their maintenance and education in a manner suitable to their prospects and condition in life.

INTERROGATORY 8. To each of the foregoing named witnesses:
State whether or not said property is producing revenue or bringing in any money for the use and benefit of said minors. If so, about how much does the property bring in each year? If the property does not produce any income then state what the probable cost would be to put the property in a condition to bring in an income.

INTERROGATORY 9. To each of the foregoing named witnesses:
State whether or not it would be advantageous to the minors to keep said property or would it be to the best interest of the minors to sell the property for reinvestment of the proceeds, or whether you think it would be most advantageous to the minors to use the money for their maintenance and education.

INTERROGATORY 10. To each of the foregoing named witnesses:
Did Minnie S. Resmondo, wife of John J. Resmondo, leave any children living at the time of her death besides said minors? If so state their names and post office address if you know, and state whether they are over or under twenty-one years of age, if any of them are married state the name of their husbands.

INTERROGATORY 11. To each of the foregoing named witnesses:
Do you think it would promote the interest of said minors by selling said land and reinvest the money brought in

by reason of the sale for the benefit of said minors?

INTERROGATORY 12. To each of the foregoing named witnesses:

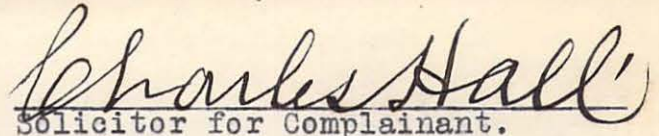
Is the said John J. Resmondo an old man and has he any means of support other than by manual labor? Do you think he is able to support said minors in a manner suitable to their prospects and condition in life by manual labor?

INTERROGATORY 13. To each of the foregoing named witnesses:

State whether or not the real estate described in interrogatory number three hereinabove mentioned constituted all the real estate owned by the said Minnie S. Resmondo at the time of her death? How many acres of land is there described in interrogatory number three hereinabove mentioned? State whether or not the value of the land with the improvements thereon was of less value than \$2000.00 at the time of the death of the said Minnie S. Resmondo.

INTERROGATORY 14. To each of the foregoing named witnesses:

Are you or either of you interested in the result of this suit?


Solicitor for Complainant.

NOTE: The name of T.W. Richerson, Register of the Circuit Court, is suggested as a suitable person to take the deposition of said witnesses.


Solicitor for Complainant.

John J. Resmondo, individually and
as guardian of John Resmondo, Jr.,
Charlie Resmondo, Lenora Resmondo
and Harry Resmondo, minors, Comptss

In Circuit Court, Baldwin County.
In equity.

vs.

Paul F. Muller et. als., Defts.

CROSS INTERROGATORIES.

Cross interrogatories to be propounded to G. R. Suarez, Alex Resmondo,
and Leon Resmondo, who reside at Perdido Beach, Ala., and John J.
Resmondo, who resides at Summerdale, Alabama.

First ~~interrogatory~~

If you state that you know the minors, John, Charlie, Lenora and Harry
Resmondo, Please state how long you have known them?

Second.

If you state that you know the land described as the Francis Suarez Land
Claim in Township eight South of Range six east, please give a complete
description of said land. State how much is cleared, how much fenced,
how much in cultivation and how much timbered land? State the number of
acres in the entire tract. Are there any building or buildings on the
land and if so the value of same? Please give the value of this land and
improvements, per acre and also in its entirety.

Third.

Is there a sale for lands of this character in that locality?
Considering the location, distance from rail-road, nature of land and
suitability for cultivation, what would you consider a reasonable
value for said land? Give reasons for your answers.

Fourth.

If you know, please state the financial condition of said minors, as to
what property they have, income etc.? State fully.

Fifth.

Is this land being rented now, and any portion of it? If not rented now, could it be rented for a sufficient amount, with any other income they might have to support them in a manner suitable to their prospects and condition in life, without a sale of this land?

W. S. Hawkins

Guardian Ad Litem for John Resmondo, Jr.,
Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors.

THE STATE OF ALABAMA,)
Baldwin County.)

COURT OF PROBATE

Dec. 30th 19*21*

Be It Remembered and Made Known to All Whom It May Concern:

That on the application of

John J. Resmondo

to my said Court, I have caused these letters of guardianship to issue in favor of the said

John J. Resmondo

in and upon the Persons, Goods and Chattels, Rights and Credits of

John Resmondo, Jr., - Charlie Resmondo, Lenora Resmondo and Harry Resmondo, Minors.

and in every case which occasion may require, the said

John J. Resmondo

is authorized to bring suit and be sued as the

lawful Guardian to the said

John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, Minors.

Witness,

James M. Voetz

Judge of said Court,

this

30th

day of

December

A. D.,

one thousand, nine hundred

and

twenty one,

James M. Voetz

JUDGE OF PROBATE.

9th

COURT OF PROBATE

Baldwin County.

Estate of

*John Resmondo, Jr., Charlie
Resmondo, Lenora Resmondo
and Harry Resmondo*

A. Minors,

Guardianship.

Letters of Guardianship

Recorded in Guardian's Record

Page

RECORDED

Recorded

Dec 30th 1921,

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 Sophrona Resmonda Thames,
607 N. Deviller St Pensacola Fla.

of Pensacola Fla ^{County} ~~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

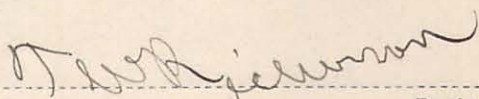
John J Resmonda , individually and as guardian of John Resmonda Jr., Charlie Resmonda, and Lenora Resmonda minors over 14 years of age and Harry Resmonda a minor under fourteen years of age.

against said Sophrona Resmonda Thames et als,

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 2nd day of Febuary,

1924



Register.

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

423

Serve on _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Filed Feb 2/1924
T. M. Williams
Register

vs.

Copy of summons
Copy of Bill
Copy of Ad-
vert by Reg mail
P. Dept

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.

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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 Annie Resmonda Mitchell, John Resmonda, Jr,
Charlie Resmonda, and Lenora Resmonda minors over 14 years of age and
Harry Resmonda a minor under 14 years of age,

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

John J. Resmonda, individually and as guardian,
of John Resmonda, Jr, Charlie Resmonda, and Lenora Resmonda minors over 14 years of age and Harry Resmonda a minor under 14 years of age,

against said Annie Resmonda Mitchell et als,

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 2nd, day of February

192 4.

