

ESTATE OF  
HARRIET A. BUTLER,  
DECEASED.

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

DECREE AUTHORIZING DISTRIBUTION OR PRIVATE  
SALE OF SECURITIES.

This cause coming on again to be heard on this date is submitted on the petition of Aubrey B. Butler, Executor of and under the Last Will and Testament of the said Decedent; the written releases or waivers of Dean Madison Kennedy, Charles Parker Kennedy, George Elmer Fuller, Jr., David Butler Fuller, Patrice Althea Stambaugh, formerly Patrice Althea Fuller, Harriet Audrey Tycker, formerly Harriet Audrey Fuller, Kenneth Bickford Mickelwait, Malcolm Pitzer Mickelwait, Aubrey Butler Mickelwait and John Parker Butler, grandchildren of the said Decedent and legatees named in her Last Will and Testament; the answers and waivers of Aubrey B. Butler, Patrice Butler Fuller and Dorothy Parker Kennedy, children of the said Decedent and the residuary legatees named in her Last Will and Testament; upon consideration of all of which, it appears to the Court that all parties interested in this proceeding have waived notice of the filing of the said petition and of the date set for hearing same and have consented and agreed that the prayer of the said petition be granted; WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. Aubrey B. Butler, as Executor of and under the Last Will and Testament of the said Decedent, shall be and he is hereby fully and completely authorized, empowered and directed to distribute the following securities belonging to the said estate, to-wit:

Certificate #0511990, 20 shares Kennecott Copper Corporation,  
Certificate #C029907, 10 shares The Electric Auto-Lite Co.,  
Certificate #0307103, 5 shares, common stock, The Chesapeake and  
Ohio Railway Co.,  
Certificate #X122151, 10 shares, common stock, The Chesapeake and  
Ohio Railway Co.  
Certificate #X143823, 10 shares, common stock, The Chesapeake and  
Ohio Railway Co.  
Certificate #F80829, 20 shares, common stock, Loew's, Incorporated,  
among the residuary legatees named in the Last Will and Testament  
of the said Decedent, namely, Aubrey B. Butler, Patrice Butler Fuller and Dorothy Parker Kennedy, in such manner that each of the said

parties will receive in the said distribution an equal share of the said securities. The said Executor is also fully and completely authorized, empowered and directed to endorse each and all of the above stock certificates and transfer them for the purpose stated in this decree and take such other action as may be necessary, to effect the said division.

2. In the event it is impossible for the said Executor to distribute the above securities among the three said residuary legatees, namely, Aubrey B. Butler, Patrice Butler Fuller and Dorothy Parker Kennedy, so as to effect an equal division thereof, then in such event he is hereby fully and completely authorized, empowered, instructed and directed to sell the said securities, or such part thereof as may be necessary, for the purpose of making an equal distribution or division among the said residuary legatees, at private sale for cash. In the event sale of the said securities or any part thereof is made, the said Executor is fully and completely authorized to endorse the said stock certificates and take such other action as may be necessary to sell and convey the stock or securities so sold.

3. After making distribution or sale of the above described securities, the said Executor shall report his actions in the premises to this Court for confirmation.

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

ORDERED, ADJUDGED AND DECREED on this the 29<sup>th</sup> day of February, 1952.

J. Fair J. Marshall, Jr.  
Judge.

STATE OF ALABAMA )

BALDWIN COUNTY )

I, Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the above and foregoing instrument is a true and correct copy of a decree rendered in and by the Circuit Court of Baldwin County, Alabama, in Equity, in connection with the administration of the Estate of Harriet A. Butler, Deceased, which bears even date herewith, authorizing the Executor of the said estate to make division of certain securities belonging to the said estate and to sell securities belonging to the said estate at private sale, if necessary, to make division, as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the \_\_\_\_\_ day of \_\_\_\_\_, 1952.

---

Register of the Circuit Court of Baldwin  
County, Alabama, in Equity.

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

Your Petitioner, Aubrey B. Butler, who is over twenty-one years of age and a resident of Northampton, Massachusetts, respectfully represents unto the Court and your Honor as follows:

2. All assets of the said estate have been collected and paid or distributed among the legatees named in the Last Will and Testament of the said decedent, and all of the terms and provisions of the said Will have been complied with; all claims and charges against the said estate have been paid and as more than six months have expired since the Last Will and Testament of the said decedent was admitted to probate and record, the said estate should now be fully and finally settled.

3. Petitioner, as such executor, has not used any of the funds or assets of the said estate for his own benefit, either directly or indirectly.

4. The heirs of the said decedent and the residuary devisees and legatees named in the Last Will and Testament of the said decedent are your Petitioner, Aubrey B. Butler, a son of the said decedent; Patrice Butler Fuller and Dorothy Parker Kennedy, daughters of the said decedent, each and all of which said parties are over twenty-one years of age and of sound mind, and have, by written instrument hereto attached and made a part hereof, waived notice of the filing of this petition and of the date set for hearing same

and waived an accounting by the said executor, and have consented and agreed that this estate be settled by consent without notice in the manner provided by Title 61, Section 301 of the 1940 Code of Alabama, as amended.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this petition and make and enter a proper order or decree fully and finally settling this said estate by consent without notice in the manner provided by Title 61, Section 301 of the 1940 Code of Alabama, as amended. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises to fully and finally settle the said estate and release said Petitioner, as said executor, from all other and further liability because of the administration of the said estate.

x Aubrey B. Butler  
Petitioner.

Sworn to and subscribed before me  
on this the 1<sup>st</sup> day of ~~November~~,  
1952. December

Franklin King Jr.  
Notary Public, Hampshire County,  
Massachusetts.

FRANKLIN KING JR.

My Commission Expires June 15, 1957

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

We, the undersigned Aubrey B. Butler, Patrice Butler Fuller and Dorothy Parker Kennedy, do each hereby waive notice of the filing of the foregoing petition and of the date set for hearing same, do each hereby waive an accounting by the said executor, and do each consent and agree that this estate be fully and finally settled by consent without notice in the manner prescribed by Title 61, Section 301 of the 1940 Code of Alabama, as amended.

We and each of us hereby acknowledge receipt of all amounts due us by Aubrey B. Butler, as executor of the Last Will and Testament of Harriet A. Butler, Deceased.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals on this the 1<sup>st</sup> day of December, 1952.

Aubrey B. Butler (SEAL)  
Aubrey B. Butler

Patrice Butler Fuller (SEAL)  
Patrice Butler Fuller

Dorothy Parker Kennedy (SEAL)  
Dorothy Parker Kennedy

STATE OF MASSACHUSETTS )  
\*  
HAMPSHIRE COUNTY )

I, Franklin King Jr., a Notary Public, within and for said County in said State, hereby certify that Aubrey B. Butler, 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 1<sup>st</sup> day of December, 1952.

Franklin King Jr.  
Notary Public, Hampshire County,  
Massachusetts.

Affix Seal.

FRANKLIN KING JR.  
My Commission Expires June 15, 1957

STATE OF ALABAMA )  
\*  
MOBILE COUNTY )

I, Rebecca O. Bashin, a Notary Public, within and for said County in said State, hereby certify that Patrice Butler Fuller, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 16<sup>th</sup> day of December, 1952.

Rebecca O. Bashin  
Notary Public, Mobile County, Alabama.  
*My commission expires May 3, 1953*

STATE OF California  
COUNTY OF Los Angeles

I, Constance S. Nelson, a Notary Public, within and for said County in said State, hereby certify that Dorothy Parker Kennedy, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 8<sup>th</sup> day of December, 1952.

Constance S. Nelson  
Notary Public,  
*My Commission Expires Jan. 9, 1953*

Affix Seal.

Harriet A. Butler, Deceased

In the Probate Court of Baldwin County, Alabama,  
November 27th, 1950.

In the matter of the probate of her Last Will and Testament.

This the 27th day of November, A.D., 1950, having been regularly appointed for hearing the application of Aubrey B. Butler, which was heretofore filed in this Court, by his attorney, for the probate of an instrument of writing purporting to be the last will and testament of said deceased, now comes said applicant by his attorney and prays the court that his application be heard; and it appearing to the satisfaction of the Court, that the notice of said application, has been given in pursuance of law, and in strict accordance with the former order of this court, made and entered, in the premises, on the 26th day of October, A.D., 1950, and it appearing to the Court that all of the next of kin of said decedent have waived notice of the filing of the petition in this court to probate said instrument, purporting to be the last will and testament of said decedent, and of the date set for hearing said petition and consented and agreed that the said will of said decedent be admitted to probate and record, without further notice to them; now on motion of said petitioner the court proceeds to hear said application.

And it appearing to the satisfaction of the Court from the testimony of Jesse A.G. Andre, taken by commissioner heretofore appointed in the case, that he resides at 25 Harrison Avenue Northampton, Mass.; that he was acquainted with Harriet A. Butler, during her lifetime; and knew her prior to her death for about twenty years; that after an examination of the instrument of writing, which purports to be the last will and testament of Harriet A. Butler, and stated that it was signed by Harriet A. Butler, in his presence, and in the presence of the other witness; He further stated that he was a practicing attorney at the time the said will was drafted, and that it was the request that he prepare the said will for her, and it was prepared by him in accordance with her instructions. The witness further stated that he signed the same



as a witness in the presence of Harriet A. Butler, and also in the presence of the other witness; and it being also shown by proof which is satisfactory to the Court, that said testatrix was of the full age of twenty-one years and upwards at the time of making said will, and that she was of sound mind, and fully capable of making her said will, and there being no contest, it appears to the court, that said application should be granted.

It is therefore ordered, adjudged and decreed, by the court, that said will of said Harriet A. Butler, Deceased, be received, and the same is hereby declared to be duly proven as the last will and testament of said decedent, and as such admitted to probate and ordered to be recorded, together with the proof thereof, and all other papers on file relating to this proceeding.

