

3290

ESTATE OF  
ALFRED M. NEUMANN,  
A Non Compos Mentis

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

DECREE

This cause coming on to be heard on this date is submitted for a decree authorizing the sale and conveyance of real property at private sale on the verified petition filed in this cause on August 31, 1954, by Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis; the decree of this court dated August 31, 1954, setting this date for the hearing of the said cause, appointing a guardian ad litem to represent the said Alfred M. Neumann, and prescribing the manner in which the testimony in this cause should be taken; the notice of appointment, acceptance and answer of Harry J. Wilters, Jr., as guardian ad litem of Alfred M. Neumann, a non compos mentis; the testimony of Irene Neumann, J. A. Pilgrim, Sr., and W. D. Stapleton, witnesses for the said petitioner, taken in open court on this date in the manner provided by Equity Rule Number 56, as amended, upon consideration of all of which it appears to the court that the said ward, Alfred M. Neumann, owns an undivided one-half interest in and to the lands situated in Wilcox County, Alabama, which are described in the said petition and which are hereinafter described; that the said property is subject to a mortgage from J. A. Pilgrim, Sr., Alfred M. Neumann and Stephen A. Presley et al to J. L. Bonner dated July 6, 1951, which is recorded in Book 62 of Mortgages at pages 19-20, Wilcox County, Alabama Records, which mortgage was originally given to secure \$38,164.00 and interest; that the property described in the said petition and hereinafter described, which is subject to the said mortgage, is owned by the said Alfred M. Neumann and J. A. Pilgrim, Sr.; that J. A. Pilgrim, Sr., has agreed to pay the petitioner, as guardian of the said Alfred M. Neumann, a non compos mentis, the sum of \$22,626.65 for his interest in the said property, waive any claim that he has against the said ward or against his estate for the payment of \$5,939.42 made by J. A. Pilgrim, Sr., on the said mortgage during the month of July, 1954, and assume pay-

ment of the entire balance due on the said mortgage, provided the obligations described in the said petition are paid.

It further appears to the court that the said Alfred M. Neumann and Claude Peteet jointly own Lots Numbered One (1) and Two (2) in Block Five (5) in the Magnolia Springs Land Company's Addition to the Town of Foley, Alabama, according to the official map or plat thereof which is recorded in Map Book 1 at page 25, Baldwin County, Alabama Records, which has a two-story brick building situated thereon, which building is occupied by various tenants, practically all of whom have leases on the respective quarters so occupied by them, and that the said owners are indebted to the Town of Foley, Alabama, a municipal corporation, in the sum of \$684.97 with interest from October 8, 1952, and that in addition thereto they are indebted to B. A. Yoemans on mortgages on the said property dated June 11, 1951, and recorded in Book 188 of Mortgages at page 354, and dated October 27, 1953, and recorded in Book 230 of Mortgages at page 184, Baldwin County, Alabama Records.

It further appears to the court that J. H. Stacey, Jr., has agreed to pay the total sum of \$40,000.00 for the said property on execution and delivery of a proper conveyance to him, provided the paving assessment due to the Town of Foley, Alabama, and the amounts due B. A. Yoemans on the two said mortgages be paid from the proceeds of the said sale, that rentals, taxes and insurance will be prorated between the sellers and purchaser at the time the transaction is closed, and that conveyance to the said purchaser shall be made subject to the rights of the said tenants.

It is made to appear to the court from the testimony of disinterested witnesses that the sum of \$22,626.65 is the fair value of the said ward's interest in and to the Wilcox County, Alabama lands which are hereinafter described, and that it is to the best interest of his said estate that the said property be sold at private sale to J. A. Pilgrim, Sr., for the said consideration for the purposes set out in the said petition.

It further appears to the court by the testimony of disinterested witnesses that the sum of \$40,000.00 is a fair price for

the Baldwin County, Alabama property hereinafter described, that the said sum is not disproportionate to its value and that it is to the best interest of the said ward that the said property be sold to J. H. Stacey, Jr., for the total sum of \$40,000.00, one-half of which, less the payments set out above, will belong to the said ward; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall be and she is hereby fully and completely authorized, empowered and directed to sell and convey to J. A. Pilgrim, Sr., at private sale a one-half interest in and to the lands in Wilcox County, Alabama, which are described in the said petition and which are the following described lands situated in Wilcox County, Alabama, to-wit:

North Half of Northeast Quarter, less four acres described as follows:

Beginning on the West side of road where line between J. C. Harper and J. L. Bonner land crosses road to Neenah, run North along the West side of said road 140 yards, thence West 140 yards, thence South and parallel to said road 140 yards, thence East 140 yards to point of beginning, in Section 15;

All of that part of Southeast Quarter of Southeast Quarter lying East of the public road to Neenah in Section 10, containing 14 acres;

North Half of North Half,  
Southwest Quarter of Northeast Quarter, Section 14;

North Half of North Half,  
Southwest Quarter of Northeast Quarter, Section 13;

Southeast Quarter of Northwest Quarter, Section 13, less six acres in Northeast Quarter of Northeast Quarter described as follows:

Beginning at a point 630 feet South of Northeast corner of said forty, thence West 140 yards, thence North 630 feet, thence East 140 yards, thence South 630 feet to point of beginning;

All that part of Section 12 lying South of Brandon Highway, EXCEPT  $4\frac{1}{2}$  acres in Southeast Quarter of Southeast Quarter described as follows:

Beginning at Southeast corner of said section, thence West 140 yards, thence North 245 feet, thence North 55 degrees West 300 feet, thence North 300 feet to Brandon Highway, thence Southeasterly along the edge of said highway 240 yards, more or less, to East line of Section 12, thence South 200 feet, more or less, to the point of beginning, Section 12;

Southeast Quarter,  
Southeast Quarter of Southwest Quarter,  
And all that part of Southeast Quarter of Northeast Quarter, EXCEPT a strip 150 yards wide on West side, all lying South of Brandon Highway, in Section 11.

All of the above described land lying and being in Township 11 North, Range 9 East, and containing in the aggregate 940 acres, more or less:

The interest owned by the said ward in the above described property is subject to the mineral reservations contained in the deed from J. L. Bonner, a widower, to J. A. Pilgrim, Sr., Stephen A. Presley and Alfred M. Neumann, dated July 6, 1951, which is recorded in Deed Book 4Q at pages 430-1, Wilcox County, Alabama Records,

at private sale for the total sum of \$22,626.65, and in further consideration of the said J. A. Pilgrim, Sr.'s waiver of any claim that he has against the said ward or against his estate for the payment of \$5,939.42 made by J. A. Pilgrim, Sr., on the above described mortgage to J. L. Bonner, dated July 6, 1951, which is recorded in Book 62 of Mortgages at pages 19-20, Wilcox County, Alabama Records, and that J. A. Pilgrim, Sr., assume and agree to pay the entire balance due on the said mortgage. The said Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall be and she is hereby fully and completely authorized, empowered and directed to make, execute and deliver a conveyance of the said property to the said J. A. Pilgrim, Sr., on payment of the said consideration of \$22,626.65, which said conveyance shall further recite that it is in consideration of the waiver by J. A. Pilgrim, Sr., of any claim that he has against the said ward or against his estate because of the payment made by the said J. A. Pilgrim, Sr., of the said sum of \$5,939.42, and the assumption by him of the entire unpaid indebtedness secured by the said mortgage.

Irene Neumann, as guardian as aforesaid, shall be and she is hereby fully and completely authorized, empowered and directed to pay from the proceeds of the said sale the sum of \$2510.00 due to J. A. Pilgrim, Sr., for land clearing, the sum of \$530.00 due to J. A. Pilgrim, Sr., as a payment on the Perdido Beach property, and to pay one-half of the indebtedness evidenced by a note from J. A. Pilgrim, Sr., and Irene L. Neumann to the State Bank of Elberta in the sum of \$2500.00, together with interest at five percent (5%) from May 14, 1954, to date of said payment.

2. Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall be and she is hereby fully and completely

authorized, empowered and directed to sell and convey to J. H. Stacey, Jr., at private sale a one-half interest in and to Lots Numbered One (1) and Two (2) in Block Five (5) in the Magnolia Springs Land Company Addition to the Town of Foley, Alabama, according to the official map or plat thereof which is recorded in Map Book 1 at page 25, Baldwin County, Alabama Records, together with all improvements and appurtenances thereunto belonging or in anywise appertaining, subject, however, to the rights of the tenants now occupying the said property. Taxes, insurance and rentals on the said property shall be prorated between the seller and purchaser at the time the transaction is closed.

The said Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall be and she is hereby fully and completely authorized, empowered and directed to pay from the proceeds of the said sale one-half of the sum of \$634.97, together with interest thereon at six percent (6%) from October 8, 1952, which is due to the Town of Foley, Alabama, and secured by a paving assessment against the said property, and to pay one-half of the total sum, both principal and interest, due to B. A. Yoemans on the mortgages covering the above described property which are described above.

Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall be and she is hereby fully and completely authorized, empowered and directed to make, execute and deliver a proper conveyance to the said purchaser, J. H. Stacey, Jr., of the one-half interest of the said ward in and to the property described above, which conveyance shall recite that it is subject to the rights of the tenants occupying the said property.

3. Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall be and she is hereby fully and completely authorized, empowered and directed to make any rental adjustment or adjustments with Claude Peteet, who owns a one-half interest in and to the above described property situated in Baldwin County, Alabama, which may be necessary on completion of the said sale.

4. Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall, after making the sales and conveyances of the above described property, report her actions to this court for final confirmation.

5. The Register of this court shall immediately file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama, and in the office of the Judge of Probate of Wilcox County, Alabama, and tax the cost of such recording as a part of the costs of this proceeding.

6. Jurisdiction of this cause is reserved for the purpose of making such other and further orders and decrees as may become necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 2nd day of September, 1954.

Hubert M. Hall  
Judge

FILED

9-7-54

ALICE J. DUCK, Register

THE ESTATE OF ALFRED M.           I   IN THE CIRCUIT COURT OF  
NEUMANN, A NON COMPOS           I   BALDWIN COUNTY, ALABAMA.  
MENTIS.                           I   IN EQUITY. NO. 3290

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes the State Bank of Elberta, a banking corporation  
organized and existing under the laws of the State of Alabama,  
with its principal office and place of business in the Town  
of Elberta, Baldwin County, Alabama, and shows unto your  
Honor as follows:

1. That the liabilities of said Alfred M. Neumann to  
your petitioner far exceed the sum of \$50,000.00 and petitioner  
is informed and believes and upon such information and belief  
alleges that he has liabilities to other parties for large  
amounts and that he has personal property far in excess of  
\$50,000.00, the amount of the bond which your Honor has  
ordered the Guardian to give.

2. Petitioner avers that on, to-wit, the 17th day of  
August, 1953, the said Alfred M. Neumann gave a financial  
report to the State Department of Banking showing assets of  
\$999,800.00 with liabilities of \$82,000.00 with a net worth  
of \$917,800.00, and that said report so made by the said Alfred  
M. Neumann shows resources and liabilities of the said Alfred  
M. Neumann as follows:

| <u>RESOURCES</u>        |              | <u>LIABILITIES</u> |              |
|-------------------------|--------------|--------------------|--------------|
| Cash on hand            | \$ 4,200.00  | Accounts payable   | \$ 2,200.00  |
| Notes receivable        | 24,000.00    | Notes payable      | 29,500.00    |
| Accounts receivable     | 5,200.00     | Mortgages on       |              |
| Merchandise on hand     |              | real estate        | 52,500.00    |
| Farm products on hand   |              | Other Indebtedness |              |
| Stocks and bonds        | 28,400.00    |                    |              |
| Cash Value Life Ins.    | 11,000.00    |                    |              |
| Live Stock - Cattle     | 17,500.00    | NET WORTH          | \$917,800.00 |
| Other personal property | 17,000.00    |                    |              |
| Cars                    | 8,000.00     |                    |              |
| Minerals                | 4,000.00     |                    |              |
| City real estate        |              |                    |              |
| Real estate             | 712,500.00   |                    |              |
| Timber - 4,700 acres    | 165,000.00   |                    |              |
| Farm Implements         | 3,000.00     |                    |              |
| Furniture and fixtures  |              |                    |              |
| TOTAL                   | \$999,800.00 | TOTAL              | \$999,800.00 |

3. Petitioner further shows that no inventory of the estate of said non compos mentis, Alfred M. Neumann, has been filed by the Guardian as required by Section 41 of Title 21 of the Alabama Code of 1940.

WHEREFORE, the premises considered, your petitioner moves the court to require:

1. Guardian to forthwith make an inventory of the estate of her said ward and file the same with this court.

2. And that the Guardian's bond be increased to a sum not less than double the estimated value of the personal property, plus a sum double the rental value of the real estate of the ward for three years, or in the alternative, that the bond be increased to double the value of the real and personal property of the ward.

And, if petitioner has not prayed for the proper relief, may it please your Honor to grant unto it such other, further and general relief as in equity and good conscience it may be entitled.

STATE BANK OF ELBERTA

BY

*H. L. King*  
Vice President

*Johnston McCall & Johnson*  
Solicitors for Petitioner,  
State Bank of Elberta

STATE OF ALABAMA  
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County and State, personally appeared H. L. KING, who, being by me duly sworn on oath, deposes and says that he is Vice President of the State Bank of Elberta and as such has authority to make this affidavit; that he is informed and believes and upon such information and belief states that the facts set forth in the foregoing petition are true as therein averred.

