

Case No.

697

W. A. W. W.

vs.

M. C. M. C.

Received this file

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1942

E. H. Richards, Esq.

Attorney.

7-14-47

Dismissed

STATE OF ALABAMA

COUNTY OF BARBONN

IN THE MATTER OF THE ESTATE OF
EDDIE W. REYNOLDS, DECEASED

REPORT

DEANEREE S. SMITH

ATTORNEY AT LAW

MOBILE, ALA.

MOBILE, ALA.

W. C. HOLMES,
Complainant

NO. 697 E Q U I T Y

vs

CIRCUIT COURT

of

JOHN B. WICKERY, ET AL,
Respondents

BALDWIN COUNTY, ALABAMA.

Comes JOHN B. WICKERY as Executor of the estate of Lewis W. Rivers, deceased, and files herewith his final amended accounting of his administration of said estate.

FIRST: That Letters Executory were granted to Respondent on February 14, 1938, more than twelve months prior to this date, since which time he has diligently and to the best of his ability administered the affairs of this estate.

SECOND: That immediately upon issue of letters, due notice thereof was given by publication for three successive weeks in a newspaper published in Baldwin County as evidenced by affidavit of publisher on file in this Court.

THIRD: That all debts have been paid and the assets of the estate applied to this purpose.

FOURTH: That a statement showing in detail the receipts and expenditures as made by Respondent is attached to and filed herewith together with vouchers evidencing the correctness of said statement.

FIFTH: That the Executor has at no time used any of the funds of said estate for his own benefit.

SIXTH: That the decedent left no next of kin other than distant relatives whose names and addresses Petitioner has been unable, after diligent search, to ascertain.

WHEREOF, Petitioner now prays that this be taken as his final settlement in lieu of the settlement heretofore filed, that a day be set for passing on same, at which time this statement be audited, passed and allowed, and such orders and decrees made as are necessary and proper, and that Petitioner may be discharged upon the payment of such costs as are due.

John B. Wickery

By *B. B. Rindley*
Notary Public

Subscribed and sworn to before me this the 21st day of December, 1943.

Notary Public, Baldwin County, Alabama.

JOHN B. WICKERY, EXECUTOR

In Account With

Estate: LOUIS W. RIVERS, Deceased

RECEIPTS

Certificate	T. G. & T. Co.	No. 48148	\$1000.00	\$432.05
"	"	No. B 98,713	\$300.00	\$85.50
"	"	No. 103445	\$200.00	\$202.50
"	"	No. B 115,301	\$500.00	\$7.95
				<u>\$93.31</u>
				\$821.31

DISBURSEMENTS

1938

April 5	W. C. Beebe	\$25.00
May 21	J. A. Ertzinger & Son, bond.	\$16.00
August 5	Hacker Sanitarium	\$20.85
August 18	"	\$111.35
August 20	Spencer Younce	\$5.00
Sept. 20	Hacker Sanitarium	\$20.00
October 3	G. W. Robertson Judge, acc't costs	\$10.45
October 18	Harford Hospital	\$5.46
October 18	"	\$40.00
October 10	G. W. Robertson Judge, Affidavits	\$3.00
December 16	Ertzinger & Son, bond.	\$32.00

1941

April 5	Cemetery Lot	\$50.00
	Opening grave	\$5.00
November 16	F. & D. Co., bond.	\$16.00
November 29	Chancery Costs.	\$17.45
	Blackburn & Demeree fees	\$85.50
	Sibley Holmes Hospital etc.	\$495.97

Over Paid

\$959.03
\$137.72

No. 697- EQUITY

W. C. HOLMES

Complainant

vs

JOHN B. WICKERY et al

Respondents

AMENDED FINAL ACCOUNT

Filed OCT 22 1944
R. J. Ryker
Ryker

W. C. HOLMES,
Complainant

NO. 697 E Q U I T Y

vs

CIRCUIT COURT

of


JOHN B. WICKERY, ET AL,
Respondents.

BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard from the petition of Respondent, J. B. WICKERY, for a final accounting of his administration of the estate of Lewis W. Rivers, deceased, and it appearing that this is in lieu of an earlier and incomplete report of the administration, and it further appearing that all of the assets of the estate have been applied to the payment of debts.

IT IS THEREFORE ORDERED AND DECREED that the Register of this Court set a day for hearing and passing upon said final settlement of which due notice shall be given to the parties hereto and make report of his findings in the premises.

Done at Bay Minette, Alabama, this the 25th day of September, 1944.



Judge

No. 697- EQUITY

W. C. HOLMES
Complainant

vs

JOHN B. WICKERY et al
Respondents

ORDER OF REFERENCE

Wm. Wickery
Sept 25 - 1944
Proctor
Wickery

0000

IN THE MATTER OF THE ESTATE OF
LEWIS W. RIVERS, DECEASED

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

REPORT

TO THE HONORABLE F. W. HARR, JUDGE OF SAID COURT,
SITTING IN EQUITY

Your Petitioner, John B. Wickery, respectfully shows unto
Your Honor as follows:

ONE: That he was duly qualified under the laws of the State of Alabama to act as administrator of the above estate, the said Lewis W. Rivers having died on December 7, 1937, in Baldwin County, Alabama, and his will was admitted to probate on February 14, 1938, at which time John B. Wickery was duly appointed as executor of said estate with bond of the Fidelity and Deposit Co. of Maryland, as surety in the sum of Two Thousand (\$2,000.00) Dollars.