T. W. Richerson
Register.

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

Original
2nd

(2) No. 423 2nd

THE STATE OF ALABAMA
BALDWIN COUNTY

Court of Baldwin County
In Equity

No. _____

SUMMONS

Mr. J. Resmond

Received in office this _____ day of _____ 192_____

Sheriff.

Executed this *10th* day of *march* 192*4*

by leaving a copy of the within summons with

John Resmond Jr, Charles Resmond and Lenora Resmond. Minor one fourteen years of age
and also leaving a copy of this summons with John Resmond as executor and Harry Resmond under fourteen years of age
Defendants

vs.

Annie Resmond et al

By *D. R. Stuart*
B. O. Wiggins Deputy Sheriff.

I also serve & copy of the within summons on Annie Resmond & Mitchell this mch 10th 1924

W. H. Hall
Solicitor for Complainant.

W. R. Stuart
By *B. O. Wiggins*

Vol. _____ Page _____

recorded

RECORDED

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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 Paul F Mueller, 225 W. Washington St,
Chicago Ill.

of Chicago, Ill, 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

John J. Resmonda, individually and as guardian of John Resmonda, Jr.,
Charlie Resmonda, and Lenora Resmonda minors over 14 years of age
and Harry Resmonda a minor under 14 years of age.

against said Paul F Mueller.

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 3rd, day of February

1924.

T. W. Richerson
Register.

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

CERTIFICATE AS TO PUBLICATION OF NOTICE.

EX PARTE JOHN J. RESMONDO, :
INDIVIDUALLY AND AS GUARDIAN :
OF JOHN RESMONDO, JR. : IN THE CIRCUIT COURT OF BALDWIN
ET AL. : COUNTY, ALABAMA. IN EQUITY.
vs. :
PAUL F. MUELLER ET AL. : No. 423.

I, T. W. Richerson, as Register of said Court, hereby certify that in pursuance to the order of publication made and entered in the above entitled cause on the fourth day of February, 1924, publication was made as therein directed in the Baldwin Times, a news paper published in Baldwin County, Alabama, once a week for four consecutive weeks, and that said publication was perfected on the twenty-eighth day of February, 1924; that within twenty days from the date of said order a copy thereof was posted at the door of the court house of Baldwin County, Alabama, and a copy thereof was sent by registered mail to Paul F. Mueller, number 225 W. Washington Street, Chicago, Illinois, and a copy thereof was also sent by registered mail to Sophrono Resmondo Thames, 607 North Deviller Street, Pensacola, Florida, and copies of the bill of complaint in this cause was also sent by registered mail to the said Paul F. Mueller and Sophrono Resmondo Thames addressed to their respective post office hereinabove specifically referred to.

Witness my hand this 21st day of August, 1924.

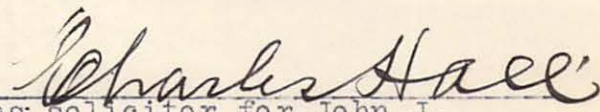
T. W. Richerson
Register.

NOTE OF TESTIMONY.

EX PARTE JOHN J. RESMONDO, :
INDIVIDUALLY AND AS :
GUARDIAN OF JOHN RESMONDO : IN THE CIRCUIT COURT OF BALDWIN
JR, ET AL : COUNTY, ALABAMA. IN EQUITY.
vs. :
PAUL F. MUELLER ET AL. : No. 423.

Comes the petitioner or complainant in the above entitled cause by his counsel, Charles Hall, Esquire, and offer the following:

1. Original petition or bill of complaint duly sworn to.
2. Order of Register as to publication of notice to non-residents.
3. Certificate of Register as to publication and notices.
4. Copy of summons and notices served by the Sheriff of Baldwin County, Alabama, on John Resmondo, Jr., Charlie Resmondo and Lenora Resmondo, minors over fourteen years of age, and copy of summons and notice served on John J. Resmondo as custodian of said Harry Resmondo, a minor under fourteen years of age, also copy of summons and notice served on Annie Resmondo Mitchell by the Sheriff of Baldwin County, Alabama.
5. Answer of Paul F. Mueller.
6. Answer of Annie Resmondo Mitchell.
7. Answer of Sophrono Resmondo Thames.
8. Certificate of consent by W. H. Hawkins to act as guardian ad litem for said minors.
9. Order appointing guardian ad litem of minor defendants and his consent to act.
10. Answer of guardian ad litem.
11. Deposition of John J. Resmondo, George R. Suarez and Elex Resmondo.
12. Copy of notice sent by registered mail to Paul F. Mueller and Sophrono Resmondo Thames.


 as solicitor for John J. Resmondo, individually and as guardian of John Resmondo, Jr. Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors.

AGREEMENT TO SUBMIT.

EX PARTE JOHN J. RESMONDO	:	
INDIVIDUALLY AND AS	:	
GUARDIAN OF JOHN RESMONDO, JR	:	IN THE CIRCUIT COURT OF BALDWIN
ET AL.	:	COUNTY, ALABAMA. IN EQUITY.
vs.	:	
PAUL F. MUELLER ET AL.	:	No. 423.

It is hereby agreed by and between Charles Hall, as counsel for

1. Original petition or bill of complaint duly sworn to.
2. Order of Register as to publication of notice to non-residents.
3. Certificate of Register as to publication and notices.
4. Copy of summons and notices served by the Sheriff of Baldwin County, Alabama, on John Resmondo, Jr., Charlie Resmondo and Lenora Resmondo, minors over fourteen years of age, and copy of summons and notice served on John J. Resmondo as custodian of said Harry Resmondo, a minor under fourteen years of age, also copy of summons and notice served on Annie Resmondo Mitchell by the Sheriff of Baldwin County, Alabama.
5. Answer of Paul F. Mueller.
6. Answer of Annie Resmondo Mitchell.
7. Answer of Sophrono Resmondo Thames.
8. Certificate of consent by W. H. Hawkins to act as guardian ad litem for said minors.
9. Order appointing guardian ad litem of minor defendants and his consent to act.
10. Answer of guardian ad litem.
11. Deposition of John J. Resmondo, George R. Suarez and Elex Resmondo.
12. Copy of notice sent by registered mail to Paul F. Mueller and Sophrono Resmondo Thames.