It is further ordered, that Letters Testamentary issue to Aubrey B. Butler, to execute the will of said decedent, without bond as provided in said will.

*M. B. Stuart*  
Judge of Probate

By: *Lila S. Glouner, chief clerk*

Order Admitting  
will be  
Fulfilled

11/29/50

Rec Mon N  
Page 400-1

ESTATE OF  
HARRIET A. BUTLER, DECEASED.

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

APPLICATION FOR AUTHORITY TO MAKE DISTRIBUTION  
BEFORE SETTLEMENT AND FOR SALE OF PERSONAL  
PROPERTY AT PRIVATE SALE.

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, Aubrey B. Butler, who is over twenty-  
one years of age and a resident of Northampton, Massachusetts, re-  
spectfully represents unto the Court and your Honor as follows:

1. He has been appointed, qualified and is now acting as  
Executor of this said estate, the administration of which is now  
pending in this court.

2. This estate is solvent and Petitioner desires to dis-  
tribute, before final settlement, among the residuary legatees named  
in the Last Will and Testament of the said Decedent the following  
described securities:

Certificate #0511990, 20 shares Kennecott Copper Corporation;  
Certificate #C029907, 10 shares The Electric Auto-Lite Co.;  
Certificate #0307103, 5 shares, common stock, The Chesapeake and  
Ohio Railway Co.;  
Certificate #X122151, 10 shares, common stock, The Chesapeake and  
Ohio Railway Co.;  
Certificate #X143823, 10 shares, common stock, The Chesapeake and  
Ohio Railway Co.;  
Certificate #F80829, 20 shares, common stock, Loew's, Incorporated.

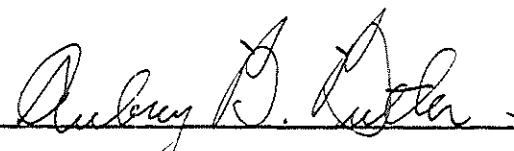
3. In the event it is impossible for Petitioner, as said  
Executor, to make an equal distribution among the residuary legatees  
named in the Last Will and Testament of the said Decedent, then Pe-  
titioner desires authority to sell such of the said securities as  
can be equally divided at private sale or sales for cash. All of  
the said securities have a definite market value and can be sold at  
private sale for as much money and with less cost and expense to  
the said estate than they could be sold in any other way.

4. The Last Will and Testament of the said Decedent does  
not authorize Petitioner, as said Executor, to sell and convey the  
said securities, but does not prevent a sale thereof in any way or  
manner.

5. Dean Madison Kennedy, Charles Parker Kennedy, George  
Elmer Fuller, Jr., David Butler Fuller, Patrice Althea Fuller,

Harriet Audrey Fuller, Kenneth Bickford Mickelwait, Malcolm Pitzer Mickelwait, Aubrey Butler Mickelwait and John Parker Butler, grandchildren of the said Decedent and legatees named in her Last Will and Testament, have each filed releases in this cause and have no further interest herein. The only persons now interested in this proceeding are your Petitioner, Aubrey B. Butler, a son; Patrice Butler Fuller and Dorothy Parker Kennedy, daughters of the said Decedent, who are the legatees named in Paragraph Six of her Last Will and Testament, each and all of which said parties are over twenty-one years of age and of sound mind, and have filed written waivers of notice of the filing of this petition and of the date set for hearing same and have consented and agreed that a proper decree be rendered as prayed for in this said petition.

WHEREFORE, Petitioner prays that the Court will make and enter a proper order or decree authorizing him to divide the said securities described above among the residuary legatees named in Paragraph Six of the Last Will and Testament of the said Decedent before final settlement and in the event it is impossible for him to make an equal distribution of the said securities among the said residuary legatees, Petitioner prays that he be authorized to sell such of the said securities as cannot be equally divided at private sale for cash and to make, execute and deliver such conveyances or transfers thereof as are necessary and proper. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

  
Petitioner.

STATE OF MASSACHUSETTS )  
HAMPSHIRE COUNTY )

Before me, the undersigned authority, within and for said County in said State, personally appeared AUBREY B. BUTLER, who, after being by me first duly and legally sworn, deposes and says: That he is the Petitioner named in the foregoing petition; that he has read over the said petition and that the facts contained

therein are true.

Marian V. Flavin  
Notary Public

Sworn to and subscribed before me on  
this the 25<sup>th</sup> day of September, 1951.

Marian V. Flavin  
Notary Public, Hampshire County, Massa-  
chusetts.

Probate Court,  
Baldwin County,  
Bay Minette, Alabama.

TO MARIAN V. FLAVIN DR.  
39 Main Street  
Northampton, Mass.

1950

Nov. 10

Taking deposition of Jesse A. G. Andre  
re will of Harriet A. Butler,..... \$ 5.00

JESSE A. G. ANDRÉ  
LAWYER  
39 MAIN STREET  
NORTHAMPTON, MASSACHUSETTS

November 13, 1950.

Honorable W. R. Stuart,  
Judge of Probate,  
Bay Minette, Alabama.

Dear Sir:

Re: Estate of Harriet A. Butler.

In accordance with your instructions in your letter of October 27, I have taken the deposition of Attorney Jesse A. G. Andre. I accordingly enclose the following papers in a sealed envelope:

1. Will of Harriet A. Butler, dated September 24, 1940.
2. Deposition of Jesse A. G. Andre, proving the will of said Harriet A. Butler.
3. Copy of petition.

I am also enclosing my bill for services.

I hope the papers will be found in order. If anything further is needed by way of return, please advise me.

Yours respectfully,

*Marian V. Flavin*

F.  
Enclosure

ESTATE OF

HARRIET A. BUTLER, DECEASED.

)  
\*  
)

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA

INTERROGATORIES PROPOUNDED TO JESSE A. G. ANDRE

1. What is your name?
2. Where do you reside?
3. Did you know Harriet A. Butler during her lifetime?
4. How long did you know her prior to her death?
5. Please examine the attached written instrument, which purports to be the Last Will and Testament of Harriet A. Butler, and state whether or not it was signed by Harriet A. Butler in your presence and in the presence of the other witnesses.
6. If your answer to the foregoing interrogatory is yes, was Harriet A. Butler over twenty-one years of age and of sound mind when she signed the said Will?
7. Were you a practicing attorney at the time the said Will was drafted?
8. Did Harriet A. Butler request that you prepare the said Will for her and was it prepared by you in accordance with her instructions?
9. Did you sign the Will as a witness in the presence of Harriet A. Butler and the other witnesses thereto?
10. Did Nellie P. Rastallis and Marian V. Flavin sign the said Will as witnesses in the presence of Harriet A. Butler and yourself?

J. B. Blackburn  
Attorney for Petitioner.



STATE OF ALABAMA    )  
                              \*  
BALDWIN COUNTY        )

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

That he is Solicitor for the Petitioner in this cause; that the witness, Jesse A. G. Andre, resides more than one hundred miles from Bay Minette, Alabama, computing the route usually traveled, and is a non-resident of the State of Alabama and a material witness for the Petitioner in this cause.

Petitioner suggests Marian V. Flavin, whose residence and post office address is Northampton, Massachusetts, as a suitable person to be appointed Commissioner to take the testimony of the said witness.

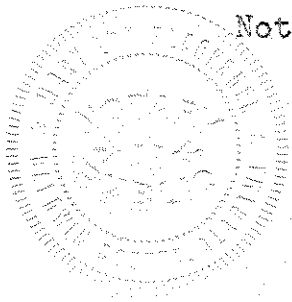
J. B. Blackburn

Sworn to and subscribed before me on  
this the 24th day of October, 1950.

Mary Lee Blackburn

Notary Public, Baldwin County, Alabama.

The address of the Commissioner suggested above is  
C/o Jesse A. G. Andre, Attorney at Law, 39 Main Street,  
Northampton, Massachusetts.

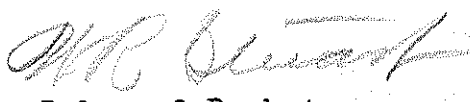


Harriet A. Butler, Deceased

Probate Court of Baldwin  
County, Alabama,  
March 23rd, 1951.

This day came Aubrey B. Vutler, the Executor of the  
Last Will and Testament of said decedent, and presents his  
inventory of said estate, in due form, and properly veri-  
fied.

It is ordered that the same be filed and recorded.

  
Judge of Probate.

Order are  
Selling Inventory

3/23/51

Rec. Min. N.  
Page 446  
—

WAIVER

STATE OF CALIFORNIA )  
LOS ANGELES COUNTY )

I, the undersigned Dorothy Parker Kennedy, do hereby waive notice of the filing of a petition in the Probate Court of Baldwin County, Alabama to probate an instrument purporting to be the Last Will and Testament of Harriet A. Butler, Deceased, and of the date set for hearing the said petition and consent and agree that the Will described in the said petition be admitted to probate and record, without further notice to me.

Dated on this the 1st day of August, 1950.

Dorothy Parker Kennedy

STATE OF CALIFORNIA )  
LOS ANGELES COUNTY )

I, Ruth Christensen, the undersigned authority, within and for said County in said State, hereby certify that Dorothy Parker Kennedy, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 1st day of August, 1950.

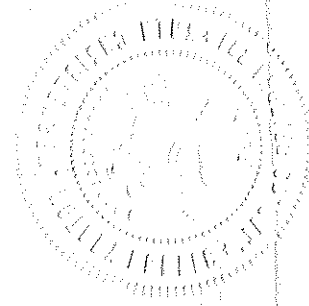
Ruth Christensen

Notary Public, Los Angeles County,  
California.