Subscribed and sworn to before me  
this 29th day of September, 1954.

*Laura B. Finch*  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA



MD. 3290 - In Equity  
In the Estate of  
Alfred M. Neumann  
A non compos Mentis.

Received 5 day of Oct 1954  
and on 5 day of Oct 1954  
I served a copy of the within Equity  
on Paper  
By service on Irene Neumann

TAYLOR WILKINS, Sheriff  
By Geo. Grawford D.S.

Petition of the  
State Bank of  
Elberta.

FILED  
SEP 130 1954

Rec'd G. Chason,  
Johnston, McLeod Johnston,  
Solicitors for Petitioner.

To be served on Irene Neumann

IN THE MATTER OF THE  
ESTATE OF

ALFRED M. NEUMANN, a  
Non Compos Mentis

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA

) IN EQUITY  
)

This cause coming on to be heard on this date is submitted on the sworn petition of Irene Neumann, as guardian of Alfred M. Neumann, from which petition it appears that the said Petitioner, Irene Neumann, has been appointed, qualified and is now acting as guardian of Alfred M. Neumann, a Non Compos Mentis, which guardianship is now pending in the Probate Court of Baldwin County, Alabama, and that, in the opinion of the Petitioner, the said guardianship can be better administered in the Circuit Court of Baldwin County, Alabama, than in the said Probate Court; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The said guardianship shall be and it is hereby removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity.

2. The Register of this court shall forthwith deliver a certified copy of this decree to the Judge of Probate of Baldwin County, Alabama, who shall deliver the original file of all proceedings had in the Probate Court, together with all papers and documents relating to the said guardianship, to the Circuit Court of Baldwin County, Alabama, in Equity.

ORDERED, ADJUDGED AND DECREED on this the 29 day of June, 1954.

*Hubert M. Hall*  
Judge

LETTERS OF GUARDIANSHIP.

1403-3

Printed and For Sale By Roberts &amp; Son, Birmingham

## THE STATE OF ALABAMA

Baldwin

County

## PROBATE COURT.

## LETTERS OF GUARDIANSHIP OVER THE ESTATE OF

Alfred M. Neumann, N.C.M.

~~Alfred M. Neumann, N.C.M., a minor, the age of fourteen years,~~

a minor, the age of fourteen years,

a minor, the age of fourteen years,

a minor, the age of fourteen years,

a minor, the age of fourteen years,

STATE OF ALABAMA, BALDWIN COUNTY  
 Recorded *12-1-54* in book *4* - page *5*  
*W.R. Sturt*  
 Judge of Probate *W.R. Sturt*

are hereby granted to Irene Neumann, who has duly qualified and given bond as required by law, and is authorized to discharge all the functions attached to said guardianship.

Dated this 16th day of June, A.D. 1954

Code 1940—Tit. 21, Sec.1.

*W.R. Sturt*, Judge of Probate.

Received of

Bay Minette; Ala

, 19

No.

### Deed Tax

| <div> <div> \$ </div> <div> Cts. </div> </div> |    |
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## Mortgage Tax

|                               | \$   | Cts. |
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| 100                           | 100  | 00   |
| 10                            | 10   | 00   |
| 1                             | 1    | 00   |
| 1/2                           | 05   | 00   |
| 1/4                           | 02   | 50   |
| 1/8                           | 01   | 25   |
| 1/16                          | 00   | 62   |
| 1/32                          | 00   | 31   |
| 1/64                          | 00   | 15   |
| 1/128                         | 00   | 07   |
| 1/256                         | 00   | 04   |
| 1/512                         | 00   | 02   |
| 1/1024                        | 00   | 01   |
| 1/2048                        | 00   | 00   |
| 1/4096                        | 00   | 00   |
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### Recording Fees

\$ | Cts

**Total**

\$ | Cts.

**FOR RECORD**

TOTAL \$

PETITION TO REMOVE GUARDIANSHIP FROM PROBATE  
TO EQUITY COURT

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, Irene Neumann, who is over twenty-one  
years of age and a resident of Baldwin County, Alabama, respectfully  
represents unto the court and your Honor as follows:

1. She has been heretofore appointed, qualified and is  
now acting as guardian of Alfred M. Neumann, a non compos mentis,  
in and by the Probate Court of Baldwin County, Alabama.

2. In the opinion of Petitioner, such guardianship can  
be better administered in the Circuit Court of Baldwin County,  
Alabama, in Equity, than in the Probate Court.

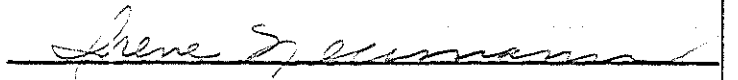
WHEREFORE, Petitioner prays that the court will make and  
enter a proper decree, as authorized by Title 21, Section 26 of the  
1940 Code of Alabama, removing the said guardianship from the Pro-  
bate Court of Baldwin County, Alabama, to the Circuit Court of  
Baldwin County, Alabama, in Equity.

Petitioner further prays that such other orders be made  
and decrees rendered as may be requisite and proper in the premises.

  
Petitioner

STATE OF ALABAMA )  
                          \*  
BALDWIN COUNTY    )

Before me, the undersigned authority, within and for said  
County in said State, personally appeared Irene Neumann, who, after  
being by me first duly and legally sworn, deposes and says: That  
she has read over the foregoing petition and that the facts stated  
therein are true.



Sworn to and subscribed before me on  
this the 29 day of June, 1954.

  
Notary Public, Baldwin County, Alabama

ESTATE OF  
ALFRED M. NEUMANN,  
A Non Compos Mentis

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

DECREE SETTING DAY FOR HEARING PETITION  
BY GUARDIAN FOR AUTHORITY TO SELL REAL  
PROPERTY AT PRIVATE SALE.

This cause coming on to be heard on this date is submitted on the sworn petition of Irene Neumann, as guardian of Alfred M. Neumann, praying for authority to sell and convey real property belonging to the said ward at private sale, upon consideration of which it is ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The said petition shall be and it is hereby set for hearing at ten o'clock A. M. on Thursday, September 2, 1954, at the courthouse in Bay Minette, Alabama.

2. Testimony of the Petitioner and any witnesses presented by her shall be taken and transcribed in open court in the manner provided by Equity Rule Number 56, as amended.

3. Warry J. Miller Jr, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, and who is not of kin or counsel to any of the persons interested in this proceeding, and who is in all respects fit and qualified to act as guardian ad litem for the said Alfred M. Neumann, shall be and he is hereby appointed as guardian ad litem for the said Alfred M. Neumann to represent him and protect his interests in the said proceeding.

ORDERED, ADJUDGED AND DECREED on this the 31st day of August, 1954.

Hubert M. Hall  
Judge

RECORDED

DECREE SETTING DAY FOR HEARING  
PETITION BY GUARDIAN FOR  
AUTHORITY TO SELL REAL PROPERTY  
AT PRIVATE SALE.

ESTATE OF

ALFRED M. NEUMANN,  
A Non Compos Mentis.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

FILED

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ORDERED AND DECREED on this 21st day of August 1934.

to represent him and protect his interests in the above described property.

hereby appointed as guardian of the property of the above named estate.

guardian as filed for the purpose of the above described proceedings.

proceedings and the same in the above described proceedings.

And it is ordered that the same be done in the above described proceedings.

ESTATE OF  
ALFRED M. NEUMANN,  
a non compos mentis

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

DECREE

This cause coming on to be heard on this date is submitted on the petition filed in this cause on this date by Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis; decree appointing guardian ad litem; answer of guardian ad litem; and the testimony of the said guardian taken in open court on this date, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The sale and conveyance by Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, to J. H. Stacey, Jr., of a one-half interest in and to Lots Numbered 1 and 2 in Block 5 in the Magnolia Springs Addition to the Town of Foley, Alabama, according to the official map or plat thereof, which is recorded in Map Book 1 at page 25, Baldwin County, Alabama Records, together with the improvements thereon, at private sale for the sum of Twenty Thousand Dollars (\$20,000), conveyance of which was made by deed dated September 21, 1954, shall be and the same is hereby in all respects confirmed.

2. The bond of the said Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis, shall be and it is hereby increased to Fifty Thousand Dollars (\$50,000).

3. The sum of One Hundred Dollars (\$100) is hereby fixed and allowed as reasonable compensation to be paid to Harry J. Wilters, Jr., as guardian ad litem for the said ward in all proceedings through this date.

4. The sum of Three Hundred Fifty Dollars (\$350) per month shall be and the same is hereby fixed and allowed as a reasonable amount to be paid by the said guardian to herself for the maintenance and support of the ward and his family, commencing with the month of September, 1954, which payments may be made from principal or income.



5. The said guardian shall be and she is hereby fully and completely authorized and empowered to pay to the State Bank of Elberta the sum of Eight Thousand Dollars (\$8,000), which is secured by a note made by the said ward before his inquisition and dated on, to-wit, March 29, 1954, together with interest thereon.

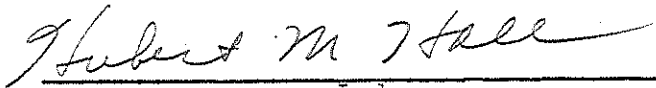
6. The said guardian is hereby authorized, empowered and directed to pay the obligations described in Exhibit A, which is attached to and made a part of the above described petition and which are as follows, to-wit:

|   |           |
|---|-----------|
| Foley Building Supply Company             | \$ 186.99 |
| Linton Radio and Television Service       | 27.15     |
| Elberta Locker Plant                      | 40.05     |
| Dr. John Ewing                            | 790.00    |
| Sherrill Oil Company                      | 103.47    |
| Brooks Motors                             | 13.74     |
| Gulf Coast Garage                         | 20.51     |
| National Butane Company                   | 16.67     |
| H. Doege                                  | 26.00     |
| Planters Supply Company                   | 6.84      |
| Boller's Service Center                   | 59.99     |
| Lenz Motor Company                        | 306.00    |
| New England Mutual Life Insurance Company | 475.50    |
| Mr. Blackmore (labor)                     | 69.00     |
| O. T. Thompson (labor)                    | 160.00    |
| S. Vogel (labor)                          | 50.00     |

from the funds of the said ward when funds with which to pay the said obligations are available.

7. The said guardian is also authorized and empowered to pay to J. B. Blackburn, when funds are available for such payment, a reasonable sum as compensation for services rendered by him to the said guardian from the date of her appointment up to this time.

ORDERED, ADJUDGED AND DECREED on this the 23rd day of September, 1954.

  
Judge

IN THE MATTER OF THE INQUISITION OF ) IN THE PROBATE COURT OF  
 ALFRED M. NEUMANN ) \* BALDWIN COUNTY, ALABAMA

### DECREE OF INSANITY

This cause coming on to be heard on this date, being the date heretofore set by a former decree of this court for the hearing of the petition filed in this cause by Irene Neumann, praying for an inquisition as to the sanity of Alfred M. Neumann, and it appearing to the satisfaction of the court that the said Alfred M. Neumann is a male of the age of approximately forty-seven years and is a citizen and resident of this county, who has an estate herein. It being further shown to the court that it would be inconsistent with the health and safety of the said Alfred M. Neumann to have him present in the trial at said time, and that he did not have counsel to represent him at said hearing, the court appointed Harry J. Wilters, Jr., a legally and duly licensed Attorney at Law, as guardian ad litem to represent the said Alfred M. Neumann upon such hearing, and he did deny the allegations of the said petition and did represent the said Alfred M. Neumann in the said proceedings:

Now comes Irene Neumann, as the petitioner, and Harry J. Wilters, Jr., as guardian ad litem, and a jury of six good and lawful men, who reside in this county in the neighborhood where the said Alfred M. Neumann resides, and who having been summoned, to-wit, Joe KRAUSS, as Foreman, and five others, who have heard the evidence, the argument of counsel and the charge of the court in the premises, and being duly impanelled and sworn well and truly to make inquisition of the facts alleged in the said petition, and a true verdict rendered according to the evidence, and upon their oaths do say: "We, the jury, find from the evidence that the facts alleged in the petition are true and that Alfred M. Neumann is a person of unsound mind",

It is, therefore, ORDERED, ADJUDGED AND DECREED by the court that the said Alfred M. Neumann be and he is hereby adjudged to be of unsound mind and that the said proceedings and all other

proceedings thereon, together with the verdict of the jury, be recorded.

It is further ORDERED, ADJUDGED AND DECREED that the guardian hereafter to be appointed pay the costs of this proceeding, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 16<sup>TH</sup> day of June, 1954.