Charles Hall
 as solicitor for John J. Resmondo, individually and as guardian of John Resmondo, Jr. Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors.

AGREEMENT TO SUBMIT.

EX PARTE JOHN J. RESMONDO	:	
INDIVIDUALLY AND AS	:	
GUARDIAN OF JOHN RESMONDO, JR	:	IN THE CIRCUIT COURT OF BALDWIN
ET AL.	:	COUNTY, ALABAMA. IN EQUITY.
vs.	:	
PAUL F. MUELLER ET AL.	:	No. 423.

It is hereby agreed by and between Charles Hall, as counsel for

John J. Resmondo, individually and as guardian of John Resmondo, Jr. et al, minors, and W. H. Hawkins, as guardian ad litem, representing and protecting the interest of said minors that this cause be submitted for final decree at any time after the signing of and filing this agreement in court.

Charles H. Hall
as Counsel for John J. Resmondo
individually and as guardian of
said minors.

W. H. Hawkins
as guardian ad litem for said
minors.

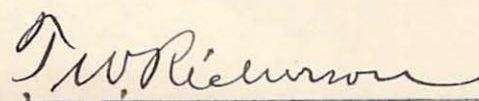
EX-PARTE JOHN J. RESMONDO, :
INDIVIDUALLY AND AS GUARDIAN :
OF JOHN RESMONDO, JR. ET AL :
vs. :
PAUL F. MUELLER, ET AL. :

No. 423.
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

In this cause come the petitioner or complainant, John J. Resmondo, individually and as guardian of John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, by his solicitor and submits the same for a decree for the sale of the lands described in the petition or original bill of complaint upon the following testimony to-wit:

1. Original petition or bill of complaint duly sworn to.
2. Order of Register as publication of notice to non-residents.
3. Certificate of Register as to publication and notices.
4. Copy of summons and notices served by the Sheriff of Baldwin County, Alabama, on John Resmondo, Jr., Charlie Resmondo and Lenora Resmondo minors over fourteen years of age, and copy of summons and notice served on John J. Resmondo as custodian of said Harry Resmondo, a minor under fourteen years of age, also copy of summons and notice served on Annie Resmondo Mitchell by the Sheriff of Baldwin County, Alabama.
5. Answer of Paul F. Mueller.
6. Answer of Annie Resmondo Mitchell.
7. Answer of Sophrono Resmondo Thames.
8. Certificate of consent by W. H. Hawkins to act as guardian ad litem for said minors.
9. Order appointing guardian ad litem of minor defendants and his consent to act.
10. Answer of guardian ad litem.
11. Deposition of John J. Resmondo, George R. Suarez and Elex Resmondo.
12. Copy of notice sent by registered mail to Paul F. Mueller and Sophrono Resmondo Thames.

I hereby certify that the above note of testimony is correct this 27th, day of August, 1924.


Clerk and Register.

[Faint handwritten notes and signatures at the top of the page]

John J. Resmonda, individually and :
as guardian of John Resmonda Jr., :
Charlie Resmonda, Lenora Resmonda :
and Harry Resmonda, minors, :
complainant. :

No. ⁴²³
In the Circuit Court
of Baldwin County,
in Equity.

VS
Paul F. Mueller, Annie Resmondo :
Mitchell and Sophrona Resmonda :
Thames, Defendants. :

The answer of Sophrona Resmonda Thames, one of the respondents in the said above cause, says that she has read a copy of the bill of complaint filed in this cause and admits the allegations contained in each paragraph thereof from one to six inclusive, and prays the Court to take jurisdiction of this cause and grant the relief prayed for in said bill of complaint by ordering a sale of the land.

Sophrona Resmonda Thames

Witness:

Mr. H. R. Hill

State of Florida }
County of Escambia }

Subscribed and sworn to before me this 21st
day of March 1924

C. C. O'Beir
Notary Public



My Commission Expires November 7, 1925

[Faint vertical handwritten notes at the bottom of the page]

John J. Resmondo, individually and :
as guardian of John Resmondo Jr., :
Charlie Resmondo, Lenora Resmondo :
and Harry Resmondo, minors, :
complainant. :

No...428.....
In the Circuit Court
of Baldwin County,
In Equity.

VS

Paul F. Mueller, Annie Resmondo :
Mitchell and Sophrono Resmondo :
Thomas, Defendants. :

Comes Paul F. Mueller, respondent in the foregoing cause
and answering complainant's bill of complaint, says:

First. That he has no knowledge of the allegations contained in
paragraph one of said bill of complaint other than that this
respondent owns an undivided interest in the lands described in
paragraph three of said bill of complaint, and that he has been
informed and believes and from such information and belief say that
the minor defendants named in said bill of complaint, own and undivided
interest in the lands described in paragraph three of the bill of
complaint.

Second. That this respondent has no knowledge ~~xx~~ of the allegations
contained in the second paragraph of said bill of complaint.

Third. That this respondent admits all of that part of the
allegations contained in paragraph three of said bill of complaint
which reads as follows: "That on the 18th day of March 1922, said
John J. Resmondo, and Annie Wynn Resmondo, his wife, for a
consideration of \$200 paid to said John J. Resmondo by Paul F. Mueller,
of 225 W. Washington Street, Chicago, Ill., sold and conveyed to said
Paul F. Mueller all of their right, title, claim and interest in and
to said property (described in paragraph three of the bill of ~~complaint~~
complaint) thereby investing in the said Paul F. Mueller with an
undivided interest in said property"; that as to the other allegations
contained in paragraph three of the bill of complaint, this
respondent has no knowledge.

Fourth. That this respondent further answering said bill of
complaint says that he owns an undivided two-sixth interest in the
property described in said paragraph three of said bill and from
information and belief, believes that said John Resmondo, Jr.,

Charlie Resmondo, Lenora Resmondo and Harry Resmondo, each an undivided one-sixth interest in said property.

Fifth. This respondent answering paragraph five of said bill of complaint says that he believes the allegations contained in paragraph five to be true.