My Commission Expires May 30, 1953

(AFFIX SEAL)

Wainwright



Sept 26,  
1950

W.C. Bunker  
Jr.

WAIVER

STATE OF MASSACHUSETTS )  
HAMPSHIRE COUNTY )

I, the undersigned Aubrey B. Butler, do hereby waive notice of the filing of the foregoing petition and of the date set for same and consent and agree that the Will described in the said petition be admitted to probate and record without further notice to me.

Dated on this the first day of August, 1950.

Aubrey B. Butler.

STATE OF MASSACHUSETTS )  
HAMPSHIRE COUNTY )

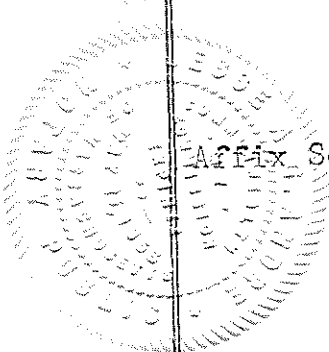
I, Jesse A. H. Andrie, the undersigned authority, within and for said County in said State, hereby certify that Aubrey B. Butler, whose name signed to the foregoing instrument being informed of the contents of the instrument, same voluntarily on the day the same bears date.

Given under my hand and official seal on this the first day of August, 1950.

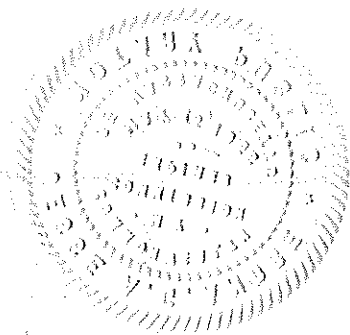
Jesse A. H. Andrie

Notary Public, Hampshire County,  
Massachusetts.

Affix Seal.



Wainer



Recd Oct 26  
1950  
W.R. Stewart  
Jr

WAIVER

STATE OF ALABAMA )  
COUNTY )

I, the undersigned Patrice Butler Fuller, do hereby waive notice of the filing of a petition in the Probate Court of Baldwin County, Alabama to probate an instrument purporting to be the Last Will and Testament of Harriet A. Butler, Deceased, and of the date set for hearing the said petition and consent and agree that the Will described in the said petition be admitted to probate and record, without further notice to me.

Dated on this the 5<sup>th</sup> day of August, 1950.

Patrice Butler Fuller

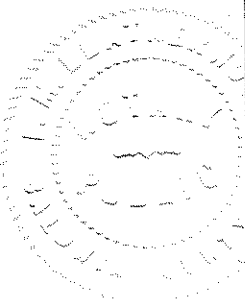
STATE OF ALABAMA )  
COUNTY )

I, J. M. Leatherwood, the undersigned authority, within and for said County in said State, hereby certify that Patrice Butler Fuller, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 5 day of August, 1950.

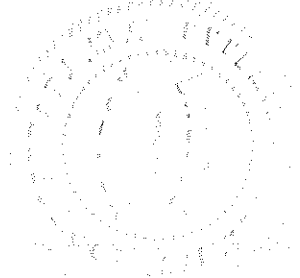
J. M. Leatherwood

Notary Public,





Maine



Filled Oct 26  
1950

W. B. Smith  
Lodge

*The* **BALDWIN** *Times*  
ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER  
BAY MINETTE, ALABAMA

**AFFIDAVIT OF PUBLICATION**

STATE OF ALABAMA,  
BALDWIN COUNTY.

**NOTICE OF APPOINTMENT  
OF EXECUTOR  
IN THE PROBATE COURT OF BALDWIN  
COUNTY, ALABAMA.**  
HARRIET A. BUTLER, Deceased.  
ESTATE OF  
Letters Testamentary under the Last  
Will and Testament of the said Decedent  
having been granted to the undersigned  
on the 27th day of November, 1950 by  
the Honorable W. R. Stuart, Judge of the  
Probate Court of Baldwin County, Ala-  
bama, notice is hereby given that all  
persons having claims against the said  
estate will be required to present the  
same within the time allowed by law,  
or the same will be barred.  
AUBREY E. BUTLER,  
Executor.  
J. B. BLACKBURN, Attorney. 46-3tc.

Jimmy Faulkner, being duly sworn, deposes and says  
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-  
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Est. Harriet A. Butler, Dec-

**COST STATEMENT**

96 WORDS @ 3 1/2 cents — — — \$ 3.36

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner  
Publisher.

Was published in said newspaper for 3 consecutive weeks in the following issues:

Date of 1st publication Dec. 7, 1950 Vol. 61 No. 46

Date of 2nd publication Dec. 14, 1950 Vol. 61 No. 47

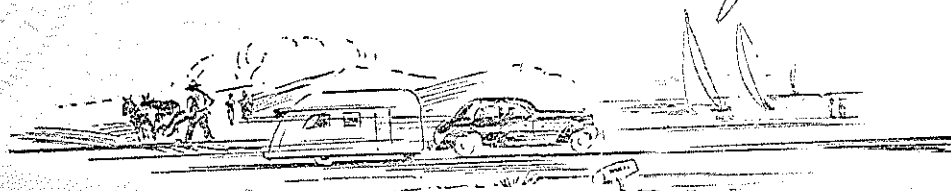
Date of 3rd publication Dec. 21, 1950 Vol. 61 No. 48

Date of 4th publication \_\_\_\_\_, 194 Vol. \_\_\_\_\_ No. \_\_\_\_\_

Subscribed and sworn before the undersigned this 22 day of Dec., 1950

Dorothy Martin  
Notary Public, Baldwin County.

Jimmy Faulkner  
Publisher.



ESTATE OF ) IN THE PROBATE COURT OF  
HARRIET A. BUTLER, DECEASED. )  
\*  
BALDWIN COUNTY, ALABAMA

INTERROGATORIES PROPOUNDED TO JESSE A. G. ANDRE

1. What is your name?
2. Where do you reside?
3. Did you know Harriet A. Butler during her lifetime?
4. How long did you know her prior to her death?
5. Please examine the attached written instrument, which purports to be the Last Will and Testament of Harriet A. Butler, and state whether or not it was signed by Harriet A. Butler in your presence and in the presence of the other witnesses.
6. If your answer to the foregoing interrogatory is yes, was Harriet A. Butler over twenty-one years of age and of sound mind when she signed the said Will?
7. Were you a practicing attorney at the time the said Will was drafted?
8. Did Harriet A. Butler request that you prepare the said Will for her and was it prepared by you in accordance with her instructions?
9. Did you sign the Will as a witness in the presence of Harriet A. Butler and the other witnesses thereto?
10. Did Nellie P. Rastallis and Marian V. Flavin sign the said Will as witnesses in the presence of Harriet A. Butler and yourself?

J. B. Blackburn  
Attorney for Petitioner.

STATE OF ALABAMA    )  
                              \*  
BALDWIN COUNTY        )

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

That he is Solicitor for the Petitioner in this cause; that the witness, Jesse A. G. Andre, resides more than one hundred miles from Bay Minette, Alabama, computing the route usually traveled, and is a non-resident of the State of Alabama and a material witness for the Petitioner in this cause.

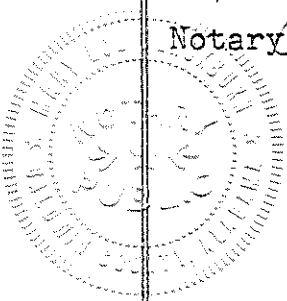
Petitioner suggests Marian V. Flavin, whose residence and post office address is Northampton, Massachusetts, as a suitable person to be appointed Commissioner to take the testimony of the said witness.

J. B. Blackburn

Sworn to and subscribed before me on  
this the 24th day of October, 1950.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.



The address of the Commissioner suggested above is  
C/o Jesse A. G. Andre, Attorney at Law, 39 Main Street,  
Northampton, Massachusetts.

PETITION TO PROBATE WILL

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

Your Petitioner, Aubrey B. Butler, who is over twenty-one years of age and a resident of Northampton, Massachusetts, respectfully represents unto the Court and your Honor as follows:

1. That Harriet A. Butler died at Fairhope in Baldwin County, Alabama on July 1, 1950, leaving a Last Will and Testament dated September 24, 1940, witnessed by Jesse A. G. Andre, Nellie P. Rastallis and Marian V. Flavin, all of whom are residents of Northampton, Massachusetts, in which Will Petitioner was named as Executor without bond and as a devisee and legatee. Petitioner produces herewith and files for probate and record in this court the Last Will and Testament of the said Decedent.

2. The heirs of the said Decedent are Patrice Butler Fuller, 962 Government Street, Mobile, Alabama; Dorothy Parker Kennedy, 717 Foothills Road, Beverly Hills, California, both of whom are daughters of the said Decedent, and your Petitioner, who is a son of the said Decedent, all of which said parties are over twenty-one years of age and of sound mind.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this petition, appoint and set a day to hear it and on the day set for hearing the said petition, will make and enter a proper order or decree admitting the said instrument to probate and record as and for the Last Will and Testament of the said Decedent. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises and that Letters Testamentary, without bond, be issued to him.

✓ Aubrey B. Butler  
Petitioner.

STATE OF MASSACHUSETTS)  
HAMPSHIRE COUNTY }

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

That he has read over the foregoing petition and that the facts  
stated therein are true.

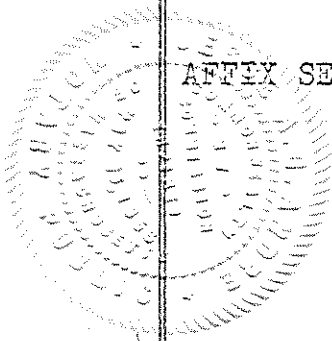
Richard B. Butler

Sworn to and subscribed before me on  
this the four day of August,  
1950.