TWO: That immediately after qualifying as such administrator of said estate, he gave notice of his appointment by publication once a week for three (3) consecutive weeks in a newspaper published in Baldwin County, Alabama, and notified all parties having claims against said estate that they must present the same within the time required by law. That all claims against this estate have been paid in full and in the opinion of your Petitioner that this estate no longer requires administration.

THREE: That the following are the only legatees and devisees under the will of Lewis W. Rivers:

John B. Wickery.

FOUR: Your Petitioner alleges particularly that he has not used any of the funds of this estate for his own personal benefit and expressly denies under oath that he has used any of said funds.

Items:

FIVE: Your Petitioner charges himself with the following

June 19, 1937	Kingston Hospital	\$ 23.75
June 26, 1937	Sanitarium	25.00
June 28, 1937	Sanitarium	26.75
July 13, 1937	Kingston Hospital	21.00
July 13, 1937	Kingston Hospital	21.00
July 19, 1937	Kingston Hospital	23.55
July 26, 1937	Hecker Sanitarium	20.00
July 26, 1937	Hecker Sanitarium	5.00
August 3, 1937	Hecker Sanitarium	16.75
August 16, 1937	1 Ry. Expense to Alabama	88.00
August 18, 1937	Moving to Kingston	90.00
August 18, 1937	Moving to Foley	35.00
August 18, 1937	Foley to Magnolia Springs	20.00
August 18, 1937	Reoting Garage	35.00
August 18, 1937	Moving Magnolia Springs to Fairhope	16.00
August 18, 1937	Returning to New York for Mr. Rivers's Wrecked Ford Sedan---	
	\$716.00	
August 18, 1937	Holmes Hospital	350.00
October 18, 1937	Harford Memorial Hospital	495.97
October 20, 1937	Harford Memorial Hospital	2.74
October 20, 1937	Dr. Frank Wolbert	39.25
April 5, 1938	Check to W. O. Beebe	50.00
May 21, 1938	J. A. Ritzinger a/c Bond	25.00
August 5, 1938	Hecker Sanitarium	16.00
August 18, 1938	Hecker Sanitarium	20.85
August 20, 1938	Hecker Sanitarium	111.35
September 20, 1938	Spencer Tenace	5.00
October 18, 1938	Hecker Sanitarium	20.00
October 18, 1938	Harford Hospital	5.46
October 18, 1938	Harford Hospital	40.00
October 3, 1939	G. W. Robertson, Judge of Probate	10.45
October 10, 1939	G. W. Robertson, Judge of Probate	3.00
November 16, 1940	Last Certificate (By L.W.H.)	11.91
December 9, 1939	Kingston Ambulance to Hospital	6.00
December 9, 1939	Hospital to Sanitarium	5.00
December 9, 1939	Sanitarium to Steamer	6.00
December 9, 1939	to New York Steamer	3.00
December 9, 1939	New York to Hotel	.75
December 9, 1939	New York Hotel	4.00
December 9, 1939	Hotel to Steamer	.75
December 9, 1939	Steamer New York to Jacksonville	35.00
December 9, 1939	Jacksonville to Mobile	3.50
December 9, 1939	Trip in Steamer a/c Nurse	5.00
December 9, 1939	Mobile Taxi to Foley	5.00
December 16, 1939	J. A. Ritzinger--a/c Bond	32.00
April 5, 1941	Cemetery Lot--a/c Mr. Rivers	50.00
April 5, 1941	Opening Grave	5.00
April 21, 1941	1/2 Expense New York to Foley via Auto	40.00
June 23, 1941	Bond a/c Resaler & Co.	20.00
November 16, 1941	Fidelity & Deposit Co.--a/c Bond	16.00
November 16, 1941	Stacy Drug Store	2.50
November 29, 1941	Court Costs Chancery	17.45
	Attorney Richard J. Demeree--a/c legal fees	42.75
	Attorney J. D. Blackburn--legal fees in full	42.75
	Total Charges	<u>\$2,024.23</u>

SIX: Your Petitioner credits himself with the following

items:

	<u>Returns</u>
Certificate T.G.&T Co., No. 46148--\$1,000.00	\$ 432.05
GT No. 150429 Being transferred by Lafayette Nat'l Bank, 100 Livingston St., Brooklyn, N.Y.	
Certificate T.G.&T Co., B98713--\$300.00	85.50
GT No. 150212	
Certificate No. 103445--\$200.00	202.50
GT No. 180667 Payment in full	
	<hr/> 720.05

Certificate T.G.&T Co., B115301--\$500.00, Paid to L. W. Rivers \$93.31
Paid to J. B. Wickery 7.95

\$101.26

Reducing Certificate to \$400.03; no record of this Certificate;
lost of L. W. Rivers.
Property at 16 Main St., Hempstead, L. I., being transferred by
Brooklyn Trust Co. (Requested Brooklyn Trust Co. to confer with
T.G.&T Co. relative to re-issue of Certificate--No Reply)
Carolyn Park Apartments, No. 305--\$500.00 (No value--see letter
from the Manufacturers' Trust Co.)

WHEREFORE, your Petitioner prays that a day may be set aside for the hearing of this Petition and for the auditing of this account shown by this Petition; that on the day set Your Honor will duly examine and audit the Petition and the account and will pass the account herein stated and discharge the Petitioner and his surety.

John B. Wickery
Petitioner

Richard J. Demeree, Attorney for Petitioner

Subscribed and sworn to before me
this 10th day of December , 1941.

/s/ Richard J. Demeree
Notary Public, Baldwin County, Alabama