Sixth. This respondent says that from information and belief he believes the allegations contained in paragraph six are true.

And this respondent prays the Court to take jurisdiction of this cause and order the lands described in paragraph three of the bill of complaint sold for re-investment and for division of funds as prayed in said bill of complaint.

Gaule Muller
as respondent

Witness:

L. J. (M)

John J. Resmondo, individually and :
as guardian of John Resmondo Jr., :
Charlie Resmondo, Lenora Resmondo :
and Harry Resmondo, minors, :
complainant. :
VS :
Paul F. Mueller, Annie Resmondo :
Mitchell and Sophrono Resmondo :
Thames, Defendants. :

No...⁴²³.....
In the Circuit Court
of Baldwin County,
in Equity.

Comes Annie Resmondo Mitchell, one of the respondents in the above stated cause and says that she has read a copy of the bill of complaint filed in this cause and admits the allegations contained in each paragraph thereof from one to six inclusive, and prays the Court to take jurisdiction of this case and grant the reliefs prayed for in said bill of complaint by ordering a sale of the land for the purposes said in said bill of complaint.

Wm Annie Resmondo Mitchell

Witness:

Paul Resmondo

John J. Resmonda, individually and :
as guardian of John Resmonda, Jr., : No. 423.
Charlie Resmonda, Lenora Resmonda : IN CIRCUIT COURT OF BALDWIN
and Harry Resmonda, minors. : COUNTY, IN EQUITY.

vs. :

Paul F. Mueller, Annie Resmonda :
Mitchell and Sophrona Resmonda :
Thames. :

Comes W. H. Hawkins, guardian ad litem for John Resmonda, Jr., Charlie Resmonda, Lenora Resmonda and Harry Resmonda, minors, and as answer to petition of John J. Resmonda, denies each and every allegation of each paragraph of the above mentioned petition from one to six inclusive, and demand strict proof of same.

Witness my hand this the 16th. day June 1924.

W. H. Hawkins

Guardian ad litem for John Resmonda, Jr.,
Charlie Resmonda, Lenora Resmonda and Harry Resmonda, minors.

[Faint handwritten notes and signatures at the bottom of the page, including names like "Paul F. Mueller" and "W. H. Hawkins" and dates like "June 1924".]

John J. Resmondo, individually and :
 as guardian of John Resmondo, Jr., :
 Charlie Resmondo, Lenora Resmondo :
 and Harry Resmondo, minors. :
 vs. :
 Paul F. Mueller, Annie Resmondo :
 Mitchell and Sophrona Resmondo :
 Thames. :

No. 423

IN CIRCUIT COURT OF BALDWIN
 COUNTY IN EQUITY

In the matter of the application of John J. Resmondo, individually and as guardian of said minors to sell lands for re-investment of the proceeds.

I, W.H. Hawkins, a practicing attorney-at-law, do hereby consent to act as guardian ad litem in the above stated cause to represent, defend and protect the interest of the said John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors.

As witness my hand this 27th day of May, 1924.

W. H. Hawkins

John J. Resmondo, individually and :
as guardian of John Resmondo, Jr., :
Charlie Resmondo, Lenora Resmondo :
and Harry Resmondo, minors. :

No. 423

vs. :

Paul F. Mueller, Annie Resmondo :
Mitchell and Sophrona Resmondo :
Thames. :

IN CIRCUIT COURT OF BALDWIN
COUNTY IN EQUITY.

In the matter of the application of John J. Resmondo, individually and as guardian of said minors to sell lands for re-investment of the proceeds.

In said proceedings it being made to appear to the court that said John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo are minors over fourteen years of age and that Harry Resmondo is a minor under fourteen years of age, and all are interested in the result of said proceedings to sell said lands, and, that said minors should be represented by a guardian ad litem; it further appearing to the court that said John Resmondo, Jr., Charlie Resmondo and Lenora Resmondo were personally served with summons of this proceedings on the 10th day of March, 1924, and have failed to nominate a guardian ad litem to represent them in this cause; and it further appearing to the court that said Harry Resmondo is in charge of said John J. Resmondo, complainant in this cause, that he should be represented by a guardian ad litem; and it further appearing to the court that

W. H. Hawkins, a practicing attorney and who is learned in law, is in all respects a suitable person to act as guardian ad litem for said minors, and the said *W. H. Hawkins* having filed his consent, in writing, to act as such; it is therefore ordered, adjudged and decreed by the court that *W. H. Hawkins* be, and he is hereby appointed guardian ad litem to represent and defend the interest of the said John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo in this cause.

John A. Leigh Judge.

Done this ¹¹27 day of May, 1924.

Bay Minette, Ala., 5/15/24

M J. Riderson Clerk

THE BALDWIN TIMES

ABNER J. SMITH, PROPR.

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

To Resmonda Notice 390 words 4 1/2

\$ 17.55

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

FOR THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE NO. 7, LOCAL AND LONG-DISTANCE

BAY MINETTE, ALA.,

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

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

Resmonda Notice to Sell Lands

Was published in said Newspaper for 4 consecutive weeks

as:

Publication	<u>Feb 7</u>	<u>1924</u>	Vol. <u>34</u>	No. <u>52</u>
	<u>" 14</u>	<u>"</u>	Vol. <u>35</u>	No. <u>1</u>
	<u>" 21</u>	<u>"</u>	Vol. <u>35</u>	No. <u>2</u>
	<u>" 28</u>	<u>"</u>	Vol. <u>35</u>	No. <u>3</u>

to before the undersigned

May 1924

R. B. Vail
Foreman.
owner

Notice to non-residents of application to sell lands for re-investment and division of funds. John J. Resmondo, individually and as guardian of John Resmondo Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors, complainant. VS. Paul F. Mueller, Annie Resmondo Mitchell and Sophrono Resmondo Thomas, Defendants No. 423.

In the circuit Court of Baldwin County, In Equity.

Order of Publication.