W. R. Stuart  
Judge of Probate

STATE OF ALABAMA, BALDWIN COUNTY

Recorded Pro. & Min. book 4 page 1

W. R. Stuart  
Judge of Probate

|                      |   |                         |
|----------------------|---|-------------------------|
| ESTATE OF            | ) | IN THE CIRCUIT COURT OF |
| ALFRED M. NEUMANN,   | ) | BALDWIN COUNTY, ALABAMA |
| A Non Compos Mentis. | ) | IN EQUITY               |

DECREE FINALLY SETTTLING GUARDIANSHIP

This cause coming on to be heard on this date is submitted for a decree finally settling this guardianship on the verified petition of Irene Neumann, as guardian of Alfred M. Neumann, a non compos mentis; the written consent of Alfred M. Neumann, who has been restored to sanity; and the written consent of the Fidelity and Casualty Company of New York, a corporation, as surety on the official bond of Irene Neumann, as such guardian, from which it appears to the court that all of the allegations of the said petition are true; that Alfred M. Neumann has been restored to sanity; that the only persons now interested in this proceeding are the said Alfred M. Neumann, Irene Neumann, as such guardian, and the Fidelity and Casualty Company of New York, a corporation, the surety on the said guardian's bond. It further appears to the court that on the filing of the said petition, together with the agreement and consent of the said Alfred M. Neumann and the said Fidelity and Casualty Company of New York, a corporation, signed and acknowledged as conveyances of real estate are acknowledged, all of which are filed under and by virtue of the provisions of Title 21, Section 144(1), Cumulative Pocket Parts, 1940 Code of Alabama, the said guardianship is ready for final settlement and should be finally settled. WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. This said guardianship shall be and it is hereby finally settled by agreement and consent of the interested parties without notice or publication or posting.

2. Irene Neumann, as guardian of Alfred M. Neumann, and the Fidelity and Casualty Company of New York, a corporation, the surety on the bond of the said guardian, shall be and they are each hereby relieved of and discharged from all other and further liability because of the said guardianship.

3. The costs of this proceeding are hereby taxed against the said guardian, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 20 day of January, 1955.

Hubert M Hall  
Judge

ESTATE OF  
ALFRED M. NEUMANN,  
A Non Compos Mentis

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

PETITION FOR FINAL SETTLEMENT

Your Petitioner, Irene Neumann, who is over twenty-one years of age and a resident of Baldwin County, Alabama, respectfully represents unto the court and your Honor as follows:

1. She was on, to-wit, the 16th day of June, 1954, appointed as guardian of Alfred M. Neumann, a non compos mentis, and she has from the date of her said appointment up to the time of the filing of this petition handled the affairs of the said estate to the best of her ability and, as such guardian, she has not used any of the funds or other assets of the said estate for her own benefit, either directly or indirectly.

2. The said ward, Alfred M. Neumann, having recovered from the mental illness suffered by him, was restored to sanity by appropriate proceedings had and done by the Probate Court of Baldwin County, Alabama, on, to-wit, the 7th day of December, 1954, so that there is no need for continuing the said guardianship and it should now be finally settled.

3. The only persons now interested in this proceeding are your petitioner, the said Alfred M. Neumann and the Fidelity and Casualty Company of New York, a corporation, the surety on the guardian's bond heretofore filed in this cause. The said Alfred M. Neumann and the said surety have, by written instruments which are attached hereto and which are by reference made a part hereof as though fully incorporated herein, agreed that this said guardianship be settled by consent in the manner provided by Title 21, Section 144(1), Cumulative Pocket Parts, 1940 Code of Alabama.

WHEREFORE, Petitioner prays that on the filing of this petition that this court will make and enter a decree fully and finally settling this said estate by consent and agreement of the

parties and without notice in the manner provided by Title 21, Section 144(1), Cumulative Pocket Parts, 1940 Code of Alabama.

Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Irene Neumann  
Petitioner

STATE OF ALABAMA )  
                          \*  
BALDWIN COUNTY    )

Before me, the undersigned authority, within and for said County in said State, personally appeared Irene Neumann, who, after being by me first duly and legally sworn, deposes and says: That she has read over the foregoing petition, and that the facts stated therein are true.

Irene Neumann

Sworn to and subscribed before me on this the 31<sup>st</sup> day of December, 1954.

John R. O.

Notary Public, Baldwin County, Alabama.

SEAL OF JAMES H. O'NEAL, Notary Public, Baldwin County, Alabama, expires December 31, 1955.

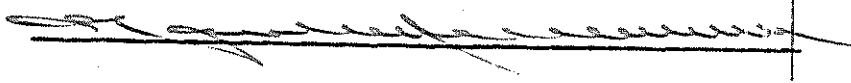
STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

BOOK 005 PAGE 207

I, the undersigned Alfred M. Neumann, the party for whom Irene Neumann was heretofore appointed as guardian, having recovered from the mental illness heretofore suffered by me and having been restored to sanity by relevant proceedings in the Probate Court of Baldwin County, Alabama, in the manner provided by law, do hereby agree and consent that the said guardianship be settled by agreement and consent in the manner provided by Title 21, Section 144(1), Cumulative Pocket Parts, 1940 Code of Alabama.

I hereby acknowledge receipt of all of the assets held by Irene Neumann, as said guardian, and do hereby release, relieve and discharge the said Irene Neumann as guardian and the Fidelity and Casualty Company of New York, a corporation, the surety on the guardian's bond of the said Irene Neumann, as said guardian.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 31<sup>st</sup> day of December, 1954.



STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

I, Jane R. Owen, a Notary Public, within and for said County in said State, hereby certify that Alfred M. Neumann, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 31<sup>st</sup> day of December, 1954.



Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA )

BALDWIN COUNTY )

Notary Public, Baldwin County, Alabama.

Notary Public, Baldwin County, Alabama.



STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

BOOK 005 PAGE 208

Now comes the Fidelity and Casualty Company of New York, a corporation, surety on the guardian's bond of Irene Neumann, as guardian of Alfred M. Neumann, and does hereby agree and consent that the said estate be settled by agreement and consent in the manner provided by Title 21, Section 144(1), Cumulative Pocket Parts, 1940 Code of Alabama, and does waive any and all notice of the said settlement.

Dated this 31<sup>st</sup> day of December, 1954.

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, a Corporation, (SEAL)

By

Walter M. Lindsey  
As its agent.

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

I, James R. Owen, a Notary Public, within and for said County in said State, hereby certify that Walter M. Lindsey, whose name as agent for the Fidelity and Casualty Company of New York, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such agent, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 31<sup>st</sup> day of December, 1954.

James R. Owen  
Notary Public, Baldwin County, Alabama.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1954.

Filed \_\_\_\_\_ M

Recorded \_\_\_\_\_ book \_\_\_\_\_ page \_\_\_\_\_

GUARDIAN'S BOND

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )


Pursuant to the provisions of the decree rendered in this cause and dated September 23, 1954, the undersigned guardian files this additional bond so that her total bond as guardian, after the filing of this bond, will amount to the sum of Fifty Thousand Dollars (\$50,000).

KNOW ALL MEN BY THESE PRESENTS: That we, Irene Neumann, as Principal, and the Fidelity and Casualty Company of New York, a Corporation, as Surety, are held and firmly bound unto Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, Sitting in Equity, and his successors in office, in the penal sum of Forty Thousand Dollars (\$40,000), for which payment well and truly to be made and done we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed by our seals and dated this 12<sup>th</sup> day of October, 1954.

The condition of the above obligation is such that, Whereas, the above bound Irene Neumann has been appointed as guardian of the Estate of Alfred M. Neumann, a person of unsound mind.

Now, if the said Irene Neumann shall well and truly perform all of the duties which are or may be required of her, as such guardian, then this obligation to be void; otherwise to remain in full force and effect.

  
Irene Neumann (SEAL)  
Irene Neumann

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, a Corporation, (SEAL)

By Walter Lindsey

As its Attorney in Fact.

Taken and approved on this the 22 day of October, 1954.

Hubert M. Hall  
Judge of the Circuit Court of  
Baldwin County, Alabama, Sitting  
in Equity.

ESTATE OF  
ALFRED M. NEUMANN,  
a Non Compos Mentis

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

GUARDIAN'S INVENTORY

Now comes Irene Neumann, as guardian of Alfred M. Neumann,  
and files the following inventory:

1. Stocks and Bonds

|   |             |
|---|-------------|
| A. 50 shares Baldwin Oil Mills, par value \$100,<br>market value \$50                                 | \$ 2,500.00 |
| B. 82 shares Elberta Locker Plant, par value<br>\$25, market value \$12.50                            | 1,025.00    |
| C. 5.938 1/3 shares capital stock State Bank<br>of Elberta, estimated market value \$250<br>per share | 1,484.58    |

2. Miscellaneous Personal Property

|   |          |
|---|----------|
| A. Furniture and fixtures in residence of ward<br>at Perdido Beach, Alabama | 2,500.00 |
| B. One pleasure boat  | 2,000.00 |
| C. One tractor  | 400.00   |
| D. One plow   | 50.00    |
| E. One disc   | 60.00    |
| F. One combine  | 375.00   |
| G. One grain drill  | 100.00   |
| H. One planter  | 60.00    |
| I. Two wagons   | 75.00    |
| J. One mower  | 60.00    |
| K. Approximately 173 head of mixed breed<br>cattle, \$20 per head           | 3,460.00 |
| L. One 1953 four-door Cadillac automobile                                   | 2,500.00 |

M. Cash value of life insurance:

| <u>Company</u>          | <u>Policy<br/>Number</u> | <u>Amount</u> | <u>Value<br/>Date</u> | <u>Cash<br/>Value</u> |          |
|-------------------------|--------------------------|---------------|-----------------------|-----------------------|----------|
| New England             | 1339716                  | \$15,000.00   | 9-19-54               | \$2,079.60            |          |
| New England             | 1339715                  | 12,000.00     | 4-19-54               | 1,663.68              |          |
| New England             | 1209951                  | 10,000.00     | 12- 9-54              | 1,517.40              |          |
| Volunteer<br>State Life | 137960                   | 2,500.00      | 1-11-55               | 1,007.50              | 6,268.18 |

NOTE: All of the above described life insurance policies, the above described stock in the Baldwin Oil Mills and in the State Bank of Elberta was pledged to the Merchants National Bank, Mobile, Alabama, by Alfred M. Neumann before inquisition to secure loans in the principal amount of \$15,300.

3. Proceeds of Sale of One-Half Interest in Poppe Building and Lots, Foley, Alabama \$ 20,000.00

4. Personal Property in which Ward Owns a One-Half Interest

A. One tractor and cultivator,  
Serial No. 24515 750.00

B. One tractor, Serial No. 7651 600.00

C. Two plows 150.00

D. One potato digger 50.00

NOTE: The above valuations are the valuations of ward's one-half interest and not the total value.

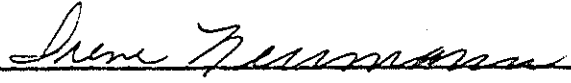
5. Real Property

(Ward owns the lands or the interest in the lands described in Exhibit A hereto attached.)

None of the said lands has any rental value, except as follows: Riemer and Company is now paying \$1200 for rent on part of the said lands. Hartford Farms is now paying rent on part of the said lands, amounting to \$2600, and a Mr. Styron is now paying rent on a part of the said lands in the amount of \$1500. The undersigned guardian is not fully informed as to all of the details in connection with the rental agreements, if such are in existence, between Riemer and Company, Hartford Farms and the Mr. Styron. The figures used are supplied from such information as she has been able to secure.

The undersigned guardian is also informed that the ward receives oil, gas and mineral lease rentals from the Sun Oil Company in the amount of \$199.61, and from the Union Producing Company in the amount of \$40 annually.

Respectfully submitted,

  
As Guardian of Alfred M. Neumann,  
A Non Compos Mentis.

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, within and for said County in said State, personally appeared Irene Neumann, who, after being by me first duly and legally sworn, deposes and says: That she has read over the foregoing inventory and that the facts stated therein are true to the best of her knowledge, information and belief.

Affiant further deposes and says that because of the

condition of the said ward and the fact that she is unable to discuss business affairs with him, she is not absolutely certain as to whether the above information as to land rentals is correct, or if all stocks and bonds owned by the ward are listed, but in the event information about any additional property is secured, it will be added to this inventory when secured.

Shirley Neumann

Sworn to and subscribed before me on  
this the 27 day of October,  
1954.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.

EXHIBIT A

\*Lots 1 and 2 and a part of Lot 3, except the South 150 feet; and Lot 16, except the South 150 feet; Lot 17, except Begin at Southeast corner, thence West 2752 feet, North 102 feet, East 2752 feet, South 102 feet to beginning; and all of Lot 18, Frances Suarez Claim, Section 3, Township 8 South, Range 6 East.

\*West Half of West Half of Northeast Quarter, less North 573 feet, Section 4, Township 8 South, Range 6 East.

\*Southeast Quarter of Southeast Quarter, Section 21, Township 7 South, Range 6 East.

\*All of Northwest Quarter of Northwest Quarter south of highway, Section 30, Township 7 South, Range 5 East.

\*From a point in the center of Emmanuel Bayou, said point being 1550 feet East and 160 feet North of the Northeast corner of Joseph Suarez Grant, Section 16, Township 8 South, Range 6 East; thence South 44 degrees 30 minutes West 2232 feet; South 48 degrees East 1204 feet to margin of Perdido Bay; thence Northeastwardly along meanderings of said bay 1430 feet, more or less, to the mouth of Emmanuel Bayou; thence Northwesterly along the center line of said bayou to point of beginning.

Lot 18, Block 2, Perdido Beach (one-half interest)

Block 43, boathouse (half interest)

Lot 2, Block 5, Elberta

Lot 8, Block 23, Perdido Beach

West Half of Southwest Quarter of Southeast Quarter, Section 20, Township 7 South, Range 5 East.