James A. D. Andrie

Notary Public, Hampshire County, Massachu-  
setts.

ATTEST SEAL.



KNOW ALL MEN BY THESE PRESENTS,

THAT I, Dean Madison Kennedy,  
of 534 North Lincoln Avenue,  
Monterey Park, ~~in the County of~~ California, for and in  
consideration of the sum of One hundred (100) - - - - - dollars, to  
me paid by Aubrey B. Butler, Executor under the will of  
Harriet A. Butler,

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,

and his sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor,

I, the said Dean Madison Kennedy, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
late of Fairhope in the County of Baldwin and State of Alabama, deceased.

And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate  
Court for the County of Baldwin, of any account rendered by or on behalf of said executor—~~which~~  
~~Executor~~—in said estate.

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 21st day of May, 1951

Niles Lutz  
Notary Public in and for the county of  
Los Angeles, State of California

My Commission Expires Feb. 26, 1954

Dean Madison Kennedy

[203]  
1897

Case.....

Estate of

HARRIET A. BUTLER

RELEASE OF ALL DEMANDS

from

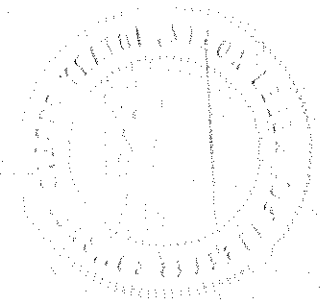
Dean Madison Kennedy

Filed .....

Vol..... Page.....

**FILED**  
FEB 29 1952

ALICE J. DUCK, Register Register.





KNOW ALL MEN BY THESE PRESENTS,

THAT I, Charles Parker Kennedy.

of 6607 Fountain Avenue. Los Angeles,  
California. ~~in the County of~~ for and in

consideration of the sum of One hundred (100) - - - - - dollars, to

~~XXX~~  
me paid by Aubrey B. Butler, Executor under the will of Harriet  
A. Butler.

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,

and his sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor,

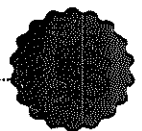
I, the said Charles Parker Kennedy, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
late of Fairhope in the County of Baldwin Alabama and State of Massachusetts, deceased.

*And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate  
Court for the County of Baldwin ~~Hampshire~~, of any account rendered by or on behalf of said executor ~~and~~  
~~executor~~ in said estate.*

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

Charles Parker Kennedy



Case.....

[208]

1897

Estate of

- HARRIET A. BUTLER -

RELEASE OF ALL DEMANDS

from

Charles Parker Kennedy

Filed .....

Vol.....Page.....

FILED

FEB 29 1952

.....ALICE J. DUCK, Register.....  
Register.

KNOW ALL MEN BY THESE PRESENTS,

THAT I, George Elmer Fuller,  
of 56 Mohawk Street, Mobile,  
Alabama, ~~Hampshire County of~~ for and in  
consideration of the sum of One hundred and no/100 - - - - - dollars, to  
~~1000~~  
me paid by Aubrey B. Butler, Executor under the will of Harriet  
A. Butler,

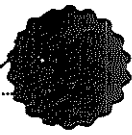
the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,  
and his sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor,

I, the said George Elmer Fuller, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
late of Fairhope in the County of Baldwin Alabama  
~~Hampshire~~, and State of ~~Massachusetts~~, deceased.

*And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate  
Court for the County of Baldwin Hampshire, of any account rendered by or on behalf of said executor—~~under~~  
~~Executor~~—in said estate.*

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

George Elmer Fuller 

[208]

Case.....

1897

Estate of

- HARRIET A. BUTLER -

RELEASE OF ALL DEMANDS

from

George Elmer Fuller

Filed .....

Vol. .... Page .....

FILED  
FEB 29 1952

ALICE J. DUCK, Register

Register.

KNOW ALL MEN BY THESE PRESENTS,

THAT I, David Butler Fuller,  
of Old Spanish Fort, Daphne,  
Alabama, ~~XIN THE COUNTY OF~~ for and in  
consideration of the sum of One hundred and no/100 - - - - - dollars, to  
me paid by Aubrey B. Butler, Executor under the will of Harriet  
A. Butler,

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,

and h.i.s. sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor,

I, the said David Butler Fuller, now have or ever had  
for or on account of the estate of Harriet A. Butler  
late of Fairhope in the County of Baldwin and State of Alabama deceased.

*And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate  
Court for the County of Baldwin, of any account rendered by or on behalf of said executor—~~under~~  
~~XIN THE COUNTY OF~~—in said estate.*

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

Don C Benton

David Butler Fuller



[203]  
1897

Case.....

Estate of

- HARRIET A. BUTLER -

RELEASE OF ALL DEMANDS

from

David Butler Fuller

Filed .....

Vol. .... Page .....

FILED

29 1952

WILLIAM J. DICK, Registrar

Register.

KNOW ALL MEN BY THESE PRESENTS,

THAT I, Patrice Althea Stambough, (before marriage Patrice Althea Fuller) of 7401 Coquina Way, St. Petersburg Beach, Florida, ~~in the County of~~ for and in consideration of the sum of One hundred and no/100 - - - - - dollars, to ~~XXXXX~~ me paid by Aubrey B. Butler, Executor under the will of Harriet A. Butler,

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said Aubrey B. Butler, Executor under the will of Harriet A. Butler, and his sureties, heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which against the said Aubrey B. Butler, Executor,

I, the said Patrice Althea Stambough, now have or ever had for or on account of the estate of Harriet A. Butler, late of Fairhope in the County of Baldwin Alabama and State of Massachusetts, deceased.

~~And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate Court for the County of Baldwin, of any account rendered by or on behalf of said executor—XXXXX~~  
~~XXXXXX~~ in said estate.

Witness my hand and seal this twenty-eighth day of April in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

Leslie M. Fulghum

Patrice Althea Stambough



Case.....

[203]  
1897

Estate of

- HARRIET A. BUTLER -

RELEASE OF ALL DEMANDS

from

Patrice Althea Stambough

Filed .....

Vol.....Page.....

FILED

FEB 29 1952

ALICE J. DUCK, Register  
Register.



KNOW ALL MEN BY THESE PRESENTS,

THAT I, Harriet Audrey Tycer, (before marriage Harriet Audrey Fuller)

of Route 2, New Orleans, Louisiana,

.....in the County of..... for and in  
consideration of the sum of, One hundred and no/100 - - - - - dollars, to

me paid by Aubrey B. Butler. Executor under the will of Harriet  
A. Butler.

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,

heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which against the said Aubrey B. Butler, Executor.

I, the said Harriet Audrey Tyce, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
late of Fairhope in the County of Baldwin, and State of Alabama,  
Hampshire, and State of Massachusetts, deceased.

And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate Court for the County of <sup>Baldwin</sup>~~Franklin~~, of any account rendered by or on behalf of said executor—~~and~~ ~~in~~ ~~the~~ ~~estate~~—in said estate.

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

71 ps. G. Bayhi

Harriet Audrey Tyndal

Case.....

[203]

1897

Estate of

- HARRIET A. BUTLER -

RELEASE OF ALL DEMANDS

from

Harriet Audrey Tycer

Filed .....

Vol.....

FILED

FEB 29 1952

ALICE J. DUCK, Register

Register.

KNOW ALL MEN BY THESE PRESENTS,

THAT I, Kenneth Bickford Mickelwait,  
of 1440 Golden Gate Avenue,  
San Francisco, ~~XXXX County~~ California, for and in  
consideration of the sum of One hundred and no/100 - - - - - dollars, to  
me paid by Aubrey B. Butler, Executor under the will of Harriet  
A. Butler,

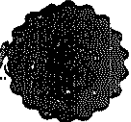
the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,  
and his sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor,

I, the said Kenneth Bickford Mickelwait, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
late of Fairhope in the County of Baldwin and State of Alabama, deceased.

And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate  
Court for the County of Baldwin, of any account rendered by or on behalf of said executor—~~admiral~~  
~~in said estate.~~

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

Kenneth Bickford Mickelwait 

[203]

1897

Case.....

Estate of

- HARRIET A. BUTLER -

RELEASE OF ALL DEMANDS

from

Kenneth Bickford Mickelwait

Filed .....

Vol.....Page.....

FILED  
FEB 29 1952

ALICE J. DUCK, Register

Register.

KNOW ALL MEN BY THESE PRESENTS,

THAT I, Malcolm Pitzer Mickelwait,  
of 37 Hawk Lane, Levittown,  
New York, ~~XXXXXX County of X~~ for and in  
consideration of the sum of One hundred and no/100 - - - - - dollars, to  
XXXX  
me paid by Aubrey B. Butler, Executor under the will of Harriet  
A. Butler,

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,  
and h.i.s. sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor.

I, the said Malcolm Pitzer Mickelwait, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
late of Fairhope in the County of Baldwin and State of Alabama, deceased.

~~And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate~~  
~~Court for the County of Baldwin, of any account rendered by or on behalf of said executor XXXX~~  
~~XXXX in said estate.~~

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

Gordon B. Nelson

Malcolm P. Mickelwait 

Case.....

[208]  
1897

Estate of

- HARRIET A. BUTLER

RELEASE OF ALL DEMANDS

from

Malcolm Pitzer Mickelwait

Filed .....

Vol.....

FILED

29 1952

ALICE J. DUCK, Register

Register.