It being made to appear in the above stated cause from the sworn bill of complaint, that Paul F. Mueller and Sophrono Resmondo Thomas defendants, to the bill of complaint in said cause are non-residents of this state; that the Post Office address of said Paul F. Mueller is 225 Washington Street, Chicago, Illinois; that the Post Office address of the said Sophrono Resmondo Thomas is 607 North Deviller St. Pensacola, Florida, and further that in the belief of said affiant, said defendants are over twenty-one years of age and of sound mind; it is now ordered, adjudged and decreed that the said defendant Paul F. Mueller and Sophrono Resmondo Thomas appear in this Court and plead to, answer or demur to the bill of complaint in this cause before the 10th day of March, 1924, lest on their having failed so to do at the expiration of thirty days from said date a decree pro confesso be taken against them; and it is further ordered, adjudged and decreed that the register of this court have this order published with as little delay as may be in the Baldwin Times a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks; and further that within twenty days from the making of this order he post a copy of this order up at the door of the Court House of this County and send by Registered mail copies thereof to Paul F. Mueller and Sophrono Resmondo Thomas defendants to their address as aforesaid, and also send by Registered mail postage prepaid, to each of said defendants, a copy of the bill of complaint together with a summons to answer, plead to or demur to said bill of complaint within 30 days from the service thereof.

Ordered, adjudged and decreed, this fourth day of February, 1924.

T. W. Richerson, Register.
Charles Hall solicitor for Complainants.

52-4t.

West Percut Court.

John J. Resmond~~e~~, Individually
and as guardian of John Resmondo
Jr.; Charlie Resmondo, Lenora
Resmondo and Harry Resmondo,
Minors, Plaintiffs.

vs

Paul F. Mueller, et al
Defendants.

No 423.

In the Circuit Court of
Baldwin County, Alabama.
Sitting In Equity.
October 27th, 1924.

DECREE CONFIRMING REPORT OF SALE AND ORDERING PAYMENT OF
FEES TO GUARDIAN'S ATTORNEY, AND TO GUARDIAN AD LITEM AND THE
DISTRIBUTION OF FUNDS.

This cause this day coming on to be heard on the Report here-
-tofore filed by the guardian of John Resmondo, Jr., Charlie Resmondo,
Lenora Resmondo, and Harry Resmondo, minors, and on the Report of the Regis-
-ter, filed in this cause on the sixth day of October, 1924,
reporting that in pursuance of the decree in this cause made on
the 25th day of August 1924, ordering a sale of the property described
in the Petition or Bill of Complaint, being in the County of
Baldwin, in the State of Alabama, the said guardian did on the
28th day of September 1924, at Twelve O'clock noon on said day in
front of the Court house door, in the Town of Bay Minette, in said
County, offer for sale and did sell the said property at public
outcry to Paul F. Mueller for the sum of Fourteen hundred (\$1400.00)
Dollars cash, which was the highest and best bid therefor, and the
purchase money therefor, to-wit, the said sum of \$1400.00 was paid
over to T. W. Richerson, as Clerk and Register of this Court in
compliance with the terms of said decree of sale; and said reports
having lain over more than ten days and no exceptions having been taken
thereto, and it appearing to the Court that the said sale was fairly
conducted, and that \$1400.00 the price for which said property
was sold, was not disproportionate to the value thereof, and that
said sale ought to be confirmed to the purchaser, it is ordered,
adjudged and decreed, that said sale to the said Paul F. Mueller
be, and it hereby is, in all respects fully ratified and confirmed;
and the Register of this Court is hereby ordered and directed to
execute to the said Paul F. Mueller, a full and proper deed convey-
-ing to him all the interest in said property both legal and
equitable hertofore held by any and all the parties to this cause.

It further appearing to the Court from satisfactory evidence that
\$210.00 would be a reasonable compensation for the said Solicitor,
Charles Hall, for his services in this matter, and it is ordered
and decreed that said amount of \$210.00 be paid to said Charles
Hall by the Register of this Court out of the proceeds of sale in
the Register's hands, as a part of the costs and expenses of this
proceeding; that \$200.00 would be a proper allowance to W. H. Hawkins,
Esq., an attorney who is learned in the law, for his services in the
capacity as guardian ad litem for said minors in this proceeding, it
is ordered and decreed that his compensation as such guardian ad
Litem be, and the same is hereby fixed at said last mentioned amount
and that the same be paid to him by the Register of this Court out
of the proceeds of said sale in the hands of said Register and after
paying the further costs incurred by reason of this suit to dis-
-tribute the balance of the proceeds of said sale in his hands
as follows: To John J. Resmondo, as guardian of said minors namely,
John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo, and Harry
Resmondo, the sum of \$698.44 for re-investment for the use and ben-
-efit of said minors, to the said Paul F. Mueller the sum of \$349.20
the same being his distributive share of the balance of the
proceeds of said sale.

And it is further ordered that the Register take a full and
adequate receipts from the several parties and persons to whom
he shall pay the said funds. And when he shall have fully performed
this order, he shall file copies of such receipts and a copy of this
order in the Probate Court of Baldwin County, Alabama, and shall
report the same to this Court.

Ordered, Adjudged and Decreed this 27th, day of October, 1924.

John D. Leigh,

Judge of 21st Judicial Circuit.

The State of Alabama
Baldwin County.

Circuit Court in Equity.

I T. W. Richerson, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 27th day of October 1924. in the cause of John J. Resmondo, Individually and as Guardian of John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, Minors, Plaintiff's vs Paul F. Mueller et al, Defendants, as appears of record in said Court.

Witness my hand and the seal of said Court this the 1st day of November, 1924.

T. W. Richerson
-----Register.



THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Ex parte.

John J. Resmonda, Individually
and as Guardian of John J. Resmonda
Jr, Charlie Resmonda, and Lenora
Resmonda Minors,

Complainant.....

vs.

Defendant.....

Hon. W. H. Hawkins, Guardian ad litem

To.....

or.....

Solicitor of Record:

You are hereby notified that interrogatories have this day been filed by.....

Complainant, in the office of the Clerk of the Circuit Court of

County, to be propounded to G. R. Saurez, Alex Resmonda,

Leon Resmonda and John J. Resmonda,

witness..... for the Complainant, in the above stated cause. A copy of which

interrogatories may be had upon application to said Clerk; and you can file cross-interrogatories, if you think

proper, within ten days after service of this notice, at the expiration of which time a commission will issue to take

the deposition of said witnesses.... The witnesses reside..... in Perdido Beach except John J.

