

1049

In the matter of

ROBERT EDWARD McKENZIE,
a minor.

E Q U I T Y

CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

To the HONORABLE F. W. HARE,

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,

In EQUITY:

Comes James K. McKenzie and respectfully represents that he is over the age of twenty-one years, a resident of this County and State and the father of ROBERT EDWARD McKENZIE, a minor over the age of twenty-one years, born July 19th, 1925 who resides with petitioner. That the said minor has no general guardian, that he has earned and purchased, through his own efforts certain property in his own right, including forty acres of farming land which he desires to improve and cultivate and the better to do this, desires to have his disabilities of non-age removed. The said Robert E. McKenzie is sober and industrious and possessed of sound judgment for his years, WHEREFORE,

Petitioner prays that the said Robert E. McKenzie be relieved of the disabilities of non-age and be vested with power to sue and be sued, contract and be contracted with and to take possession of and convey real and personal property as if of full legal age

J. K. McKenzie
.....
Petitioner.

Subscribed and sworn to before me this the nineteenth day of January, 1944.

William L. Rinkley
Notary Public, Baldwin County, Ala.

State of Alabama.

Baldwin County

In the matter of

ROBERT EDWARD MCKENZIE,
a minor.

APPLICATION FOR REMOVAL OF DISABILITIES OF MINOR
IN THE STATE OF ALABAMA, BALDWIN COUNTY

Before me, the undersigned Notary, personally appeared this day Kirby Wharton who, being sworn, says that he is President of the Bank of Fairhope and that he has been personally acquainted with Robert Edward McKenzie and his father, James K. McKenzie, for a number of years. That Robert E. McKenzie is a minor over the age of eighteen years and in the past two years has had considerable dealings with the Bank of Fairhope. That more than a year ago through the Bank he made a contract for the purchase of certain lands which land was recently paid for by said minor from his own earnings and deed issued to him.

That the said minor is a young man of steady, industrious habits, temperate, and, in affiant's opinion, is entirely capable of managing his own affairs and protecting his interests as has been shown by previous dealings. That said minor desires to improve and develop the land purchased by him and to farm same in a profitable manner and affiant believes that it will be to the interest of said minor that his disabilities of non-age be removed and he be allowed to conduct business operations in his own name, in which operations affiant's bank is willing to cooperate to the extent consistent with proper banking principles.

Kirby Wharton
Subscribed and sworn to before me this the 27th day of January,
1944.

Elliott L. Rinsler
Notary Public, Baldwin County, Ala.

State of Alabama

Baldwin County

In the matter of

ROBERT EDWARD MCKENZIE,
a minor

Before me, the undersigned Notary, personally appeared Ellis McKenzie, who, being sworn, says that he is a merchant engaged in business in the Town of Fairhope, Alabama. That Robert E. McKenzie is a cousin and that, in his opinion, the said Robert E. McKenzie although a minor is intelligent, industrious and entirely capable of managing his own business affairs to advantage as is shown by the fact that by his own earnings in the last two years he has contracted and paid for tract of land, part of which is cleared and which he desires to develop for farming purposes. That the said minor is hard working, temperate and intelligent and in good standing in the community in which he resides.

Ellis McKenzie

Subscribed and sworn to before me this the 27th day of
January, 1944.

William S. Rinkley

Notary Public, Baldwin
County, Alabama

In re

ROBERT EDWARD MCKENZIE,
a minor.

E Q U I T Y
CIRCUIT COURT OF
BALDWIN COUNTY, ALA.

This cause coming on to be heard upon the petition of James K. McKenzie for the removal of the disabilities of non-age of Robert E. McKenzie, a minor over the age of eighteen years and being submitted for decree upon the petition and the ex parte affidavits of Kirby Wharton and Ellis McKenzie:

THEREUPON, upon consideration thereof, it is ordered, adjudged and decreed by the Court that Robert Edward McKenzie, a minor, who is over the age of eighteen years, be, and he hereby is relieved of the disabilities of non-age and vested with the power to sue and be sued, contract and be contracted with, to receive and take possession of any real or personal property to which he is entitled; to purchase real or personal estate, to sell and to convey, and to do all things to all intents and purposes as effectually as if he were twenty-one years of age.

It is further decreed that the Petitioner pay the costs of this proceeding, for which execution may issue.

This ^{31st} day of January, 1944.

J. M. Lane
Judge.

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RECORDED

In re

ROBERT EDWARD MCKENZIE,
a minor.

AFFIDAVIT.

Filed 1-28-44
P.S. Duck
Reg.

~~1049~~ 1049

RECORDED

In re

ROBERT EDWARD MCKENZIE,
a minor.

AFFIDAVIT.

Filed

1-28-44

R.S. Mueck

Ray

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RECORDED

In re

ROBERT EDWARD MCKENZIE,
a minor.

D E C R E E
REMOVING DISABILITIES OF
NON-AGE.

Filed 1-28-44

R.S. Luck
R-ey

XXXXXXXXXXXX

Fairhope, Alabama
January 19, 1944

Honorable F. W. Hare
Judge
Monroeville, Alabama

Dear Judge:

After filing with the Register the petition to remove the disabilities of non-age of a young man of this County who wants to conduct farming operations on his own.

Early last year I represented him in the purchase of forty acres of land that he bought with his own earnings and for which he has completely paid. This morning he and his father, James K. McKenzie, who, incidently, came from your County and knows you quite well, were in the Bank of Fairhope to negotiate a loan for the younger man who was eighteen last July, to clear more land for farming his own tract.

Mr. Wharton thinks highly of both parties and would be glad to do this could the boy give a note that would be valid. He called me in to the conference and I advised that the best thing to do would be to have the younger man's disabilities removed, which Mr. Wharton advised and which suggestion was accepted. On the strength of this, Wharton agreed to let him have what money he needed at once just on his moral obligation. So you can see how the young fellow's business ability is regarded by a man who has known him for a number of years.

I understand that you have the very wise practice of wanting to see the minor in person before making such an order and my purpose in writing you is to find out if you will be in this County prior to the non-jury term on the 1st. If so I would like to make an arrangement to bring young McKenzie before you. I expect to show his fitness for the decree by Mr. Wharton's testimony or affidavit, and possibly this and that of one or two other substantial citizens here may be adequate without a personal interview. Naturally, we would like this matter completed promptly as the time to prepare land for crops in this County is already on us.

Sincerely yours,

Elliott S. Richard

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EGR:mt