KNOW ALL MEN BY THESE PRESENTS,

THAT I, Aubrey Butler Mickelwait,  
of 560 Allenby Avenue, Pittsburgh,  
Pennsylvania, ~~XXXXXX~~ for and in  
consideration of the sum of One hundred (100) ~~-----~~ dollars, to  
me paid by Aubrey B. Butler, Executor under the will of  
Harriet A. Butler,

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,

and his sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor,

I, the said Aubrey Butler Mickelwait, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
County, Alabama,  
late of Fairhope, Baldwin ~~in the County of Hampshire and State of Massachusetts,~~ deceased.

And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate  
Court for the County of Baldwin, of any account rendered by or on behalf of said executor—XXXX  
XXXX—in said estate.

Witness my hand and seal this twenty-fourth day of September  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

John H. Roe

Aubrey B. Mickelwait



[208]

Case.....

1897

Estate of

HARRIET A. BUTLER

RELEASE OF ALL DEMANDS

from

Aubrey Butler Mickelwait

Filed .....

Vol. .... Page .....

**FILED**  
FEB 29 1952

ALICE J. DUCK, Register

Register.



KNOW ALL MEN BY THESE PRESENTS,

THAT I, John Parker Butler,

of 225 Main Street, Easthampton,  
Massachusetts, ~~XXXXXX County XXXX~~ for and in

consideration of the sum of One hundred and no/100 - - - - - dollars, to

me paid by Aubrey B. Butler, Executor under the will of Harriet  
A. Butler.

the receipt whereof is hereby acknowledged, do hereby release and forever discharge the said  
Aubrey B. Butler, Executor under the will of Harriet A. Butler,

and his sureties,  
heirs, executors and administrators, from all debts, demands, actions and liabilities whatsoever which  
against the said Aubrey B. Butler, Executor,

I, the said John Parker Butler, now have or ever had  
for or on account of the estate of Harriet A. Butler,  
late of Fairhope in the County of Baldwin, Alabama  
and State of Massachusetts, deceased.

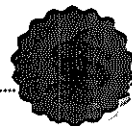
And, in consideration of said sum to me paid, I hereby consent to the allowance, by the Probate  
Court for the County of Baldwin, of any account rendered by or on behalf of said executor ~~Admin~~  
~~XXXXXX~~ in said estate.

Witness my hand and seal this twenty-eighth day of April  
in the year of our Lord one thousand nine hundred and fifty-one.

Signed, sealed and delivered  
in the presence of

Rena G. Lucier

John Parker Butler



[203]

1897

Case.....

Estate of

- HARRIET A. BUTLER -

RELEASE OF ALL DEMANDS

from

John Parker Butler

Filed .....

Vol. ....

FILED

FEB 29 1952

ALICE J. DUCK, Register

Register.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

COURT OF PROBATE

LETTERS TESTAMENTARY

The Will of Harriet A. Butler having been duly admitted

to record in said County, Letters Testamentary are hereby granted to \_\_\_\_\_

Aubrey B. Butler the executor named in said Will, who has complied with  
the requisitions of the law, and is authorized to take upon him self the execution of such will.

Witness my hand, and dated this 27th day of November A. D., 1950.

W. B. Stuart  
Judge of Probate.

By: Lila S. Glavin, Chief Clerk

THE STATE OF ALABAMA,  
BALDWIN COUNTY

COURT OF PROBATE

LETTERS TESTAMENTARY

The Will of Harriet A. Butler having been duly admitted

to record in said County, Letters Testamentary are hereby granted to \_\_\_\_\_

Aubrey E. Butler the executor named in said Will, who has complied with

the requisitions of the law, and is authorized to take upon him self the execution of such will.

Witness my hand, and dated this 27<sup>th</sup> day of November A. D., 1950.

W. B. Stuart  
Judge of Probate.

By: Lila S. Glau, Chief Clerk

No. \_\_\_\_\_

The State of Alabama,

Baldwin County

Probate Court

ESTATE OF

Deceased.

Execut\_\_\_\_\_

Letters Testamentary

*Recd. Recd.  
Page 45*

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

COURT OF PROBATE

LETTERS TESTAMENTARY

The Will of Harriet A. Butler having been duly admitted

to record in said County, Letters Testamentary are hereby granted to \_\_\_\_\_

Aubrey E. Butler the executor named in said Will, who has complied with

the requisitions of the law, and is authorized to take upon him self the execution of such will.

Witness my hand, and dated this 27th day of November A. D., 1950.

W. B. Stuart  
Judge of Probate

By: Lela C. Glavin, Chief Clerk

State of Alabama,        |       SS  
                              |       In the Probate Court.  
County of Baldwin.       |

I, W.R.Stuart, Judge of the Probate Court in and for said County of Baldwin, (which Court is a Court of Record, and having a Clerk and Seal, under the Constitution and laws of said State,) do hereby certify that the foregoing and hereunto attached is a true copy of the original Letters Testamentary granted to Aubrey B. Butler, to execute the will of Harriet A. Butler, deceased, who has complied with the requisitions of the law, and is authorized to take upon himself the execution of such will. I further certify that said Letters Testamentary are still in full force and effect.

Witness my hand, and dated this 27th day of November, A.D., 1950.

W.R.Stuart  
Judge of Probate.

No. 2867 In the Matter of Wm. H. C. Carter, Plaintiff

Administrator, Executor or Guardian. Residence

*Attorneys.*

Docket.....Page.....Fee Book.....Page.....

DATE	FEES OF PROBATE JUDGE	AMOUNT	DATE	FEES OF PROBATE JUDGE	AMOUNT
	WILL—Order on Presentation, \$1.00	1 00		BROUGHT FORWARD.	
	Affidavit in Petition for Probate, 25c			Affidavit to Report, 25c	
	Recording Petition, per 100 words, 15c	75		Recording, per 100 words, 15c	
	Issuing Citation, ent'g Sheriff's Returns, 50c			Appointing Com'r to Divide, and Writ, \$2.00	
	App'ting and Notifying Guard, ad Litem, 50c			Approving Division and Order thereon, \$1.00	
	Issuing Subpoenas for Witness, 50c			App'ting and Notifying Guard, ad Litem, 50c	
	Affidavit of Witnesses, 25c				
	Examining Wit. and order Probating, \$2.00			PARTIAL SETTLEMENT—Affidavit in Acc't, 25c	
	Issuing Commission to take Deposition, 50c			Affidavit to List of Heirs, 25c	
	Filing Interrogatories, 10c			Examining, Stating Acc't and Ap. Hear., \$1.00	
	Copy of same, per 100 words, 15c	1 35		Order to Publish Notice of Sale, 50c	
	Recording Will, per 100 words, 15c	1 00		App'ting and Notifying Guard, ad Litem, 50c	
	Recording Testimony, per 100 words, 15c	1 00		Examining Vouchers, 10c	
	Certificate, without seal, 25c			Administering Affidavits, 25c	
	Certificate, with seal, 50c	50		Making Decree and Order to Record, \$1.50	
11/22/55	Presiding at Trial C't'd Will, per day, \$2.50	6 00		Recording same, per 100 words, 15c	
	LETTERS—Affidavit in Petition, 25c			Filing Claims and giving Receipt, 15c	
	Recording Petition, per 100 words, 15c				
	Rec'ding Rel. right to Adm'n'r, 100 words, 15c	50		INSOLVENCY—Affidavit in Report, 25c	
	Granting Letters of Administration, 50c	50		Affidavit to Statements, 25c	
	Issuing and Recording same, 50c			Recording Rep't and Statem't, 100 words, 15c	
	Granting Let. of Gu'd'nship, each minor, 75c			Order Appointing Day of Hearing, 25c	
	Issuing, Filing and Recording same, 50c			Order to Publish Notice of same, 25c	
	Taking, App., Filing, Rec. Adm. Bonds, \$1.00			Order for Citations, 25c	
	Taking, App. Filing, Guard. Bond, \$1.00			Iss'g Notice to Creditor Day of Hearing, 50c	
	Affidavit of Justification, 25c			Order Sustaining Report, 25c	
	Granting Order of Appraisement, 50c			Order for Settlement, 25c	
	Issuing Order of Appraisement, 25c			Order to Publish Day of Settlement, 25c	
	Recording same, per 100 words, 15c			Issuing Notice of Day of Settlement, 25c	
	Order Removing Executor, Adm. Guard., \$2.00			Affidavit to Amount of Claims, 25c	
	Order Appointing General Guardian, \$1.00			App'ting and Notifying Guard, ad Litem, 50c	
	Issuing and Recording same, 50c				
	Order Appointing General Administ'r., \$1.00			SALE OF REAL ESTATE—Affidavit in Petition, 25c	
	Issuing and Recording same, 50c			Recording Petition, per 100 words, 15c	
	Order Appointing Adm'r ad Litem, \$1.00			Order App't'g Day of Hear. and Notice, \$1.00	
	Issuing and Recording same, 50c			Order to Publish Notice of same, 50c	
	HOMESTEAD—Rec. Pet'n for Com., 100 words, 15c	3 36		Issuing Citations, Ent'g Sheriff's Return, 50c	
	Record, Order for App., per 100 words, 15c			App'ting and Notifying Guard, ad Litem, 50c	
	Recording Order for Com., per 100 words, 15c			Issuing Commission to take Deposition, 50c	
	Notice to Commissioners, 50c			Filing Interrogatories, 10c	
	Recording Report of Com., per 100 words, 15c			Copy of Interrogatories, per 100 words, 15c	
	Record, Order Setting Apart, 100 words, 15c	35		App't'g Com. to Divide and Issue Writ, \$2.00	
	INVENTORY—Order to Approve and Record, 50c	50		Affidavit to Report of Same, 25c	
	Affidavit to same, 25c	50		Order Approving Division and Report, \$1.00	
	Recording same, per 100 words, 15c	50		Recording same, per 100 words, 15c	
	SUPPLEMENT INVENTORY—Order App., Rec., 50c			Hearing Applic'n for Dower, Iss'g Writ, \$4.00	
	Affidavit to same, 25c			Exam'g Testim'y and Grant Ord'r to Sell, \$2.00	
	Recording same, per 100 words, 15c			Recording Depositions, per 100 words, 15c	
	Recording Decree, per 100 words, 15c	19 31		Record, Reliq'm't of Dower, 100 words, 15c	
	APPRAISEMENT—Order Approving, Rec., 50c			Recording Report, per 100 words, 15c	
	Affidavit to same, 25c			Rec. Paym't Purchase Money, 100 words, 15c	
	Recording same, per 100 words, 15c			Making Order on Report of Sale of Land, 75c	
	SUPPLEMENT APPRAISEMENT—Grant, Order, 50c	500		Hear Ap'n to Compel Conveyance, etc., \$2.00	
	Issuing Order of Appraisement, 25c				
	Recording Warrant, per 100 words, 15c	27 31		FINAL SETTLEMENT—Affidavit in Account, 25c	
	Order to Approve Appraisement, 50c			Affidavit to Statement of Heirs, 25c	
	Affidavit to same, 25c			Exam'g, Stating and Recording Acc't, \$1.00	
	Recording same, per 100 words, 15c			Order to Publish Notice of same, 50c	
	Recording Decree, per 100 words, 15c			App'ting and Notifying Guard, ad Litem, 50c	
	SALE OF PERISHABLE PROPERTY—Petition, 25c			Examining Vouchers, 10c	
	Recording same, per 100 words, 15c			Administering Affidavits, 25c	
	Granting Order of Sale, 50c			Recording same, per 100 words, 15c	
	Issuing Order of Sale, 25c			Decree in Final Settlement, 50c	
	App'ting and Notifying Guard, ad Litem, 50c				
	Recording, per 100 words, 15c			SPECIAL PROCEEDINGS—Proceedings for Declara-	
	SALE OF PERSONAL PROPERTY—Petition, 25c			tion of Unsound Mind and App. Guard, ad	
	Recording same, per 100 words, 15c			Litem, \$5.00	
	Granting Order of Sale, 50c			Recording Decree Relieving Minors, etc., \$1.00	
	Issuing Order of Sale, 25c			Proceed to Perpetuate Testimony, per 100	
	Order to Publish Notice of Sale, 50c			words, 20c	
				Other Services Relating Thereto, 75c	
				Record, Pro'dings Bind'g Out Appren., \$1.00	
	CARRIED FORWARD.			Total Probate Judge's Fees.	