Resmonda who resides at Summerdale,

in the County of Baldwin in the State of Alabama,

Complainant,

and the Commissioner proposed by the....., to-wit: T. W. Richerson, Register

reside..... in Bay Minette in the County of Baldwin

in the State of Alabama,

Witness my hand, at office in Bay Minette, this the 23rd day of

July, 1924.

T. W. Richerson

Register.

Original

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

John J. Remonda
Guardian etc

Complainant.....

vs.

Defendant.....

NOTICE OF INTERROGATORIES.

To: Hon J. H. Hawkins

Served July 23, 1924

J. W. [Signature]
Clerk

Received in office this 23rd
day of July 1924

J. H. Hawkins
Sheriff.

Executed on this 23rd
day of July 1924

by leaving a copy of the within notice
and copy of interrogatories
with J. H. Hawkins
Guardian Ad Litem for the
Solicitor of Record for

Minors in this Cause

J. H. Hawkins
Sheriff.
By James [Signature]
Deputy Sheriff

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

TELEPHONE NO. 7. LOCAL AND LONG DISTANCE
BAY MINETTE, ALA.

9/29/24

John Resmondo - Guardian

Resmondo heirs -

Notice of Sale of Real Estate

\$8.51

Resmondo 3 1/2 -

Run 8/28/1924 - 9/11

NOTICE OF SALE OF REAL ES-
TATE

Under and by virtue of an order and decree of the Circuit Court of Baldwin County, Alabama, sitting in equity, rendered on the 25th day of August, 1924, the undersigned as guardian of John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors, will sell to the highest bidder for cash, in front of the Court House at Bay Minette, in Baldwin County, Alabama, at twelve o'clock noon, on Monday, the 29th day of September, 1924 the following described real estate situated in Baldwin County, Alabama, to-wit:

Commencing in Northeast corner of Lot number three (3) known as the Francis Saurez claim on Perdido Beach in said county of Baldwin, thence running West Sixteen hundred (1600) feet, thence South One hundred eighty-five (185) feet, thence East Sixteen hundred (1600) feet, thence North One hundred eighty-five (185) feet to place of beginning, also a lot commencing at the Southeast corner of Lot number sixteen (16) of said Francis Saurez claim thence running West Tweney-nine hundred (2900) feet, thence North Two hundred eighty-five (285) feet, thence East Sixteen hundred (1600) feet, thence South Two hundred eighty-five (285) feet to place of beginning, all in Section three (3) in Township Eight (8) South of Range Six (6) East.

John J. Resmondo,
As guardian of John Resmondo, Jr.,
Charlie Resmondo, Lenora Resmondo
and Harry Resmondo, minors.
Charles Hall,
Solicitor for Guardian.

EX-PARTE JOHN J. RESMONDO, :
INDIVIDUALLY AND AS GUARDIAN :
OF JOHN RESMONDO, JR. ET AL :
vs. :
PAUL F. MUELLER ET AL. :

No. 423.
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

In the matter of the application of John J. Resmondo, individually and as guardian of John Resmondo, Jr., Charlie Resmondo, ~~and~~ Lenora Resmondo and Harry Resmondo, minors to sell lands for re-investment for such of the proceeds as may be ascertained by the Court to be due said minors.

This cause being submitted to the Court on this *25th* day of August, 1924, to be heard by agreement of solicitor for petitioner or complainant and W. H. Hawkins, as guardian ad litem for said John Resmondo, Jr., Charlie Resmondo and Lenora Resmondo, minors over fourteen years of age and Harry Resmondo, a minor under fourteen years of age, for a decree authorizing the said John J. Resmondo, as guardian of said minors, to sell the lands described in his petition or bill of complaint for re-investment of such proceeds as may be ascertained by the Court to be due said minors and the answer of the said W. H. Hawkins, as guardian ad litem heretofore appointed by this Court to represent and defend the interest of the said John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, having been filed in this Court together with the testimony submitted in this cause, and upon the testimony as noted by the Clerk and Register of this Court, and the matter having been duly considered and understood by the Court and the Court being of the opinion that the petitioner is entitled to relief as prayed for in his petition or bill of complaint.

Therefore, it is ordered and decreed by the Court that the petitioner or complainant is entitled to the relief as prayed for in the said petition or bill of complaint; and it appearing to the Court that the said John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo are the owners of the property described in said petition or bill of complaint on file in this Court, which property is described as commencing in Northeast corner of Lot number three (3)

known as the Francis Suarez claim on Perdido Beach in said County of Baldwin, thence running West Sixteen hundred (1600) feet, thence South One hundred eighty-five (185) feet, thence East Sixteen hundred (1600) feet, thence North One hundred eighty-five (185) feet to place of beginning, also a lot commencing at the Southeast corner of Lot number sixteen (16) of said Francis Suarez claim thence running West Twenty-nine hundred (2900) feet, thence North Two hundred eighty-five (285) feet, thence East Sixteen hundred (1600) feet, thence South Two hundred eighty-five (285) feet to place of beginning, (together with the improvements thereon) all in Section three (3) in Township Eight (8) South of Range six (6) East, in Baldwin County, Alabama, that the Court is satisfied from the evidence that the facts stated in the petition or bill of complaint are true, and that it will be to the interest of the said John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo to sell the above described property for the purpose stated in the petition or bill of complaint.

It is further ordered, adjudged and decreed by this Court that the said John J. Resmondo, as guardian of John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, sell the above described property in front of the Court House of Baldwin County, Alabama, during the hours of legal sale at public outcry to the highest bidder for cash, after first giving notice of the time, place and terms of sale, by publication once a week for three successive weeks in a newspaper published in Baldwin County, Alabama; that the said Guardian report the sale made pursuant to this decree to this Court, that the proceeds from said sale be paid to and held by the Clerk and Register of this Court for the further orders of the Court, and that this cause is retained for further orders in pursuance of this decree.

Ordered, adjudged and decreed this 25th day of August, 1924.

John D. Leigh Judge.

No 423

No. 423.

EX-PARTE JOHN J. RESMONDO,
INDIVIDUALLY AND AS GUARDIAN
OF JOHN RESMONDO, JR., ET AL

vs.