Southwest Quarter of Northeast Quarter, Section 20, Township 7 South, Range 5 East.

Northeast Quarter of Northwest Quarter, Section 20, Township 7 South, Range 5 East.

South Half of Northwest Quarter;  
North Half of Southwest Quarter, Section 20, Township 7 South, Range 5 East.

Northwest Quarter of Northeast Quarter, Section 20, Township 7 South, Range 5 East.

East Half of Northwest Quarter of Southwest Quarter, Section 34, Township 7 South, Range 5 East.

Southeast Quarter of Southeast Quarter, Section 36, Township 7 South, Range 5 East.

Northeast Quarter of Southeast Quarter;  
Southeast Quarter of Southeast Quarter, Section 1, Township 8 South, Range 5 East.

North Half of Northeast Quarter, Section 11, Township 8 South, Range 5 East.

Southwest Quarter of Southwest Quarter, Section 11, Township 8 South, Range 5 East.

Southeast Quarter of Southeast Quarter, Section 11, Township 8 South, Range 5 East.

All of Section 12, Township 8 South, Range 5 East, except 20 acres in West Perdido Beach, and 5 acres in Southeast Quarter.

Northeast Quarter, Section 22, Township 8 South, Range 5 East.

Northwest Quarter of Northeast Quarter, Section 5, Township 8 South, Range 6 East.

Northeast Quarter of Southeast Quarter of Southeast Quarter;  
Southeast Quarter of Northeast Quarter of Southeast Quarter,  
Section 24, Township 6 South, Range 4 East.

South Half of Northeast Quarter of Southwest Quarter of Northwest Quarter, Section 36, Township 6 South, Range 4 East.

North Half of Northwest Quarter of Southwest Quarter of Southeast Quarter;  
North Half of Southwest Quarter of Northeast Quarter of Southwest Quarter;;  
South Half of Southwest Quarter of Northwest Quarter of Southwest Quarter;  
South Half of Northwest Quarter of Southeast Quarter of Southwest Quarter;  
Southwest Quarter of Southeast Quarter of Southwest Quarter;  
South Half of Southeast Quarter of Northeast Quarter of Northwest Quarter, Section 6, Township 6 South, Range 5 East.

Northeast Quarter of Southwest Quarter of Northwest Quarter;  
Northeast Quarter of Northwest Quarter of Northwest Quarter;  
North Half of Northeast Quarter of Northwest Quarter of Southwest Quarter;  
South Half of Southeast Quarter of Northeast Quarter of Northwest Quarter, Section 7, Township 6 South, Range 5 East.

North Half of Southeast Quarter of Northeast Quarter of Northeast Quarter, Section 17, Township 6 South, Range 5 East.

South Half of Southwest Quarter of Northeast Quarter of Southwest Quarter;  
North Half of Southeast Quarter of Southwest Quarter of Southeast Quarter;  
South Half of Northeast Quarter of Southeast Quarter of Southwest Quarter, Section 19, Township 6 South, Range 5 East.

South Half of Southwest Quarter of Northwest Quarter of Southwest Quarter;  
South Half of Southwest Quarter of Northeast Quarter of Southwest Quarter;  
Southeast Quarter of Southeast Quarter of Southwest Quarter;  
Northeast Quarter of Southwest Quarter of Southwest Quarter;  
South Half of Southeast Quarter of Northeast Quarter of Southwest Quarter, Section 21, Township 6 South, Range 5 East.

East Half of Northeast Quarter of Northwest Quarter;  
West Half of Northwest Quarter of Northeast Quarter;  
Southwest Quarter of Southwest Quarter, less South Half of Northwest Quarter of Southwest Quarter of Southwest Quarter;  
North Half of Northwest Quarter of Southeast Quarter of Southwest Quarter;  
Northwest Quarter of Northwest Quarter of Southwest Quarter;  
South Half of Southeast Quarter of Northwest Quarter of Southwest Quarter, Section 28, Township 6 South, Range 5 East.

South Half of Southwest Quarter of Southwest Quarter of Southeast Quarter;  
North Half of South Half of Southeast Quarter of Southeast Quarter, Section 29, Township 6 South, Range 5 East.

East Half of Northwest Quarter of Northeast Quarter;  
Northwest Quarter of Northeast Quarter of Northeast Quarter,  
Section 30, Township 6 South, Range 5 East.

Northeast Quarter of Southeast Quarter of Southeast Quarter;  
North Half of Southeast Quarter of Southeast Quarter of  
Southeast Quarter;  
North Half of Northwest Quarter of Northeast Quarter of  
Southeast Quarter, Section 33, Township 6 South, Range 5 East.

West Half of Southeast Quarter of Southeast Quarter;  
Southeast Quarter of Southeast Quarter of Southeast Quarter;  
South Half of Northeast Quarter of Southeast Quarter of  
Southeast Quarter;  
Northwest Quarter of Southeast Quarter, Section 20, Township  
6 South, Range 6 East.

East Half of East Half of Southeast Quarter, Section 29,  
Township 6 South, Range 6 East.

North Half of Northeast Quarter of Southeast Quarter of  
Southwest Quarter, Section 6, Township 6 South, Range 5 East.

Southeast Quarter of Northwest Quarter, Section 9, Township  
6 South, Range 5 East.

Southeast Quarter of Southeast Quarter of Southeast Quarter,  
Section 16, Township 6 South, Range 5 East.

North Half of Southeast Quarter of Northeast Quarter of  
Southwest Quarter, Section 21, Township 6 South, Range 5  
East.

South Half of Southwest Quarter of Southeast Quarter of  
Southwest Quarter, Section 25, Township 6 South, Range 5  
East.

Southeast Quarter;  
Southeast Quarter of Southwest Quarter, Section 22, Township  
6 South, Range 6 East.

Fractional Section 23, Township 6 South, Range 6 East.

West Half of Northeast Quarter of Northwest Quarter, Section  
28, Township 6 South, Range 5 East.

Southeast Quarter of Northeast Quarter of Southeast Quarter,  
Section 33, Township 6 South, Range 5 East.

South Half of South Half of Northwest Quarter of Northwest  
Quarter, Section 36, Township 6 South, Range 5 East.

Northeast Quarter of Southwest Quarter of Northwest Quarter;  
North Half of Southeast Quarter of Southwest Quarter of  
Northwest Quarter, Section 31, Township 6 South, Range 6  
East.

Northeast Quarter of Southeast Quarter of Southeast Quarter,  
Section 35, Township 5 South, Range 4 East.

All of Lots 6 and 7 and the West 20 feet of Lot 8, Block 2,  
Gulf Shores, Unit 1.

Lots 12, 13 and 14, Block 2, Gulf Shores, Unit 1.

Lot 19, Block 3, Gulf Shores, Unit 1.

All of Block 18, except Lot 5, Gulf Shores, Unit 1.

Block 22, Gulf Shores, Unit 1.



East Half of West Half of Southwest Quarter of Northwest Quarter, Section 29, Township 7 South, Range 4 East.

NOTE: As to the above described property in Gulf Shores, Neumann owns only a one-half interest, the remaining one-half interest being owned by the Estate of James K. Clarke.

South Half of Northeast Quarter of Northeast Quarter of Southwest Quarter, Section 21, Township 6 South, Range 5 East.

Northwest Quarter of Southeast Quarter of Southwest Quarter, Section 21, Township 6 South, Range 5 East.

Lots 6 and 7, Block 19, Summerdale.

Lot 26, Block 48, Summerdale.

North Half of Northwest Quarter;  
Southeast Quarter of Northwest Quarter;  
Southwest Quarter of Northeast Quarter;  
Northeast Quarter of Southwest Quarter;  
Northeast Quarter of Southeast Quarter, Section 11, Township 8 South, Range 5 East.

Subdivision D, Section 7, Township 8 South, Range 6 East.

North Half of Subdivision C, Section 18, Township 8 South, Range 6 East.

Lot 3, Block 6, West Perdido Beach.

Lots 1, 2 and 3, Block 5, West Perdido Beach.

East Half of Southwest Quarter of Southeast Quarter; Section 5, Township 7 South, Range 5 East.

Northwest Quarter of Southwest Quarter;  
North Half of Southeast Quarter, Section 24, Township 7 South, Range 5 East.

Southeast Quarter of Southeast Quarter, Section 19, Township 6 South, Range 6 East.

North Half of North Half of Southwest Quarter of Northwest Quarter, Section 29, Township 7 South, Range 5 East.

Lot 6, Block 9, Zimmerman Addition to Elberta.

North Half of Northwest Quarter of Southeast Quarter;  
North Half of South Half of Northwest Quarter of Southeast Quarter;  
North Half of Southeast Quarter of Southeast Quarter, Section 34, Township 8 South, Range 4 East.

Northeast Quarter of Southwest Quarter of Southwest Quarter;  
West Half of Northwest Quarter of Southwest Quarter of Southwest Quarter, Section 35, Township 8 South, Range 4 East.

NOTE: The description of the lands set out above has been obtained from the tax assessment records in the office of the Tax Assessor of Baldwin County, Alabama. No examination has been made to ascertain the status of the title to the above described lands, other than that set out above, or to determine what liens or encumbrances are in existence thereon.

NOTE: The five tracts of land on the first page of Exhibit A, which are marked with an asterisk, are jointly owned by Alfred M. Neumann and J. A. Pilgrim, each of whom own an undivided one-half interest therein.

ESTATE OF  
ALFRED M. NEUMANN,  
a non compos mentis

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

PETITION FOR DECREE CONFIRMING SALE OF REAL PROPERTY,  
INCREASING BOND AND OTHER RELIEF.

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, Irene Neumann, as guardian of Alfred M.  
Neumann, a non compos mentis, respectfully represents unto the court  
and your honor as follows:

1. She, as such guardian, did on the 21st day of September,  
1954, sell and convey to J. H. Stacey, Jr., a one-half interest in  
and to Lots Numbered 1 and 2 in Block 5 in the Magnolia Springs  
Addition to the Town of Foley, Alabama, according to the official  
map or plat thereof which is recorded in Map Book 1 at page 25,  
Baldwin County, Alabama Records, together with the improvements  
thereon, but subject to the rights of the tenants occupying the said  
property, in strict accord with the provisions in the decree hereto-  
fore rendered in this cause and dated September 2, 1954. Petitioner,  
as such guardian, has collected the entire purchase price for the  
said property owned by the said ward amounting to the sum of \$20,000;  
has paid the sum of \$6,545.26, being one-half of the indebtedness  
secured by mortgages on the said property; one-half of the 1954  
state and county taxes amounting to \$105; one-half of the 1954 city  
taxes due the Town of Foley, Alabama, amounting to \$30; one-half of  
the paving assessment against the said property and interest thereon  
amounting to \$366.03; and has paid the sum of \$22 for documentary  
stamps on the deed conveying the said property to the said purchaser.  
The said sale should now be confirmed.

2. The guardian's bond in this cause is not now in the  
amount required by law and should be increased at this time to the  
sum of \$50,000.

3. The amount of the fee due to Harry J. Wilters, Jr.,  
Esquire, for services rendered by him as guardian ad litem in this  
cause to date should be fixed and Petitioner, as such guardian,

should be authorized to pay the said guardian ad litem's fee, together with all court costs incurred in this proceeding up to this time.

4. The income of the estate of the said ward is not sufficient to maintain the ward and his family, which family consists of the ward, his wife and two children of school age. It is necessary that Petitioner, as such guardian, be authorized to expend from the principal of the ward's estate a reasonable monthly sum for the maintenance and support of the said ward and his family, commencing with the month of September, 1954.

5. The said ward, before his inquisition, became indebted to the State Bank of Elberta in the sum of \$8,000, which is secured by a note dated on, to-wit, March 29, 1954, for the said amount, which said note bears interest from the said date at six percent. This obligation should be paid at this time and Petitioner desires authority to pay it from the funds belonging to the said ward which are now in her possession.

6. The ward is now indebted to various parties, as shown from the schedule hereto attached, marked "Exhibit A", and by reference made a part hereof, in various amount for obligations incurred partly by the ward before inquisition and partly in the maintenance and support of his family since inquisition, and to J. B. Blackburn for services rendered as attorney for the said guardian in this cause to date. Petitioner, as such guardian, does not have sufficient funds to pay all of the said obligations at this time, but desires authority to pay them when funds are available.

WHEREFORE, Petitioner prays for the following separate and several relief:

A. That the above described sale and conveyance to J. H. Stacey, Jr., be confirmed.

B. That the guardian's bond in this cause be increased from its present amount to the sum of \$50,000.

C. That the guardian ad litem's fee be ascertained and fixed and that Petitioner be authorized to pay it with the other court costs incurred in this cause to date.

D. That Petitioner, as such guardian, be authorized to expend a reasonable sum monthly from the principal of the ward's estate, commencing with the month of September, 1954, for the maintenance of the said ward and his family.

E. That Petitioner be authorized to pay the above described \$8,000 note due to the State Bank of Elberta, together with interest thereon to date of payment.

F. That Petitioner be authorized to pay the obligations shown on Exhibit A hereto attached and a reasonable fee to her said attorney when funds are available for the payment thereof.

G. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Irene Neumann

As guardian of Alfred M. Neumann,  
a non compos mentis.