No.

The State of Alabama

COUNTY

PROBATE COURT

IN THE MATTER OF

PROBATE FEE BILL

RECEIVED OF

Dollars

in Payment of the above, this

day of 19

Judge of Probate.

DATE		FEES OF SHERIFF	AMOUNT	DATE		FEES OF WITNESSES	AMOUNT
		Serving and Returning Citations, @ \$ .65					
		Serving Witness, @ .65					
		Collecting Execution for Cost, 1.50					
		Serving Application to Perpetuate Testimony, 1.00					
		Impaneling Jury, 75					
		Serving Notices, @ .65					
		Summoning Jury Dower, per day, 5.00					
		Serving Writs, @ 1.50					
		Sheriff's Commission,				I have Received the Amount Opposite my Name.	
		FEES OF PRINTER					
		FEES OF GUARDIAN AD LITEM					
		FEES OF COMMISSIONERS					

Estate of Harriet A. Butler,     §  
   §  
Deceased.                         §

In the Probate Court of  
Baldwin County, Alabama.

This cause coming on to be heard on this date is submitted on the petition of Aubrey E. Butler, as the Executor of and under the last Will and Testament of said Decedent to remove the administration of this Estate from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, in Equity.

And this court upon the hearing of said petition, it is ordered by the Court, that the file of Harriet A. Butler, Deceased in the Probate Court of Baldwin County, Alabama No. 2867, be and is hereby removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama.

Done this 3rd day of August, A.D., 1951.

  
Judge of Probate.

ESTATE OF HARRIET A. BUTLER,  
DECEASED.

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA

INVENTORY OF PERSONAL ASSETS OF THE  
ESTATE OF HARRIET A. BUTLER, DECEASED.

Now comes Aubrey B. Butler, Executor of and under the  
Last Will and Testament of Harriet A. Butler, Deceased, and files  
this inventory of the personal assets belonging to this estate:

Real Estate: - None.

Personal Estate:

\$1,000 Boston and Maine Railroad, 1st Series, 4%, 1960	\$ 700.00
\$1,000 Cleveland Union Terminal, 1st Series, F. B. 5's, 1973	1072.50
\$1,000 Southern Railway Development & General A. 4's, 1956	912.50
10 sh. United Aircraft Corporation, 5% cum. pfd.	1070.00
14 sh. U. S. Smelting & Refining and Mining, 7% cum. pfd.	819.00
10 sh. United Stores Corporation 6% cum. pfd.	930.00
13 sh. American Telephone and Telegraph Company	1976.00
20 sh. Chase National Bank	735.00
25 sh. Chesapeake & Ohio Railroad Co.	637.50
10 sh. Electric Auto Lite	407.50
10 sh. General Motors	875.00
20 sh. Kennecott Copper Co.	1100.00
20 sh. Loews, Inc.	300.00
25 sh. Otis Elevator	937.50
38 sh. Pacific Gas & Electric Co.	1244.50
30 sh. Union Carbide & Carbon	1357.50
20 sh. Union Pacific Railroad	1660.00
Checking account in The First National Bank of Northampton	\$824.01
Check from Loews, Inc. dated June 30, 1950	7.50
Check from Kennecott Copper, dated July 1, 1950	20.00
	<u>\$17586.01</u>

*Aubrey B. Butler*

As Executor of and under the Last  
Will and Testament of Harriet A. But-  
ler, Deceased.

Sworn to and subscribed before me on  
this 27th day of February, 1951.

*John W. G. Under*

Notary Public, Hampshire County, Mass.

(AFFIX SEAL)

**Be it Remembered that I, Harriet A. Butler,**

**of Northampton**

*in the Commonwealth of Massachusetts, being of sound mind and memory, but knowing the uncertainty of this life, do make this my last will and testament, hereby revoking all former wills by me at any time heretofore made.*

*After the payment of my just debts and funeral charges, I bequeath and devise as follows:*

First: I direct my executor, hereinafter named, to pay to such of my relatives who provide me with care and nursing during my last illness, or during the last six months of my life if I should pass away without having had a long illness, suitable compensation for such care and nursing as has been rendered by such relatives of mine.

Second: I direct my executor, hereinafter named, to pay, when paying my other debts and funeral charges, to himself, Aubrey B. Butler, such money as will represent all of the monies he will have loaned me or expended for me or on my account, which have not at the time of my death been repaid to him by me.

Third: Should my death occur at such distance from Northampton, Massachusetts, as would require the transporting of my body for burial by railroad, accompanied by some person or persons, then I direct that my body be cremated and that the urn containing my ashes be buried in the grave of my husband, John Albert Butler, which is in Woodlawn Cemetery in Everett, Massachusetts.

Fourth: I direct my executor, hereinafter named, to purchase at a cost not exceeding three hundred (300) dollars, a suitable marker for the grave of my father, Jason Hines Bickford, and to erect it at his grave which is in Forest Hill Cemetery, Boston, Massachusetts.

Fifth: To such of my grandchildren, Dean Madison Kennedy, Charles Parker Kennedy, George Elmer Fuller, Junior, David Butler Fuller, Patrice Althea Fuller, Harriet Audrey Fuller, Kenneth Bickford Mickelwait, Malcolm Pitzer Mickelwait, Aubrey Butler Mickelwait, and John Parker Butler, as are living at the time of my death, each the sum of one hundred (100) dollars.

\_\_\_\_Sixth: All the rest, residue and remainder of my property, both real and personal and wherever the same may be situated, to my son, Aubrey B. Butler, and my daughters, Patrice Butler Fuller and Dorothy Parker Kennedy, the same to be divided among them equally. \_\_\_\_\_

\_\_\_\_If, however, any one of my said son and my said two daughters predeceases me, then the legacy to that one shall lapse and the residue of my estate shall be divided equally between the two who survive me; and should any two of my said son and my said two daughters predecease me, then the entire residue of my estate I bequeath to the one who survives me. \_\_\_\_\_

\_\_\_\_Seventh: Should all of my three children named in the preceding numbered paragraph of this will predecease me, then I give, devise and bequeath all the rest, residue and remainder of my estate to such of my grandchildren named in paragraph numbered fifth of this will as survive me, the same to be divided equally among those who survive me. \_\_\_\_\_

\_\_\_\_Eighth: I nominate and appoint my said son, Aubrey B. Butler, as executor under this will and request he be excused from giving any surety or sureties on his official bond. \_\_\_\_\_

State of Alabama, \*  
Baldwin County. \*

I, W.R. Stuart, Judge of the Court of Probate, in and for said county and State, do hereby certify, that the within instrument of writing, has this day, in said court, and before me, as the Judge thereof, been duly proven, by the proper testimony, to be the genuine last will and testament of Harriet A. Butler, Deceased; and that said will together with said proof thereof, have been recorded in my office, in Book of wills E at pages 374 and 383.

In witness of all which, I have hereto set my hand, and the seal of the said Court this 27th day of November, A.D., 1950.

*W.R. Stuart*  
Judge of Probate.

By: *Lela J. Glau*, Chief Clerk

Will of

HARRIET A. BUTLER

From the office of

Stevens & Andre  
Northampton, Mass.