PAUL F. MUELLER, ET AL.

Decree for sale of lands.

Filed August 25th 1924

J. W. Reimann
Register

Recorded

RECORDED

RECORDED

RECORDED

EX PARTE	:	
JOHN J. RESMONDO, INDIVIDUALLY	:	No. 423.
AND AS GUARDIAN OF JOHN RESMONDO,	:	IN THE CIRCUIT COURT OF
JR. ET AL, MINORS. PLAINTIFFS.	:	BALDWIN COUNTY, ALABAMA.
VS.	:	IN EQUITY.
PAUL F. MUELLER, ET AL. DEFENDANTS.:	:	

In this cause the Register reports to the Court that pursuant to a decree rendered by this Court on the 25th day of August, 1924, John J. Resmondo, individually and as guardian of John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors, sold on the twenty-nineth day of September, 1924, to Paul F Mueller, at public auction in front of the Court House door of Baldwin County, Alabama, between the legal hours of sale, the following described property, to-wit:

Commencing in Northeast corner of Lot number three (3) known as the Francis Suarez Claim on Perdido Beach in said County of Baldwin, thence running West Sixteen hundred (1600) feet, thence South One hundred eighty-five (185) feet, thence East Sixteen hundred (1600) feet, thence North One hundred eighty-five (185) feet to place of beginning, also a lot commencing at the Southeast corner of Lot number sixteen (16) of said Francis Suarez Claim thence running West Twenty-nine hundred (2900) feet, thence North Two hundred eighty-five (285) feet, thence East Sixteen hundred (1600) feet, thence South Two hundred eighty-five (285) feet to place of beginning, together with the improvements thereon all in Section three (3) in Township Eight (8) South of Range six (6) East, in Baldwin County, Alabama,

for the sum of \$1400.00, first having given notice once a week for three consecutive weeks previous to the sale of the time and place of said sale, by publication in the Baldwin Times, a newspaper printed and published at Bay Minette, in Baldwin County, Alabama.

Pursuant to said decree said guardian reported the sale to this Court and the proceeds of the sale thereof to wit, the sum of \$1400.00 was paid to the undersigned as Register of this Court and is now retained by the undersigned for further orders of the Court.

T. W. Resmondo Register.

12^{ch}

No. 423.

John J. Resmondo, individually
and as guardian of John
Resmondo, Jr. et al, minors

vs.

Paul F. Mueller et al.

Filed Oct 6/1924
D. W. McKeown
Register

RECORDED

EX PARTE	:	
JOHN J. RESMONDO, INDIVIDUALLY	:	NO. 423
AND AS GUARDIAN OF JOHN RESMONDO,	:	IN THE CIRCUIT COURT OF
JR. ET AL, MINORS. PLAINTIFFS.	:	BALDWIN COUNTY, ALABAMA.
VS	:	IN EQUITY.
PAUL F. MUELLER ET AL. DEFENDANTS.	:	

In this cause, the guardian of said minors represents to the Court that, pursuant to a decree rendered on the 25th. day of August, 1924, by Hon. John D. Leigh, as Judge of the Circuit Court of Baldwin County, Alabama, sitting in equity, he did offer for sale and did sell, on Monday, September 29th, 1924, at public outcry for cash, in front of the Court House door of Baldwin County, Alabama, at Twelve O'clock noon, to Paul F. Mueller, the lands hereinafter described for the sum of Fourteen hundred & no/100 Dollars, he being the highest and best bidder therefor, after first having given previous notice by advertisement for three successive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, of the day, place and terms of sale, and a description of the property to be sold, which property is described as follows:

Commencing in Northeast corner of Lot number three (3) known as the Francis Suarez claim on Perdido Beach in said County of Baldwin, thence running West Sixteen hundred (1600) feet, thence South One hundred eighty-five (185) feet, thence East Sixteen hundred (1600) feet, thence North One hundred eighty-five (185) feet to place of beginning, also a lot commencing at the Southeast corner of Lot number sixteen (16) of said Francis Suarez claim thence running West Twenty-nine hundred (2900) feet, thence North Two hundred eighty-five (285) feet, thence East sixteen hundred (1600) feet, thence South Two hundred eighty-five (285) feet to place of beginning, together with the improvements thereon all in Section three (3) in Township Eight (8) South of Range six (6) East in Baldwin County, Alabama;

that said sale was in all respects fairly conducted; that said property sold for an amount equal to its fair value; that said Paul F. Mueller has complied with the terms of said sale and the decree rendered in this cause authorizing said sale by the payment of the said sum of \$1400.00 to T.W. Richerson, as Clerk and Register of the Circuit Court of Baldwin County, to be held by him until the further orders of this court, and said guardian having fully complied with the terms of said decree, begs leave to submit

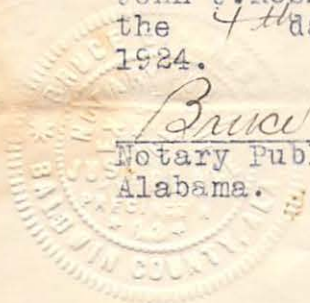
the foregoing to the judgment and further orders of this Honorable Court.

John J. Resmondo

individually and as guardian of
John Resmondo, Jr. et al, minors.

Sworn to and subscribed
before me by the said
John J. Resmondo, on this
the 4th day of October,
1924.

Bruce Etheredge
Notary Public, Baldwin County,
Alabama.



JOHN J. RESMONDO, INDIVIDUALLY	:	No. 423.
AND AS GUARDIAN OF JOHN RESMONDO	:	
JR., CHARLIE RESMONDO, LENORA	:	IN THE CIRCUIT COURT OF
RESMONDO AND HARRY RESMONDO, MINORS,	:	BALDWIN COUNTY, ALABAMA.
PLAINTIFFS	:	SITTING IN EQUITY.
-vs-	:	
PAUL F. MUELLER, ET AL.	:	OCTOBER 27 th , 1924.
DEFENDANTS.	:	

DECREE CONFIRMING REPORT OF SALE AND ORDERING PAYMENT OF FEES TO GUARDIAN'S ATTORNEY, AND TO GUARDIAN AD LITEM AND THE DISTRIBUTION OF FUNDS.