STATE OF ALABAMA )  
                          \*  
BALDWIN COUNTY    )

Before me, the undersigned authority, within and for said County in said State, personally appeared Irene Neumann, who, after being by me first duly and legally sworn, deposes and says: That she has read over the foregoing petition, and that the facts stated therein are true.

Irene Neumann

Sworn to and subscribed before me on  
this the 23 day of September, 1954.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama

EXHIBIT A

|   |           |
|---|-----------|
| Foley Building Supply Company             | \$ 186.99 |
| Linton Radio and Television Service       | 27.15     |
| Elberta Locker Plant                      | 40.05     |
| Dr. John Ewing                            | 790.00    |
| Sherrill Oil Company                      | 103.47    |
| Brooks Motors                             | 13.74     |
| Gulf Coast Garage                         | 20.51     |
| National Butane Company                   | 16.67     |
| H. Doege                                  | 26.00     |
| Planters Supply Company                   | 6.84      |
| Boller's Service Center                   | 59.99     |
| Lenz Motor Company                        | 306.00    |
| New England Mutual Life Insurance Company | 475.50    |
| Mr. Blackmore (labor)                     | 69.00     |
| O. T. Thompson (labor)                    | 160.00    |
| S. Vogel (labor)                          | 50.00     |

ESTATE OF  
ALFRED M. NEUMANN,  
A Non Compos Mentis

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

PETITION TO SELL REAL PROPERTY AT PRIVATE SALE

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, Irene Neumann, who is over twenty-one  
years of age and a resident of Baldwin County, Alabama, respectfully  
represents unto the court and your Honor as follows:

1. She was heretofore appointed and qualified as guardian  
of Alfred M. Neumann, a non compos mentis, in and by the Probate  
Court of Baldwin County, Alabama. Subsequently the said guardian-  
ship was removed from the Probate Court of Baldwin County, Alabama,  
to this court.

2. The said ward, Alfred M. Neumann, owns an undivided one-  
half interest in and to the following described real property sit-  
uated in Wilcox County, Alabama, to-wit:

North Half of Northeast Quarter, less four acres described  
as follows:

Beginning on the West side of road where line between J. C.  
Harper and J. L. Bonner land crosses road to Neenah, run  
North along the West side of said road 140 yards, thence  
West 140 yards, thence South and parallel to said road 140  
yards, thence East 140 yards to point of beginning, in  
Section 15;

All of that part of Southeast Quarter of Southeast Quarter  
lying East of the public road to Neenah in Section 10, con-  
taining 14 acres;

North Half of North Half,  
Southwest Quarter of Northeast Quarter, Section 14;

North Half of North Half,  
Southwest Quarter of Northeast Quarter, Section 13;

Southeast Quarter of Northwest Quarter, Section 13, less six  
acres in Northeast Quarter of Northeast Quarter described as  
follows:

Beginning at a point 630 feet South of Northeast corner  
of said forty, thence West 140 yards, thence North 630 feet,  
thence East 140 yards, thence South 630 feet to point of be-  
ginning;

All that part of Section 12 lying South of Brandon Highway,  
EXCEPT  $4\frac{1}{2}$  acres in Southeast Quarter of Southeast Quarter  
described as follows:

Beginning at Southeast corner of said section, thence West  
140 yards, thence North 245 feet, thence North 55 degrees  
West 300 feet, thence North 300 feet to Brandon Highway, thence  
Southeasterly along the edge of said highway 240 yards, more  
or less, to East line of Section 12, thence South 200 feet,  
more or less, to the point of beginning, Section 12;

Southeast Quarter,  
Southeast Quarter of Southwest Quarter,  
And all that part of Southeast Quarter of Northeast Quarter,  
EXCEPT a strip 150 yards wide on West side, all lying South  
of Brandon Highway, in Section 11.

All of the above described land lying and being in Township  
11 North, Range 9 East, and containing in the aggregate  
940 acres, more or less.

The interest owned by the said ward in the above described  
property is subject to the mineral reservations contained  
in the deed from J. L. Bonner, a widower, to J. A. Pilgrim,  
Sr., Stephen A. Presley and Alfred M. Neumann, dated  
July 6, 1951, which is recorded in Deed Book 4Q at pages  
430-1, Wilcox County, Alabama Records.

It is the intention of Petitioner to describe and she de-  
sires authority to convey all of the right, title and interest owned  
by the said ward in all of the lands described in the said deed, re-  
gardless of whether the said lands are correctly described herein.

3. The said property is subject to a mortgage from J. A.  
Pilgrim, Sr., Alfred M. Neumann and Stephen A. Presley, dated July 6,  
1951, which is recorded in Book 62 of Mortgages at pages 19-20,  
Wilcox County, Alabama Records, which was originally given to secure  
an indebtedness of \$38,164.00 and interest, payable as follows:

|            |                       |
|------------|-----------------------|
| \$6,297.06 | one year from date    |
| 6,106.24   | two years from date   |
| 5,939.42   | three years from date |
| 5,724.60   | four years from date  |
| 5,533.78   | five years from date  |
| 5,342.96   | six years from date   |
| 5,156.14   | seven years from date |
| 4,961.32   | eight years from date |

After the execution and delivery of the above described  
deed and mortgage, J. A. Pilgrim, Sr., and Alfred M. Neumann ac-  
quired all of the interest of Stephen A. Presley in and to all of  
the said property. The total sum that the said ward, Alfred M.  
Neumann, has paid on the said property to date hereof is the sum of  
\$14,126.65, a like amount of which has been paid by J. A. Pilgrim,  
Sr., and in addition thereto J. A. Pilgrim, Sr., paid the payment of  
\$5,939.42 described in the said mortgage and due three years after  
date with his own funds. J. A. Pilgrim, Sr., has agreed to pay the  
total sum of \$22,626.65 for the ward's interest in the said property,  
waive any claim that he has against the said ward or against his es-  
tate for the said payment of \$5,939.42 made by J. A. Pilgrim, Sr.,  
as described above, and assume payment of the entire balance due on  
the said mortgage, provided there is paid from the proceeds of the



said sale the sum of \$2,510.00, which is an obligation due by the said ward, Alfred M. Neumann, to J. A. Pilgrim, Sr., for land clearing done by J. A. Pilgrim, Sr., for Alfred M. Neumann prior to the time of his inquisition, pay to J. A. Pilgrim, Sr., the further sum of \$530.00 which is a payment due to him on Perdido Beach property jointly owned with the said ward, Alfred M. Neumann, and pay a note of \$2500.00 with interest at five percent from May 14, 1954, to date of payment, which note was made by J. A. Pilgrim, Sr., and Irene L. Neumann to the State Bank of Elberta for the purpose of securing funds to pay a note for \$2500.00 which was due by J. A. Pilgrim, Sr., and Alfred M. Neumann to The Merchants National Bank, a National Banking Association, Mobile, Alabama, which obligation is in truth and fact a debt and obligation incurred by Alfred M. Neumann prior to his said inquisition.

4. Petitioner alleges that the said sum of \$22,626.65 is not disproportionate to the value of the ward's interest in the above described property and that it is to the best interest of his estate that the said property be sold at private sale to J. A. Pilgrim, Sr., for the said consideration, in order that the remainder of the said proceeds, after paying the debts and obligations set out above, can be used by Petitioner, as guardian as aforesaid, for the maintenance and support of the ward's family, which consists of Petitioner, his wife, and two children, both of whom are of school age.

5. The said Alfred M. Neumann and Claude Peteet jointly own Lots Numbered 1 and 2 in Block 5 of Magnolia Springs Land Company's Addition to the Town of Foley, Alabama, according to the official map or plat thereof which is recorded in Map Book 1 at page 25, Baldwin County, Alabama Records, which has a two-story brick building situated thereon. The said building is occupied by various tenants, practically all of whom have leases on the respective quarters so occupied by them. The said owners are indebted to the Town of Foley, a municipal corporation, in the sum of \$684.97 with interest thereon at six percent from October 8, 1952, which obligation is

secured by a lien held by the said Town for a paving assessment made against the said property. In addition to the said paving assessment, the property is encumbered by two mortgages from Alfred M. Neumann and wife and Claude Peteet to B. A. Yoemans, dated June 11, 1951, and recorded in Book 188 of Mortgages at page 354, and October 27, 1953, recorded in Book 230 of Mortgages at page 184, Baldwin County, Alabama Records, each of which was given to secure an indebtedness of \$8,000 and interest. The indebtedness so secured has been partly paid, but the said owners do not have funds to pay off the remainder of the said indebtedness which, together with certain interest thereon, is now due.

6. Petitioner and the said Claude Peteet have agreed to sell the said property to J. H. Stacey, Jr., for the total sum of \$40,000.00, to be paid in cash at the time of the execution of a proper conveyance to him, at which time the above described obligations will be paid from the proceeds of the said sale, rentals, taxes and insurance will be prorated between the sellers and purchaser at the time the said transaction is closed, and the conveyance to the said purchaser shall be made subject to the rights of the said tenants.

7. Petitioner alleges that the said sum of \$40,000 is a fair price for the said property, that the said sum is not disproportionate to its value, and that it is to the best interest of the said ward that she, as such guardian, be authorized to sell and convey the ward's interest in the said property to the said purchaser at private sale for the sum of \$40,000, one-half of which, less the payments set out above, will belong to the said ward. It is necessary that the said sale be made for the purpose of paying the above described obligations which were incurred by the said ward prior to the time of his inquisition, for the purpose of maintaining the family of the ward and for the purpose of paying other debts and obligations due by the said ward, both before and after inquisition.

WHEREFORE, Petitioner prays that the court will take jurisdiction of this petition, appoint and set a day to hear it, appoint

a guardian ad litem to represent the said ward, and that on the said hearing she be authorized to sell and convey the two above described tracts of land in the way and manner set out above, and to make, execute and deliver proper conveyance therefor on receipt of the purchase price to be paid for the said property. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Irene Neumann  
Petitioner

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, within and for said County in said State, personally appeared Irene L. Neumann, who, after being by me first duly and legally sworn, deposes and says: That she has read over the foregoing petition and that the facts stated therein are true.

Irene Neumann

Sworn to and subscribed before me on  
this the 31st day of August, 1954.

Mary Lou Blackburn  
Notary Public, Baldwin County, Alabama

\$7.50

FILED  
SEP 2 1954  
ALICE I. BARK, Register

Estate of Alfred M. Newman,  
A Non-compos mentis.

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

TESTIMONY TAKEN IN OPEN COURT BEFORE HON. HUBERT M. HALL, JUDGE OF  
SAID COURT:

MRS. IRENE NEWMAN, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Blackburn.

Q. Are you Mrs. Irene Newman?

A. Yes, sir.

Q. Mrs. Newman, have you been appointed, qualified and are you  
now acting as guardian of the estate of your husband, Mr.  
Alfred M. Newman?

A. Yes, sir.

Q. Mrs. Newman, I will ask you to state whether or not Mr. Newman,  
at the time of the inquisition that was had in the Probate  
Court was indebted to various people in various amounts?

A. Yes, sir.

Q. Was that amount substantial?

A. Yes, sir.

Q. Now Mrs. Newman, is there any property with income sufficient  
to pay those obligations?

A. No, sir.

Q. Do you have any money or funds or personal property that can be  
used for that purpose?

A. No, sir.

Q. Is it necessary that the real property that we have involved in  
this proceeding here be sold for the purposes that we set out in  
the petition?

A. Yes, sir.

Q. Now you have read over the petition that we have filed?

A. Yes, sir.

Q. Describing the tracts of land in Wilcox County, Alabama, consisting  
of 940 acres more or less, have you not?

A. Yes, sir.

Q. I will ask you whether or not Mr. Newman and Mr. J. A. Pilgrim, Sr. owned that tract of land jointly?

A. Yes, sir.

Q. Now you know Mrs. Newman, that they bought that a gave a mortgage at the time, do you not?

A. Yes, sir.

Q. Did you sign the mortgage with the others?

A. Yes, sir.

Q. Now that mortgage secured an indebtedness of \$38,164.00 and interest, did it not?

A. Yes, sir.

Q. And it provided for the payments that we have set out in this petition due from 1 to 8 years after date?

A. Yes, sir.

Q. Now Mrs Newman, I will ask you if Mr. Newman hasn't paid on this property, up to this time the sum of \$14,379.65?

A. Yes, sir.

Q. That includes what he paid to the people they bought the property from in Wilcox Co unty and his part of what he paid to buy Mr. Pressley out?

A. Yes, sir.

Q. Now in addition to this payment that became due this year, amounting \$5939.14, you were not in position to pay your part of that payment, were you, when it came due?

A. No, sir.

Q. Did Mr. Pilgrim pay it?

A. Yes, sir.

Q. With his own money?

A. Yes, sir.

Q. I will ask you whether or not Mr. Pilgrim, Sr. has agreed to pay you back all of the money you have paid out on this property, both principal and interest, and in addition thereto, pay you the sum of \$8500.00, making a total of \$22,626.65 for Mr. Newman's interest in the property?

A. Yes, sir.

Q. And he is willing to waive any claim that he has because of the

payment that he made this year amounting to \$5939.42?

A. Yes, sir.

Q. He has also agreed to assume all of the other payments due on this mortgage?

A. Yes, sir.

Q. Now I believe that you stated that you did not have any funds to pay these obligations?

A. That is right.

Q. I asked you a moment ago if Mr. Newman had paid \$14,379.65. I made a mistake. The correct amount is \$14,126.65, that is the amount that he has paid?