*Recorded before proof.*

*Filed in office of  
Judge of Probate  
Baldwin County  
26, 1950*

HOBBS & WARREN, INC.  
PUBLISHERS STANDARD LAW BLANKS  
BOSTON - MASS.

Form 604

2M-1-B-40

In testimony whereof I hereunto set my hand and in the presence of three witnesses declare this to be my last will this twenty - fourth day of September in the year one thousand nine hundred and forty.

Harriet A. Butler



On this twenty - fourth day of September, A. D. 19 40,  
Harriet A. Butler of Northampton, Massachusetts,  
signed the foregoing instrument in our presence, declaring it to be her last  
will: and thereafter as witnesses thereof we three, at her request, in her  
presence, and in the presence of each other, hereto subscribe our names.

Jesse A. G. Under

Nellie O. Rastall

Marian T. Flavin

No person who is to receive anything under a will, and no husband or wife of any such person, should be a witness to such will. But a person is not rendered incompetent as a witness to a will by the fact that he is named therein as executor. If the testator is too feeble to sign the will, his signature may be written for him by some other person "in his presence and by his express direction."

The testator should sign first, and the witnesses thereafter.

Bay Minette, Ala.,

1950

Est. Harriet A. Butler, Decd

for J. B. Blackburn, Atty

In Account With

W. R. STUART

JUDGE OF PROBATE, BALDWIN COUNTY

**Please Return Bill With Remittance**

Recording	from	to	Privilege Tax	Rec. Fee	Total
To preparing 6. Exemplified Copies Letters Testamentary Est. Harriet A. Butler, Decd @ \$1 <sup>00</sup> each			}	\$6 <sup>00</sup>	



Old in Case

500-

100-1000

100-1000 100-1000 100-1000

W. A. W.  
100-1000 100-1000 100-1000

100-1000 100-1000 100-1000

100-

100-

100-

100-

100-

100-1000 100-1000 100-1000

ESTATE OF ) IN THE CIRCUIT COURT OF  
HARRIET A. BUTLER, DECEASED. ) BLADWIN COUNTY, ALABAMA  
IN EQUITY

ANSWER

Now comes Dorothy Parker Kennedy, a daughter of the said Decedent and one of the devisees and legatees named in her Last Will and Testament, and hereby waives notice of the filing of a petition by Aubrey B. Butler, as Executor of and under the Last Will and Testament of the said Decedent, to <sup>distribute among the residuary legatees, or</sup> ~~sell~~ at private sale all securities belonging to the said Decedent at the time of her death for <sup>residuary</sup> a division among the ~~devisees~~ and legatees named in her Last Will and Testament, and of the date set for hearing same and does hereby consent and agree that a decree be rendered on the said petition, fully and completely authorizing the said Executor <sup>so distribute or</sup> ~~to sell~~ all stocks, bonds and other securities belonging to the said estate at private sale for the aforesaid purpose.

Dated this 14th day of September, 1951.

Dorothy Parker Kennedy (SEAL)

STATE OF California  
COUNTY OF Los Angeles

I, Beth Christensen, a Notary Public, within and for said County in said State, hereby certify that Dorothy Parker Kennedy, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 14th day of September, 1951.

Beth Christensen  
Notary Public,  
My Commission Expires May 30, 1953



ESTATE OF  
HARRIET A. BUTLER, DECEASED.

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

ANSWER

Now comes Patrice Butler Fuller, a daughter of the said decedent and one of the devisees and legatees named in her Last Will and Testament, and hereby waives notice of the filing of a petition by Aubrey B. Butler, as Executor of and under the Last Will and Testament of the said Decedent, to <sup>distribute among the residuary legatees, or</sup> sell at private sale all securities belonging to the said Decedent at the time of her death for a division among the <sup>residuary</sup> devisees and legatees named in her Last Will and Testament, and of the date set for hearing same and does hereby consent and agree that a decree be rendered on the said petition, fully and completely authorizing the said Executor to <sup>so distribute or</sup> sell all stocks, bonds and other securities belonging to the said estate at private sale for the aforesaid purpose.

Dated this 8th day of November, 1951.

Patrice Butler Fuller (SEAL)

STATE OF  
COUNTY OF

I, Rebecca A. Bayless, a Notary Public, within and for said County in said State, hereby certify that Patrice Butler Fuller, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 8th day of November, 1951.

Rebecca A. Bayless  
Notary Public,  
My commission expires May 3, 1953

ESTATE OF  
HARRIET A. BUTLER, DECEASED.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

ANSWER

Now comes Aubrey B. Butler, a son of the said Decedent and one of the devisees and legatees named in her Last Will and Testament, and hereby waives notice of the filing of a petition by Aubrey B. Butler, as Executor of and under the Last Will and Testament of the said Decedent, to <sup>distribute among the residuary legatees, or</sup> sell at private sale all securities belonging to the said Decedent at the time of her death for a division among the <sup>residuary</sup> devisees and legatees named in her Last Will and Testament, and of the date set for hearing same and does hereby consent and agree that a decree be rendered on the said petition, fully and completely authorizing the said Executor to <sup>so distribute or</sup> sell all stocks, bonds and other securities belonging to the said estate at private sale for the aforesaid purpose.

Dated this 3rd day of September, 1951.

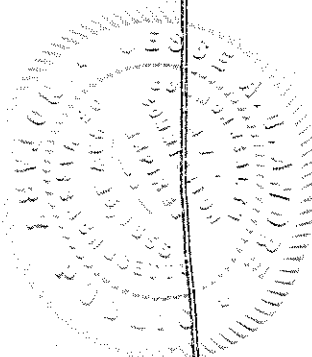
Aubrey B. Butler (SEAL)

STATE OF  
COUNTY OF

I, John A. H. Andre, a Notary Public, within and for said County in said State, hereby certify that Aubrey B. Butler, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed on 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 3rd day of September, 1951.

John A. H. Andre  
Notary Public,  
my Commission Expires May 23, 1956



IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

1. He has been appointed, qualified and is now acting as ~~Administrator~~ <sup>Executor</sup> of this said estate, the administration of which is now pending in the Probate Court of Baldwin County, Alabama.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this petition and make and enter a proper order or decree removing the administration of the said estate from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama, Sitting in Equity. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

ises.  
Aubrey R. Butler  
Petitioner.

STATE OF MASSACHUSETTS )  
HAMPSHIRE COUNTY )

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

Harison V. Flavin  
Notary Public

Sworn to and subscribed before me on  
this the 4th day of May, 1951.

Marian H. Flavin  
(Marian H. Flavin)

Notary Public, Hampshire County, Massa-  
chusetts.

Affix Seal.

ESTATE OF  
HARRIET A. BUTLER,  
DECEASED.

)  
)  
)

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

DECREE ON FINAL SETTLEMENT

This cause coming on to be heard on this date is submitted on the Petition for Final Settlement filed in this cause on the 20th day of December, 1952, from which it appears that on November 27, 1950, the Last Will and Testament of the said decedent was admitted to probate and record in and by the Probate Court of Baldwin County, Alabama, at which time Letters Testamentary were issued to Aubrey B. Butler; that thereafter the administration of the said estate was removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity; that all assets of the said estate have been collected and paid or distributed among the legatees named in the Last Will and Testament of the said decedent and all of the terms and provisions of the said Will have been complied with; that all claims and charges against the said estate have been paid; that more than six months have expired since the Will was admitted to probate and Letters Testamentary issued; that Petitioner has not used any of the funds or assets of the said estate for his own benefit, either directly or indirectly; that there is no need for continuing the said administration of this estate and it should now be finally settled. It further appears from the said Petition that Aubrey B. Butler, Patrice Butler Fuller, and Dorothy Parker Kennedy are all of the heirs of the said decedent and the residuary devisees and legatees named in the Last Will and Testament of the said decedent, and are the only persons interested in this estate and they have, by written instrument, attached to and made a part of the said petition, consented and agreed that the said estate be settled by consent without notice in the manner provided by Title 61, Section 301 of the 1940 Code of Alabama, as amended, and it appears to the Court that the said Petitioner is entitled

to the relief prayed for by him in the said Petition for Final Settlement. WHEREUPON, it is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court as follows:

1. That this estate be and it hereby is, in all respects, fully and finally settled.

2. Aubrey B. Butler, as Executor of this estate, shall be and he is hereby relieved of and discharged from all other and further liability because of the administration of the said estate.

3. The costs of this proceeding, amounting to \$ 33<sup>56</sup> are hereby taxed against Aubrey B. Butler, as Executor of the said estate.

ORDERED, ADJUDGED AND DECREED on this the 22<sup>nd</sup> day of December, 1952.

Julius J. Madubere Jr.  
Judge



ESTATE OF

HARRIET A. BUTLER,  
DECEASED.

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

DECREE REMOVING ADMINISTRATION

This cause coming on to be heard on this date is submitted on the sworn petition of Aubrey B. Butler, as Executor of and under the Last Will and Testament of the said Decedent, to remove the administration of this estate from the Probate Court of Baldwin County, Alabama to this Court, from which petition it appears that the said estate can be better handled in the Equity Court than in the Probate Court of Baldwin County, Alabama; upon consideration of all of which, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. The administration of this estate shall be and it is hereby removed from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama, Sitting in Equity.

2. The Probate Court of Baldwin County, Alabama shall transfer the said estate to this Court in the manner provided by law.

ORDERED, ADJUDGED AND DECREED on this the 2nd day of August, 1951.

Jeffrey J. Mashburn, Jr.  
Judge.

Harriet A. Butler, Deceased

In the Probate Court of  
Baldwin County, Alabama,  
October 26, 1950.

In the matter of the Probate of her will.