This cause this day coming on to be heard on the Report heretofore filed by the guardian of John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors, and on the Report of the Register, filed in this cause on the sixth day of October, 1924, reporting that in pursuance of the decree in this cause made on the 25th day of August, 1924, ordering a sale of the property described in the Petition or Bill of Complaint, being in the County of Baldwin, in the State of Alabama, the said guardian did on the 29th day of September, 1924, at Twelve O'clock noon on said day in front of the Court House door, in the Town of Bay Minette, in said County, offer for sale and did sell the said property at public outcry to Paul F. Mueller for the sum of Fourteen hundred (\$1400.00) Dollars cash, which was the highest and best bid therefor, and the purchase money therefor, to-wit, the said sum of \$1400.00 was paid over to T. W. Richerson, as Clerk and Register of this Court in compliance with the terms of said decree of sale; and said reports having lain over more than ten days and no exceptions having been taken thereto, and it appearing to the Court that the said sale was fairly conducted, and that \$1400.00 the price for which said property was sold, was not disproportionate to the value thereof, and that said sale ought to be confirmed to the purchaser, it is ordered, adjudged and decreed, that said sale to the said Paul F. Mueller be, and it hereby is, in all respects fully ratified and confirmed; and the Register of this Court is hereby ordered and directed to execute to the said Paul F. Mueller, a full and proper deed conveying to him all the interest in said property both legal and equitable heretofore held by any and all the parties

to this cause.

It further appearing to the Court from satisfactory evidence that \$ 210⁰⁰ would be a reasonable compensation for the said solicitor, Charles Hall, for his services in this matter, it is ordered and decreed that said amount of \$ 210⁰⁰ be paid to said Charles Hall by the Register of this Court out of the proceeds of sale in the Register's hands, as a part of the costs and expenses of this proceeding; that \$ 251⁰⁰ would be a proper allowance to W. H. Hawkins, Esq., an attorney who is learned in the law, for his services in the capacity as guardian ad litem for said minors in this proceeding, it is ordered and decreed that his compensation as such guardian ad litem be, and the same is hereby fixed at said last mentioned amount and that the same be paid to him by the Register of this Court out of the proceeds of said sale in the hands of said Register and after paying the further costs incurred by reason of this suit to distribute the balance of the proceeds of said sale in his hands as follows: To John J. Resmondo, as guardian of said minors namely, John Resmondo, Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo the sum of \$ 698.44 for re-investment for the use and benefit of said minors, to the said Paul F. Mueller the sum of \$ 349.20, the same being his distributive share of the balance of the proceeds of said sale.

And it is further ordered that the Register take full and adequate receipts from the several parties and persons to whom he shall pay the said funds. And when he shall have fully performed this order, he shall file copies of such receipts and a copy of this order in the Probate Court of Baldwin County, Alabama, and shall report the same to this Court.

Ordered, adjudged and Decreed this 27th day of October, 1924.

John D. Leigh
Judge of 21st. Judicial Circuit.

AFTER FIVE DAYS RETURN TO
T. W. RICHESON
Clerk of the Circuit Court and
Register in Chancery
BAY MINETTE, ALABAMA

*Recorded
on 7 incl
Record*

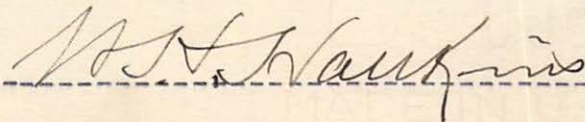
RECORDED

Receipts

14th

October 30, 1924.

Received of T. W. Richerson, Register of Circuit Court of Baldwin County, Alabama, Twenty Five (\$25.00) Dollars in full of guardian ad litem fee in the case of J. Resmonda in the Circuit Court of Baldwin County, Alabama, in equity.

A handwritten signature in cursive script, appearing to read "W. H. Watkins", is written over a horizontal dashed line.

Guardian ad Litem.

Received from T. W. Richerson, Register of the Circuit Court of Baldwin County, Alabama, through the hands of Charles Hall, the sum of Three Hundred forty nine Dollars and twenty cents (\$349.20), this being the amount due Paul F. Mueller as his distribut^{or} share of the net proceeds of the land sold by the Register of the Circuit Court of Baldwin County, Alabama on the 29th. day of September 1924 in ~~the~~ pursuance of an order and decree made by said Court on the 25th. day of August 1924 ordering a sale of the property described in the petition or bill of Complainant in case # 423 in Circuit Court of said County. Wherein John J. Resmondo, individually and as guardian of the John J. Resmondo, Jr. et al, minor, vs. Paul F. Mueller.

Dated this 21st day of April 1925

Paul F. Mueller

In witness whereof I hereunto set my hand and seal this 21st. day of April 1925.

WITNESSES:

Bulah Louvin

Received from T.W.Richerson Register \$17.55 for Non residence
Notice in issues of Feb 7,14, 21 &28 ,1924,

Also \$8.51 for notice of sale, in cause of John J.Resmondo
individually and as guardian of John Resmondo, Jr., Charlie
Resmondo and Lenora Resmondo, minors.in Circuit Court Baldwin
County,Ala Equit Side.

Nov 6. 1924.

Baldwin Times
R.B. Vais

Received November 18th., 1924, from Mr. T.W. Richerson
as Register of the Circuit Court of Baldwin County, Alabama, the
sum of \$698.44, for the use and benefit of John Resmondo,
Jr., Charlie Resmondo, Lenora Resmondo and Harry Resmondo, minors
each of said minors being entitled to an equal proportion of said
sum of \$698.44, being the proceeds from the sale of
certain lands sold on the 29th day of September, 1924, under and
by virtue of a decree of the Circuit Court sitting in equity
made and entered in the premises on the 25th day of August, 1924,
as will more fully appear by reference to cause numbered 423 on
the Equity Docket of said court wherein John J. Resmondo, individ-
ually and as guardian of John Resmondo, Jr., et al, minors, were
plaintiffs and Paul F. Mueller, et al were defendants.

WITNESS:

Chris Hall

Randolph M. Lowan

John J. Resmondo

as guardian of John Resmondo, Jr.,
Charlie Resmondo, Lenora Resmondo
and Harry Resmondo.

John J. Resmondo