A. Yes, sir.

Q. Now, Mr. Newman before the inquisition, was indebted to Mr. Pilgrim in the sum of \$2510.00 for land clearing, was he not?

A. Yes, sir.

Q. In addition to that, he also owed Mr. Pilgrim other items of \$530.00 on some property that they jointly owned, did he not?

A. Yes, sir.

Q. After Mr. Newman became sick, I will ask you whether or not you and Mr. Pilgrim, for the purpose of raising money to pay a note that Mr. Newman and Mr. Pilgrim had made to the Merchants National Bank in Mobile, if you all didn't go to the Elberta Bank and borrow \$2500.00?

A. Yes, sir.

Q. And was the money that was obtained on the loan that the Elberta Bank made to you individually and Mr. Pilgrim, used to pay off Mr. Pilgrim's and Mr. Newman's note to the Merchants National Bank?

A. Yes, sir.

Q. Those obligations should also be paid at this time?

A. Yes, sir.

Q. I will ask you, Mrs. Newman, if this sum of \$22,626.65, in your opinion is a fair value for Mr. Newman's interest in this Wilcox County property?

A. Yes, sir.

Q. I will ask you whether or not, in your opinion, it is to the best interest of this estate that this property be sold to Mr. Pilgrim, Sr. at private sale for that consideration, and that this purchase money be used to pay off these obligations, and in addition to that, to maintain Mr. Newman and you and the children?

A. Yes, sir.

Q. Now Mrs. Newman, for the benefit of the record, when did Mr. Newman leave his last place of employment because of illness?

A. The first of April.

Q. Of this year?

A. Yes, sir.

Q. Have you any income whatever since that time?

A. No, sir.

Q. And during a part - a large part, of that time was he confined in the Mobile Infirmary?

A. Yes, sir.

Q. Did you incur a large hospital bill and Doctor's bill over there?

A. Yes, sir.

Q. How was that paid?

A. Well by funds that I could raise.

Q. With your own individual funds?

A. Yes, sir.

Q. Those funds have not been paid back to you?

A. No, sir.

Q. As a matter of fact, you have not paid all of the hospital and Doctor's bills?

A. No, sir, as a matter of fact, I have not paid the Doctors.

Q. In addition to these bills which we have set out in this petition here, there are many obligations?

A. Yes, sir.

Q. And some of these people are constantly harrassing you about money?

A. Yes, sir.

Q. Your children, how old is your daughter?

A. She is 16.

Q. I will ask you if she isn't a senior in highschool?

A. Yes, sir.

Q. How old is your son?

A. He is 13.

Q. Is it necessary that something be raised by way of funds to keep the children in school?

A. Yes, sir.

Q. And to feed and clothe them?

A. Yes, sir.

Q. Now I will ask you, Mrs. Newman, if Mr. Newman and Mr. Claude Petete do not jointly own Lots 1 and 2, Block 5 in the Magnolia Land Company's addition in the Town of Foley, according to the map of said sub-division which is recorded in Map Book 1, page 25, Baldwin County, Alabama Records?

A. Yes, sir.

Q. Mrs. Newman, one of those lots has a brick building on it?

A. Yes, sir.

Q. Is that building occupied by various tenants?

A. Yes, sir.

Q. Some of them have leases?

A. Yes, sir.

Q. Now I will ask you too, if there isn't a paving assessment due the town of Foley of \$684.94, with interest at 8% from October 8, 1952?

A. Yes, sir.

Q. Mr. Newman and Mr. Petete are indebtwd to Mr. Yoman on the two mortgages described in this petition?

A. Yes, sir.

Q. I believe you say that you do not have the exact amount of principal and interest that are due on those two mortgages, but that it is over \$12,000?

A. Yes, sir.



Q. That indebtedness is now due?

A. Yes, sir.

Q. And you don't have any funds with which to pay it?

A. No, sir.

Q. I will ask you too if the other joint owner, Mr. Petete, is not anxious to sell this property?

A. Yes, sir.

Q. Have you received an offer from Mr. J. H. Stacey, Jr. of \$40,000 for the property in Foley with the understanding that the rentals and taxes and insurance be prorated at the time the transaction is closed and that the conveyance to the purchaser be made subject to the rights of the tenants?

A. Yes, sir.

Q. Is \$40,000. in your opinion, a fair price for that property?

A. Yes, sir.

Q. Is it to the best interest of the ward that you be authorized to sell it for this price?

A. Yes, sir.

Q. I will ask you too, if it is necessary that it be sold for paying the mortgage and the payment of the assessment and the other debts and obligations of Mr. Newman incurred both before and after his inquisition?

A. Yes, sir.

Q. One of the tenants in the building is a Mr. Brock?

A. Yes, sir.

Q. I will ask you if Mr. Newman isn't indebted to Mr. Brock in some amount that you do not know for income tax work, accounting and so forth?

A. Yes, sir.

Q. Mr. Brock also owes some rent to Mr. Newman and Mr. Petete?

A. Yes, sir.

Q. On the quarters that he is occupying?

A. Yes, sir.

Q. On this sale will it be necessary to make some rental adjustment with you on the one hand and Mr. Petete on the

other?

A. Yes, sir.

Q. In addition to those questions, have you read over this petition and are you acquainted with the facts therein set forth, and if so, are they true and correct?

A. Yes, sir.

ON CROSS EXAMINATION OF THIS WITNESS BY MR. WILTERS, GUARDIAN AD LITEM:

---

Q. Mrs. Newman, where is Mr. Newman now?

A. He is at home.

Q. In Elberta?

A. Yes, sir.

Q. Is he still under the Doctor's care?

A. Yes, sir.

Q. Did you - Do you have any idea how long he will be under the Doctors' care?

A. No, sir.

Q. How many Physicians is he under the care of?

A. Right now one.

Q. Does Mr. Newman have any other income except - or any other assets - except lands?

A. No, sir.

Q. None that you know about?

A. No, sir.

Q. How many children do you have?

A. Two.

Q. How old are they?

A. 13 and 16.

Q. I believe the child that is 16 is a girl?

A. Yes, sir.

Q. Do you have any funds for her future education?

A. No, sir.

Q. Do you have any funds for the boy?

A. No.

Q. Do you know anything about the location of those lands in

Wilcox County?

A. Yes, sir.

Q. Is it a good location? What is it used for?

A. I have just been there once or twice to see it.

Q. Do you have any idea what the land is good for?

A. Timber, I would say.

Q. And you say at the present time you are pressed on account of these obligations incurred by Mr. Newman?

A. Yes, sir.

Q. This Foley property, Mrs. Newman, where is that located?

A. Right in the center of the town.

Q. What businesses are in this building?

A. A store.

Q. What kind of a store is that?

A. Grocery Store.

Q. That is not Stacey's Drug store?

A. No, sir, Foley Food store I think.

Q. That is on the corner of the main highway?

A. Right under the stop light as you go, to the left.

Q. You are still incurring considerable amount of indebtedness for Mr. Newman's illness?

a. Yes, sir.

Q. You say the Doctors have not been paid yet?

a. That is right.

Q. Have the hospital bills been paid?

A. Yes, sir.

Q. What funds were they paid from?

A. From some money that I had saved up.

Q. Your own personal property?

A. Yes, sir.

ON RE-DIRECT EXAMINATION OF THIS WITNESS, SHE TESTIFIED:

Examination by Mr. Blackburn.

Q. Are you still carrying Mr. Newman to the Doctor at least once each week?

A. Yes, sir.

MR. J. A. PILGRIM, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Direct examination by Mr. Blackburn.

q. Are you Mr. J. A. Pilgrim, Sr?

A. Yes, sir.

Q. Mr. Pilgrim, you, ~~xxxx~~ of course are the person who has agreed to purchase the Newman interest in the Wilcox County lands in which you now own an undivided 1/2 interest?

A. Yes, sir.

Q. When you made this offer, I will ask you whether you made what is known as a give or take offer?

A. That is right.

Q. And, of course, Mr. and Mrs. Newman were not able to take advantage of your offer to sell?

A. No, sir.

Q. They agreed, subject to the Court's approval, to sell for this figure that you have agreed to pay, provided the Court would approve the transaction?

A. That's right.

Q. Now, Mr. Pilgrim, is this, in your opinion, a fair price for the Newman interest in the property?

A. I think so.

Q. Now are you familiar too with this building in Foley that is jointly owned by Mr. Petete and Mr. Newman?

A. Yes, sir.

Q. I will ask you if, in your opinion the sum of \$40,000 cash is a fair price for that building?

A. I think it is a very fair price.

Q. Do you think it is to the best interest of the Newman Estate that that property be sold at that price?

A. I do think so.

Q. Mr. Pilgrim, you and Mr. Newman, while he was a well person, were intimately associated?

A. Yes, sir, we were in a great many deals together.

Q. You know generally his affairs?

A. Yes, sir.

Q. Without going into detail, I will ask you whether or not he owed considerable money at the time he became sick?

A. Yes, sir.

Q. Does he still owe considerable money?

A. Yes, sir.

Q. You are familiar with his property?

A. Yes, I think I know most of it.

Q. It consists almost entirely of lands?

A. Yes, sir.

Q. It is not income producing real estate, with the exception of this building?

A. The building is the only one I know of.

Q. You also have knowledge of the fact that creditors are pressing Mrs. Newman for the payment of various obligations?

A. Yes, sir.

ON CROSS EXAMINATION OF THIS WITNESS HE TESTIFIED AS FOLLOWS:

Examination by Mr. Wilters, Guardian ad Litem.

Q. Q. Where do you live?

A. Elberta.

Q. Are you familiar with this land in Wilcox County?

A. Yes, sir, I have been all over it several times.

Q. What is your business?

A. I am a tree farmer; that the only business I know that I am in now.

Q. Do you deal considerably in real estate?

A. No, I was originally - several years ago I dealt in real estate, but I don't have a license now, but I buy and sell for myself.

Q. How many years were you in the real estate business - in the business of buying and selling real estate, whether to re-sell or for your self?

A. Well I have been buying and manufacturing lumber and buying lands and timber for about 30 years.

Q. Was this - What is this 940 acres in Wilcox County - what does that consist of?

A. Timbered lands. There is a couple of hundred acres that has been cleared at one time and gradually going back to forest with volunteer trees.

Q. Have you bought and sold much timbered lands in Wilcox County?

A. No, sir, that is the only tract.

Q. In the Counties near there?

A. No.

Q. Are you familiar with this building in Foley that Mr. Newman owns a half interest in it?

A. Well I have been in every room in it and I saw it built about 35 years ago and I am fairly well familiar with it.

Q. Are you familiar with the prices of property in Foley?

A. I think so; I have bought and sold quite a lot in Foley.

Q. In your opinion, is \$40,000 a reasonable price for this building?

A. I think it is a fair price; it is not too high, but I think under the present circumstances it is a fair price.

Q. You say you are familiar with Mr. Newman's financial affairs?

A. Well, I don't know whether I would say I am familiar with them; I have been in close touch with him for the last 10 years and we have bought a good deal of property in partnership and sold it again; I know more or less about his affairs; I don't know all of the details.

Q. You know where the large majority of his indebtedness is? In other words, is it on lands or other places? In other words, most of his debts consist of mortgages, don't they?

A. That is right.

Q. In your opinion, being familiar with his financial affairs -- you are familiar with his family's needs, are you not?

A. I think I am.

Q. You, in your opinion, think it is necessary for this land to be sold so that they will have adequate funds to live on?

A. It is absolutely necessary.

JUDGE W. D. STAPLETON, BEING FIRSTDULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Blackburn.

Q. Is this Judge W. D. Stapleton?

A. Yes, sir.

Q. Judge, are you familiar with the tract of land in Wilcox County, Alabama, conveyed by Bonner to Pilgrim, Newman and Pressley in 1951, which is described in the petition that we have filed in this cause?

A. Yes, sir.

Q. Judge, what business are you engaged in?

a. Real estate.

Q. Real estate broker?

A. Yes, sir.

Q. Were you such broker at the time this sale from Bonner to these people I mentioned was made?

A. Yes, sir.

Q. Did you act as selling agent for Mr. Bonner in selling this tract of land?

A. Mr. Groves and I did.

Q. Then you have been familiar with this tract of land since before Pilgrim, Newman and Pressley bought it?

a. Yes, sir.

Q. And have know it since Pilgrim and Newman acquired the Pressley interest?

A. Yes, sir.

Q. At the time these gentlemen, Pilgrim, Newman and Pressley bought this tract of land from Mr. Bonner they gave to him a mortgage to secure the indebtedness - the unpaid balance, in the sum of \$38,164, which did not include interest, payable in eight annual installments. Now the first and second annual installments were equally paid by Mr. Newman and Mr. Pilgrim the third annual installment was paid by Mr. Pilgrim. Now Mr. Pilgrim has offered to pay the Newmans \$22,626.65 for all of the interest that Mr. Newman has in this property,

to relieve Mr. Newman entirely from any obligation to pay any of this third installment which Mr. Pilgrim paid, and which amounted to \$5939.14, and in addition, Mr. Pilgrim will assume the remaining five payments due under this mortgage, I will ask you, in your opinion is \$22,626.65 a fair price for the Newman interest?

A. Yes, sir.

Q. Do you figure, under the circumstances, that it is to their best interest to accept that proposition

A. Certainly do.

Q. Do you, Judge, have any interest whatsoever in this matter at this time?

A. No, sir.

Q. Not connected in any way with Mr. Pilgrim?

A. No, sir.

ON CROSS EXAMINATION OF THIS WITNESS BY MR. WILTERS:

Q. Judge, is most of this land covered in timber?

A. It has a young growth pretty well all over it.

Q. Does it have any old timber on it?

A. No, sir, it has all been cut down. The biggest was four inches down to two inches and smaller.

---

I hereby certify that the foregoing is a true and correct transcript of the testimony taken by me in the Estate of Alfred M. Newman, on September 2, 1954, in Open Court, before Hon. Hubert M. Hall, Judge of said Court.

This 2nd day of September, 1954.

Lance D. Dumberry  
Official Court Reporter



\$2.52

FILED  
SEP 23 1954

ESTATE OF ALFRED NEWMAN, )  
a Non Compos Mentis. ) IN THE  
CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA. IN EQUITY.

MRS. ALFRED NEWMAN, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Blackburn.

- Q. Is this Mrs. Alfred Newman?  
A. Yes, sir.
- Q. Mrs. Newman, you, of course, signed this petition that we are filing here today?  
A. Yes, sir.
- Q. Are the facts stated therein true?  
A. Yes, sir.
- Q. You did complete the sale of the building in Foley in which Mr. Newman owned a half interest located on Lots 1 and 2, Block 5 Magnolia Springs Addition to Foley, according to map recorded in Map Book 1 page 25?  
A. Yes, sir.
- Q. He paid you \$20,000?  
A. Yes, sir.
- Q. You have paid these obligations set out in the petition? That is, the amount due on the mortgage, taxes and paving assessment?  
A. Yes, sir.
- Q. You have made a deed to Mr. Stacey?  
A. Yes, sir.
- Q. Since you have been appointed as guardian, you have taken in the \$20,000 purchase price which you did not have at the time you were appointed?  
A. Yes, sir.
- Q. Does the estate have sufficient income to support your family?  
A. No, sir.
- Q. That family consists of Mr. Newman, yourself and two children of school age?  
A. Yes, sir.

Q. Is it necessary that you be authorized to spend from the principal of the ward's estate a reasonable monthly sum for the support of the ward and the family, commencing with the month of September?

A. Yes, sir.

Q. Mrs. Newman, we talked about, but we did not agree - what, in your opinion, would be a reasonable monthly sum to be expended, taking into consideration your light bill, gas bill, gasoline bill, food and clothing and things of that sort, - what do you think it would run?

A. I would say at least \$500.00 a month. I don't know whether that would cover all of the bills or not.

Q. Now do you have some farm labor that you pay monthly?

A. Yes, do you want that included?

Q. I was not considering the farm labor. Do you think it would be necessary to go as high as \$500.00?

A. That depends on how many bills there are.

Q. I am assuming that we will get all of the bills now owing paid - What I'm trying to get at is your idea on what the bills will amount to each month, including, fuel, electricity, food, clothing, etc.

A. It is hard to tell without figuring it up.

Q. Well, in your best judgment, you think it should go as high as \$500.00? It is up to the judge and in the meantime if you have any further idea on it after the hearing, you can furnish it, because we won't write the decree immediately.

I will ask you if Mr. Newman didn't have, before he became ill - if he didn't become indebted to the State Bank of Elberta in the amount of \$8,000 which is secured by by note dated March 29, 1954, and which bears interest at 6%?

A. Yes, sir.

Q. Should that not be paid now?

A. Yes, sir.

Q. Do you have any funds from which to pay it?

a. I will out of this sale..

Q. In addition to that, you have attached to this petition, and marked Exhibit A. a number of bills. Is it necessary that all of those bills be paid?

A. Yes, sir.

Q. Some of those bills were incurred by Mr. Newman in his illness, were they not?

A. Yes, sir.

Q. Doctor's bills?

A. Yes, sir

Q. The other things are for maintenance and support of the family?

A. Yes, sir.

Q. The items, "labor", what does that cover?

A. Farm labor.

CROSS EXAMINATION BY MR. WILTERS, GUARDIAN AD LITEM

Q. Mrs. Newman, I don't believe you were able to give any specific figure as to the amount of money you would need monthly?

A. I did not; I have never thought about it.

Q. To run your household, not including farm labor, approximately how much would that be? About how much does your grocery bill run each month or week?

A. About \$40.00 a week. \$40 or \$50. a week.

q. Your grocery bills runs approximately \$40. to \$50.00 a week?

A. Yes, sir.

Q. What about your light bills?

A. They amount to about \$25.00 a month.

Q. What does your gas bill run?

A. \$9.00 to \$10.00 a month.

Q. How much expense is thereto sending the children to school?

A.m That is hard to say off-hand.

Q. You have two children going to school, do you not?

A. Yes, sir.

Q. You - Mr. Newman, of course, is residing at your home now?

A. That is right.

MR. BLACKBURN:

Q. I will ask you this question: Do you feel that you can maintain and support the family for the month of September and possibly October for \$300 to \$350. a month?

a. Yes, sir.

MR. WILTERS:

Q. This item - note to State Bank of Elberta, \$8,000. that has to be paid?

A. That is right.

Q. Foley Building and supply Company, what is that for?

A. That was a debt that Mr. Newman owed before he got sick - lumber to repair the home.

Q. Radio and Television?

A. That's just repair.

Q. This Doctor bill, is that the present Physician?

A. Yes, sir.

---

I hereby certify that the foregoing is a correct transcript of the testimony as taken by me in open court, before Hon. Hubert M. Hall, Judge of said Court, on the 23rd day of September 1954.

Louise Sussman  
Court Reporter

ESTATE OF ALFRED M.  
NEUMANN, A NON COMPOS  
MENTIS.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY NO. 3290.

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes The State Bank of Elberta, petitioner, and  
moves the Court for leave to withdraw its petition here-  
tofore filed herein to require the guardian to file an  
inventory of said estate and for the Court to increase  
the guardian's bond, without prejudice to petitioner.

*Lester Chaney*  
*Wm. E. Hall & John*  
Solicitors for Petitioner

IN THE MATTER OF THE INQUISITION OF ) IN THE PROBATE COURT OF  
 ALFRED M. NEUMANN ) \*  
 ) BALDWIN COUNTY, ALABAMA

This day came Irene Neumann and filed her petition in due form and under oath, alleging that she is the wife of Alfred M. Neumann, who is a citizen and resident of this county, who has an estate situated herein; that the said Alfred M. Neumann is of unsound mind and incapable of governing himself or of conducting and managing his affairs; that the said Irene Neumann is over twenty-one years of age and resides at Elberta in Baldwin County, Alabama; and further averring that the Petitioner believes that it will be to the best interest of the said Alfred M. Neumann that a guardian be appointed to manage his property, and praying the court to take jurisdiction of the matter, to appoint a day for the hearing thereof, to appoint a guardian ad litem for the said Alfred M. Neumann, to have due inquisition and determination as to the truth of the allegations of the said petition, and asking that she be appointed as guardian of the said Alfred M. Neumann. It is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The 16 day of June, 1954, at 9 o'clock A. M. shall be and the same is hereby appointed a day for the hearing of the said petition; that a jury be drawn as provided by law; that a writ be issued to the sheriff of the said county to take the said Alfred M. Neumann, alleged to be of unsound mind, into his custody and, if consistent with his health and safety, have him present at the place of trial.

2. HARRY J. WILTERS, JR., an Attorney at Law, practicing in Baldwin County, Alabama, be and he is hereby appointed guardian ad litem to represent the said Alfred M. Neumann, alleged to be of unsound mind, at the hearing of the said petition, it appearing to the court that the said Alfred M. Neumann does not have counsel to represent him in said hearing.

ORDERED, ADJUDGED AND DECREED on this the 14 day of June, 1954.

STATE OF ALABAMA, BALDWIN COUNTY

Recorded Pro & M in book 3 page 495

W. R. Stuart  
 Judge of Probate No

W. R. Stuart  
 Judge of Probate

ESTATE OF ALFRED M.  
NEUMANN, A NON COMPOS  
MENTIS.

I IN THE CIRCUIT COURT OF  
I BALDWIN COUNTY, ALABAMA.  
I IN EQUITY No. 3290.

On motion of petitioner, State Bank of Elberta, it is ORDERED, ADJUDGED and DECREED that its petition filed herein to compel the guardian to file an inventory of said estate, and for the Court to make an order increasing the bond of said guardian, be and the same is hereby permitted to be withdrawn without prejudice to said petitioner, State Bank of Elberta; and said petition be and the same is hereby so ordered to be withdrawn without prejudice to said petitioner.

ORDERED, ADJUDGED and DECREED this 27 day of  
December, 1954.

Julius M. Hall  
JUDGE

## GUARDIAN'S BOND

STATE OF ALABAMA )  
 \*  
 BALDWIN COUNTY )

KNOW ALL MEN BY THESE PRESENTS: That we, Irene Neumann, as Principal, and the Fidelity and Casualty Company of New York, a Corporation, as Surety, are held and firmly bound unto W. R. Stuart, Judge of the Probate Court of Baldwin County, Alabama, and his successors in office, in the penal sum of Ten Thousand Dollars (\$10,000), for which payment well and truly to be made and done we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed by our seals and dated this 16<sup>TH</sup> day of June, 1954.

The condition of the above obligation is such that, Whereas, the above bound Irene Neumann has been appointed as guardian of the Estate of Alfred M. Neumann, a person of unsound mind.

Now, if the said Irene Neumann shall well and truly perform all of the duties which are or may be required of her, as such guardian, then this obligation to be void; otherwise to remain in full force and effect.

Irene Neumann (SEAL)  
 Irene Neumann

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, a Corporation, (SEAL)

By Robert M. Lindsey

As its Attorney in Fact.

Taken and approved on this the 16<sup>TH</sup> day of June, 1954.

W. R. Stuart

Judge of Probate, Baldwin County, Alabama.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 6/16/54 M

Recorded Pro & Min book 44 page 3

W. R. Stuart  
 Judge of Probate



## PETITION FOR INQUISITION

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND TO  
THE HONORABLE W. R. STUART, JUDGE OF SAID COURT:

Now comes Irene Neumann and respectfully shows unto the  
court and your Honor as follows:

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

2. Alfred M. Neumann, who is a citizen and resident of Baldwin County, Alabama, and who has an estate situated therein, is of unsound mind. He is approximately 47 years of age and resides at Elberta in Baldwin County, Alabama, but is now a patient in the Mobile Infirmary in Mobile, Alabama. The said Alfred M. Neumann is incapable of governing himself or of conducting and managing his affairs, and Petitioner believes from his conduct and mental condition that it would be to his best interest that a guardian be appointed to manage his property.

3. Petitioner further shows unto the court and your Honor that she is in all respects a fit and qualified person to act as the guardian of the said Alfred M. Neumann.

THE PREMISES CONSIDERED, your Petitioner prays that this Honorable Court will take jurisdiction of this petition for an inquisition to determine if Alfred M. Neumann is a person of sound or unsound mind, and appoint a day for the hearing thereof; that if the said Alfred M. Neumann is not represented by counsel, will appoint a guardian ad litem to represent and defend him, and in the event the jury summonsed to hear the said proceeding determines that the said Alfred M. Neumann is a person of unsound mind, that the court will make and enter a decree declaring the said Alfred M. Neumann to be a person of unsound mind and will commit the custody of his property to a guardian to be appointed by this court, and that the said Irene Neumann be appointed as such guardian.

Petitioner further prays that such other orders be made

and decrees rendered as may be requisite and proper in the premises.

Irene Neumann  
Petitioner

STATE OF ALABAMA )  
                                  \*  
BALDWIN COUNTY    )

Before me, the undersigned authority, within and for said County in said State, personally appeared IRENE NEUMANN, who, after being by me first duly and legally sworn, deposes and says:

That she is the petitioner mentioned in the above and foregoing petition; that she is the wife of the said Alfred M. Neumann mentioned in the said petition; that she has knowledge of the matters and things stated therein, and that the facts stated therein are true.

Irene Neumann

Sworn to and subscribed before me on  
this the 14 day of June, 1954.

Mary Lou Blackburn  
Notary Public, Baldwin County, Alabama

STATE OF ALABAMA, BALDWIN COUNTY  
Filed June 14, 1954 M  
Recorded Proxm in book 3 page 493  
W. R. Stuart  
Judge of Probate Ho

IN THE MATTER OF THE INQUISITION OF ) IN THE PROBATE COURT OF  
 \*  
 )  
 ALFRED M. NEUMANN ) BALDWIN COUNTY, ALABAMA

## ORDER TO SUMMONS JURY

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA, GREETINGS:

WHEREAS, Irene Neumann, the wife of Alfred M. Neumann, did on the 14th day of June, 1954, file in the office of the Judge of Probate of said county an application to have Alfred M. Neumann, a citizen and resident in said county, over the age of twenty-one years, declared of unsound mind and praying that an inquisition of lunacy may be had in due form of law; and,

WHEREAS, the said Probate Court of the said county did set the hearing of the said petition for nine o'clock A. M. on the 16th day of June, 1954:

NOW, THEREFORE, you are hereby directed and commanded to summons six disinterested persons of the neighborhood where the said Alfred M. Neumann resides, namely: Elberta, Alabama, to appear before this court at nine o'clock A. M. on the 16th day of June, 1954, to serve as jurors for the hearing of the issues raised in said petition, herein fail not, and have your return showing how you have executed this writ.

Given under my hand this 14th day of June, 1954.

W. R. Stuart  
 Judge of Probate

## Sheriff's return:

In compliance with the mandate of the above writ, I have summonsed the following disinterested persons of the neighborhood where Alfred M. Neumann resides, namely, Elberta, Alabama, to serve as jurors for the inquisition in lunacy for Alfred M. Neumann:

Name: Walter Perske

Address: Elberta, Alabama

Name: Joe Krauss

Address: Elberta, Alabama

STATE OF ALABAMA, BALDWIN COUNTY

Recorded Pro. M. in book 3 page 498

W. R. Stuart  
 Judge of Probate He

Name: Albert Schweitzer

Address: Elberta, Alabama

Name: Johnny Miller

Address: Elberta, Alabama

Name: Herman Doego

Address: Elberta, Alabama

Name: John Gattler

Address: Elberta, Alabama

Dated this 16th day of June, 1954.

Lylo Wilkins

Sheriff of Baldwin County, Alabama



THE ESTATE OF ALFRED M.  
NEUMANN, A NON COMPOS  
MENTIS.

I IN THE CIRCUIT COURT OF  
I BALDWIN COUNTY, ALABAMA.  
I IN EQUITY. NO. 3290

The State Bank of Elberta having filed a petition herein to require the Guardian, Irene L. Neumann, to file an inventory of the Estate of her ward, Alfred M. Neumann, a non compos mentis, and for the increasing of the bond of the said Guardian, it is, therefore, ORDERED and ADJUDGED by the court that said motion be and the same is hereby set for hearing in the court room of the Circuit Court of Baldwin County, Alabama, on the 13 day of October, 1954, at 10 o'clock A.M.

ORDERED, ADJUDGED and DECREED this the 30 day of

September, 1954.

Hubert M. Hall  
JUDGE

Received 25 day of Oct 1954  
and on 25 day of Oct 1954  
I served a copy of the within Equity  
on \_\_\_\_\_

By service on Geo. W. Williams  
Williams  
 TAYLOR WILKINS, Sheriff  
 By Geo. Williams D. S.

FILED  
JUN 180 1954  
HOMER J. ARCK, Registrar

JOHNSTON, McCALL & JOHNSTON  
LAWYERS  
EIGHTH FLOOR FIRST NATIONAL BANK ANNEX  
MOBILE, ALABAMA

SAMUEL M. JOHNSTON  
DAN T. McCALL, JR.  
WILLIAM E. JOHNSTON  
SAMUEL M. JOHNSTON, JR.  
PERCY W. JOHNSTON, JR.

MAILING ADDRESS:  
P. O. BOX 550  
MOBILE 4, ALABAMA

September 29, 1954

Mrs. Alice J. Duck  
Register in Chancery  
Bay Minette, Alabama

Re: #3290 - Estate of Alfred M. Neumann

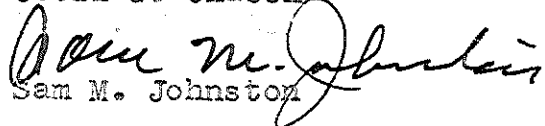
Dear Mrs. Duck:

Enclosed herewith we hand you petition by State Bank of Elberta to be filed in this cause. We would thank you to advise us the day when the court will set this down for hearing. We are sending Mr. J. B. Blackburn, attorney for the Guardian, a copy of this petition and this letter, but, of course, the Guardian should be served with a notice of the petition and the order of the court setting the time and date for the hearing of same. We are enclosing herewith a form or order which the court may use, if it sees fit, setting this case down for hearing, since I understand Equity Rule 94 requires five days notice of the hearing of such petition.

Whatever order the Judge makes, we will thank you to send us each a copy thereof.

Very truly yours,

  
Cecil G. Johnson

  
Sam M. Johnston

SMJ:jg

Enclosures

cc: Mr. J. B. Blackburn



ESTATE OF  
ALFRED M. NEUMANN,  
A Non Compos Mentis

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

NOTICE OF APPOINTMENT OF GUARDIAN AD LITEM  
TO HARRY J. WILTERS, JR., ESQUIRE:

You are hereby notified that by a decree rendered in this cause on this date you were appointed as guardian ad litem to represent Alfred M. Neumann, a non compos mentis, in connection with the petition filed in this cause on this date by Irene Neumann, as guardian of the said Alfred M. Neumann, in which she is seeking authority to sell real property at private sale. You are further notified that the said cause has been set for hearing and will be heard at ten o'clock A. M. on September 2, 1954.

Dated this 31st day of August, 1954.

*Reice J. Wilters, Jr.*  
Register

\* \* \* \* \*

ACCEPTANCE AND ANSWER OF GUARDIAN AD LITEM

I, Harry J. Wilters, Jr., an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, having been appointed as guardian ad litem to represent Alfred M. Neumann in connection with the petition filed in this cause by Irene Neumann, as guardian of the said Alfred M. Neumann, on this date, do hereby accept the said appointment and for answer to the said petition I, as such guardian ad litem for the said ward, do hereby deny each and all of the allegations of the said petition and demand strict proof of same.

Dated this 1st day of September, 1954.

*Harry J. Wilters, Jr.*

As Guardian Ad Litem of Alfred M.  
Neumann, a non compos mentis.

NOTICE OF APPOINTMENT, ACCEPTANCE  
AND ANSWER OF GUARDIAN AD LITEM

ESTATE OF

ALFRED M. NEUMANN, a Non Compos  
Mentis.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

*Filed 9-1-54  
Alice J. Muck  
Reg*

The State of Alabama, Baldwin County

PROBATE COURT, June TERM, 1954

To Harry J. Wilters, Jr., Esq.

Take Notice, That by an order of this Court, this day made and entered, you were appointed to act as Guardian ad litem for Alfred Neumann, alleged to be mentally incompetent,

~~XXXXXX~~ deceased, to represent and protect their interests upon hearing of the petition of Irene Neumann, alleging that he is mentally incompetent; said hearing to be held June 16, 1954, at 9 A.M.

Given under my hand, this 14th day of June, 1954.

*W.R. Street*

Judge of Probate.

I hereby accept the appointment of Guardian ad litem for Alfred Neumann, alleged to be mentally incompetent

STATE OF ALABAMA, BALDWIN COUNTY  
Recorded *Post Min* book 3 page 176

*W.R. Street*  
Judge of Probate *W*

~~XXXXXX~~ deceased, to represent and protect their interests upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceedings and demand proof thereof.

Witness my hand, this 14th day of June, 1954.

*Harry J. Wilters, Jr.*

Guardian ad litem.

IN THE MATTER OF THE INQUISITION OF ) IN THE PROBATE COURT OF  
 ALFRED M. NEUMANN )  
 \*  
 ) BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Irene Neumann, the wife of Alfred M. Neumann, has this day filed her petition with the judge of said court, alleging that the said Alfred M. Neumann is a person of unsound mind; that an inquisition may be had in due form of law to try the truth of the said allegations as to whether or not the said Alfred M. Neumann is capable of governing himself or conducting and managing his affairs; and,

WHEREAS, the judge of the said court has, by an order made and entered in this cause, appointed the 16th day of June, 1954, at nine o'clock A. M. as the day for hearing the said petition and the due trial thereof.

You are hereby required to take the body of the said Alfred M. Neumann, who is now a patient in the Mobile Infirmary, Mobile, Alabama, and, if consistent with his health and safety, have him in court to be present at the place of trial and before the jury then to be impanelled to make said inquisition, and have you then and there this writ with your return thereon.

Given under my hand this 14 day of June, 1954.

W. R. Stuart  
 Judge of Probate

STATE OF ALABAMA, BALDWIN COUNTY

Recorded W. R. Stuart book 3 page 492

W. R. Stuart  
 Judge of Probate

Sheriff's return:

It not being consistent with the health and safety of the said Alfred M. Neumann, alleged to be of unsound mind, he, being now confined and a patient in the Mobile Infirmary, Mobile, Alabama, I have not taken him into custody and do not have him present at the place of trial.

Dated this 16th day of June, 1934.

*Taylor Wilkins*  
Sheriff of Baldwin County,  
Alabama.

~~77B~~  
WRIT TO SHERIFF TO TAKE ALLEGED  
NON COMPOS MENTIS INTO CUSTODY

IN THE MATTER OF THE  
INQUISITION OF

ALFRED M. NEUMANN

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA

Bay Minette, Ala., Sept. 23 1954

Est: Alfred M. Neumann, N.C. 19.  
Irene Neumann, Gdn

IN ACCOUNT WITH

Judge of Probate, Baldwin County

| Recording | from | to | Privilege Tax | Rec. Fee | Total |
|-----------|------|----|---------------|----------|-------|
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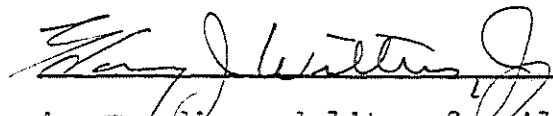
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ESTATE OF  
ALFRED M. NEUMANN,  
a non compos mentis

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

ANSWER OF GUARDIAN AD LITEM

I, Harry J. Wilters, Jr., as guardian ad litem for Alfred M. Neumann, a non compos mentis, for answer to the petition filed in this cause by Irene Neumann, as guardian of Alfred M. Neumann, on September 23, 1954, deny each and all of the allegations of the said petition and demand strict proof of same.



As guardian ad litem for Alfred M.  
Neumann, a non compos mentis.

ANSWER OF GUARDIAN AD LITEM

ESTATE OF

ALFRED M. NEUMANN, a non compos  
mentis

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

*Filed 9-23-41*

*Alice French  
Rey*



ESTATE OF  
ALFRED M. NEUMANN,  
a non compos mentis

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

DECREE APPOINTING GUARDIAN AD LITEM

Harry J. Wilters, Jr., Esquire, an Attorney at Law and Solicitor in Chancery, practicing at Bay Minette in Baldwin County, Alabama, shall be and he is hereby appointed as guardian ad litem for Alfred M. Neumann, a non compos mentis, to represent him and protect his interests in connection with a petition filed in this cause on this date by Irene Neumann, as guardian of the said Alfred M. Neumann.

ORDERED, ADJUDGED AND DECREED on this the 23rd day of September, 1954.

Hubert M. Hall  
Judge

RECORDED

DECREE APPOINTING GUARDIAN AD  
LITEM

ESTATE OF

ALFRED M. NEUMANN, a non compos  
mentis

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

*Filed 7-23-54  
Alingfuecker  
Per  
Fry*

3290

ms. Dub

Harry Doline brought  
this and said it was  
to be included in the  
costs.

STATE OF ALABAMA  
BALDWIN COUNTY

PROBATE COURT

To County Treasurer:

Pay to the order of Johnny Miller of Elberta, Alabama  
the sum of 5<sup>00</sup> for his services as a Juror in the matter of the  
Inquisition of Alfred M. Neumann, this date.

Witness my hand this the 16th day of June 1954.

W. R. Stuart

Judge of Probate.

STATE OF ALABAMA  
BALDWIN COUNTY

PROBATE COURT.

To County Treasurer:

Pay to the order of Albert Schweizer of Elberta, Alabama,  
the sum of 5<sup>00</sup> for his services as a Juror in the matter of the  
Inquisition of Alfred M. Neumann, this date.

Witness my hand this the 16th day of June 1954



Judge of Probate.



STATE OF ALABAMA  
BALDWIN COUNTY

PROBATE COURT

To County Treasurer:

Pay to the order of Walter Perskie of Elberta, ALABAMA,  
the sum 5<sup>00</sup> for his services as a Juror in the matter of the  
Inquisition of Alfred M. Neumann, this date.

Witness my hand this the 16th day of June 1954.

M. R. Short

Judge of Probate.

STATE OF ALABAMA

PROBATE COURT.

BALDWIN COUNTY

To County Treasurer:

Pay to the order of John G. Lister of Elberta, Alabama,  
the sum of 5<sup>00</sup> for his service as a Juror in the matter of  
the Inquisition of Alfred M. Neumann, this date.

Witness my hand this the 16th day of June 1954.

W. R. Stuart  
Judge of Probate.

STATE OF ALABAMA

PROBATE COURT.

BALDWIN COUNTY

To County Treasurer:

Pay to the order of Herman Seigel of Elberta, Alabama,  
the sum of \$ 5<sup>00</sup> for his services as a juror in the matter  
of the Inquisition of Alfred M. Neumann, this date.

Witness my hand this the 16th day of June 1954.

W. R. Street

Judge of Probate.



STATE OF ALABAMA

PROBATE COURT.

BALDWIN COUNTY

To County Treasurer:

Pay to the order of Joe Krantz of Elberta, Alabama,  
the sum of 5.00 for his services as a Juror in the matter of  
the Inquisition of Alfred M. Neumann, this date.

Witness my hand this the 16th day of June 1954.

W. R. Stunt

Judge of Probate.