On this 26th day of October, A.D., 1950, came Aubrey B. Butler, by his attorney, and filed his petition, in writing and under oath, therewith producing and filing in this court, an instrument of writing purporting to be the last will and testament, of said Harriet A. Butler, Deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the due probate and record of said will in this Court, which said instrument appears to be attested by Jesse A.G. Andre, Nellie P. Rostollis and Marian V. Flavin all non-residents of the State of Alabama, and who are alleged to have signed the same as subscribing witnesses thereunto. And it appearing to the court, from said petition that said petitioner is a son of said decedent and named in said will as executor, without bond; that said decedent left the following heirs and next of kin her surviving, viz: Patrice Butler Fuller, residing at 962 Government Street, Mobile, Alabama; Dorothy Parker Kennedy, residing at 717 Foothill Road, Beverly Hills, California, daughters of said decedent, and the petitioner, Aubrey B. Butler, all being over the age of twenty-one years and of sound mind.

It is therefore ordered by the Court, that the 27th day of November, A.D., 1950, be set as a day for hearing testimony in proof of said instrument as such will.

It appearing to the court that all of said witnesses are non-residents, and that the attorney for said petitioner has prepared interrogatories to be propounded to one of the witnesses to said will, and the court having issued a commission to Marian V. Flavin to take the testimony of one Jesse A.G. Andre, one of the attesting witnesses to said purported will, and all of said papers, including said purported will, have been sent by registered mail to said commissioner, for the purpose of taking the testimony of said witness for the proof of said instrument as such will.

It further appearing to the court that all of the next of kin of said decedent have waived notice of the filing of the petition in this court to probate said instrument, purporting to be the last will and testament of said decedent and of the date set for hearing said petition and consent and agreed that the said will of said decedent be admitted to probate and record, without further notice to them; it is therefore ordered by the court, that no notices be issued and served on said next of kin.

*W. B. Trust*  
Judge of Probate.

By: *Lila S. Glaser, Chief Clerk*

Order an Filing  
will for Possible

10/26/50  
Ree Min N  
Page 383

The State of Alabama, { No. \_\_\_\_\_  
 Baldwin County.

In the Matter of the Probate of  
 the Last Will and Testament of  
 Harriet A. Butler, Deceased.  
 vs.

# PROBATE COURT

At Bay Minette, Alabama

October 26th, 19 50.

DEPOSITION OF Jesse A.G. Andre,

By virtue of the Commission hereto annexed, issued from the office of the Judge of Probate for the County of Baldwin State of Alabama, <sup>I</sup>~~we~~, the Commissioners therein named, have called and caused to come before <sup>me</sup>~~us~~ the said Jesse A.G. Andre the witness named in said Commission, on this 10th day of November, 19 50, at ~~xx~~ 39 Main Street, Northampton, Massachusetts, and having duly cautioned and sworn the said witness to speak the truth, the whole truth, and nothing but the truth, Jesse A.G. Andre the said witness, deposeth and saith as follows:

Inty #1. What is your name?

Ans. Jesse A. G. Andre.

Inty #2. Where do you reside?

Ans. 25 Harrison Avenue, Northampton, Massachusetts.

Inty #3. Did you know Harriet A. Butler during her life-time?

Ans. Yes.

Inty #4. How long did you know her prior to her death?

Ans: About twenty years.

Inty #5. Please examine the attached written instrument, which purports to be the Last Will and Testament of Harriet A. Butler, and state whether or not it was signed by Harriet A. Butler in your presence and in the presence of the other witness.

Ans: Yes, it was so signed.

Inty #7. Were you a practicing attorney at the time the said Will was drafted?

Ans: Yes.

Inty #8. Did Harriet A. Butler request that you prepare the said Will for her and was it prepared by you in accordance with her instructions?

Ans: Yes.

Inty #9. Did you sign the Will as a witness in the presence of Harriet A. Butler and the other witnesses thereto?

Ans: Yes.

Inty #10. Did Nellie P. Rastallis and Marian V. Flavin sign the said Will as witnesses in the presence of Harriet A. Butler and yourself?

Ans: Yes.

*Jesse A. D. Cundie*

J.B. Blackburn,  
Attorney for Petitioner.

*Witness please sign here*

~~WE, I~~ Marian V. Flavin

the Commissioner in said Commission named,  
do hereby certify that the foregoing testimony and answers, taken down and written by <sup>me</sup> ~~us~~ in the words of the  
witness Jesse A.G. Andre were read over to him; that he assented, swore  
to and subscribed the same in our presence, at the time and place herein mentioned; that ~~we~~ <sup>I</sup> have personal  
knowledge of the personal identity of said witness (~~or, if unacquainted with the witness, that proof in~~  
~~been made before us of the identity of said witness~~); that ~~we~~ <sup>I</sup> am not of counsel or kin to either of the  
parties to said cause, nor interested in the event thereof. And ~~we~~ <sup>I</sup> enclose the said testimony, together with  
said commission and interrogatories, direct and cross, the said office of the Judge of Probate, whence the  
same emanated, as ~~our~~ <sup>my</sup> full execution of said Commission.

Given under ~~our~~ <sup>my</sup> hands and seals this tenth day of November, 1950.

Marian V. Flavin (L.S.)

*Common please sign here.  
& return this papers to  
H.R. Stewart, Judge Probate,  
Birmingham, Ala.*

No. 22 Page 50

The State of Alabama,  
Baldwin County.

PROBATE COURT

vs.

Deposition Of

Jesse A.G. Andre

Commission Caption and Certificate

FEE, - - \$

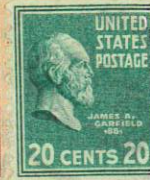
Filed Nov 16th 1950

Published by order of Court,

Nov 16th 1950

H.R. Stewart  
Judge of Probate.

Marian V. Flavin  
After 5 days, return to  
~~MISS K. K. ANDER~~  
39 Main St.,  
NORTHAMPTON, MASS.



REGISTERED  
RETURN RECEIPT REQUESTED

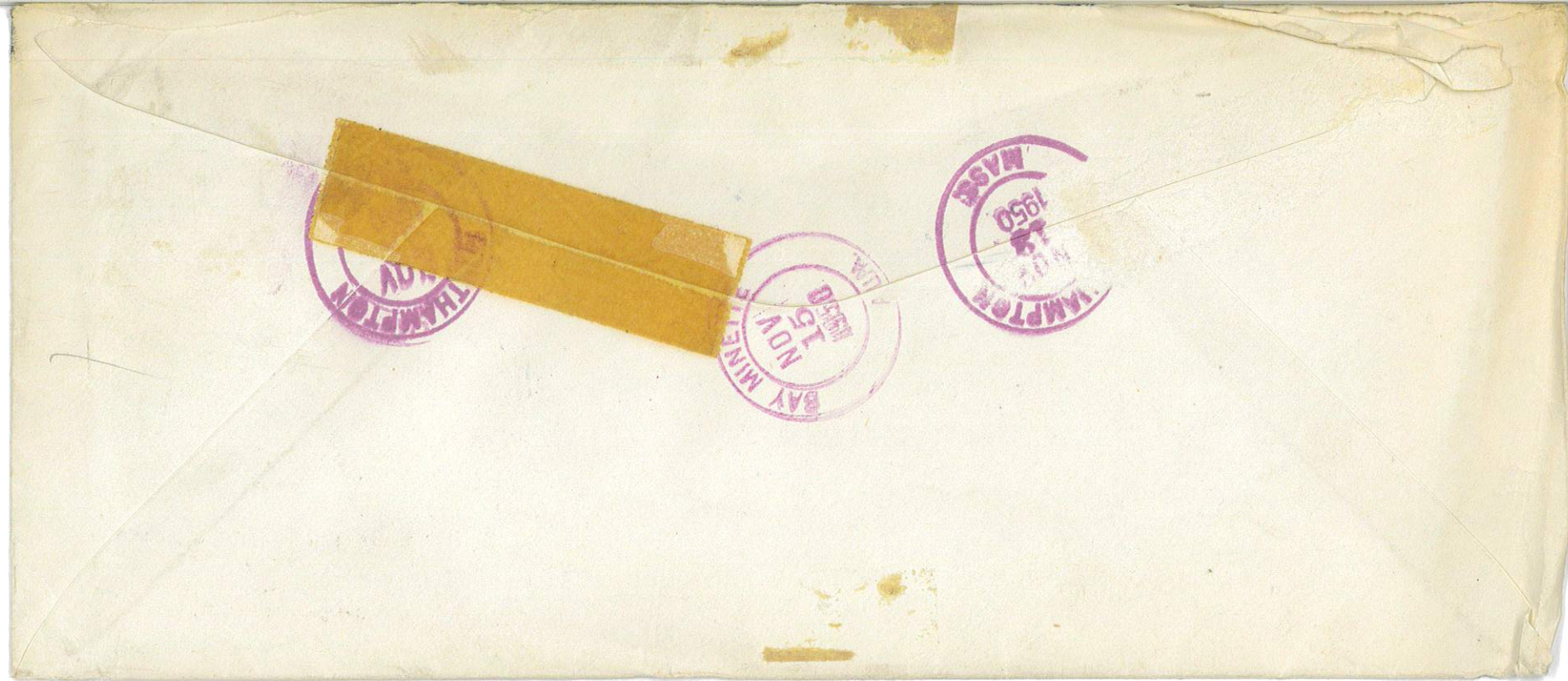
Return Receipt Requested



W. R. Stuart, Judge of Probate,  
Bay Minette, Alabama.

*Filed Nov 16th  
1950. and ordered  
perforated -  
W. R. Stuart  
Judge*







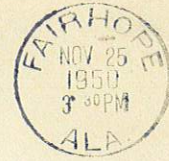
5 Copies of  
Letter of Testimony  
2 April

RETURN AFTER FIVE DAYS TO

**THE FAIRHOPE COURIER**

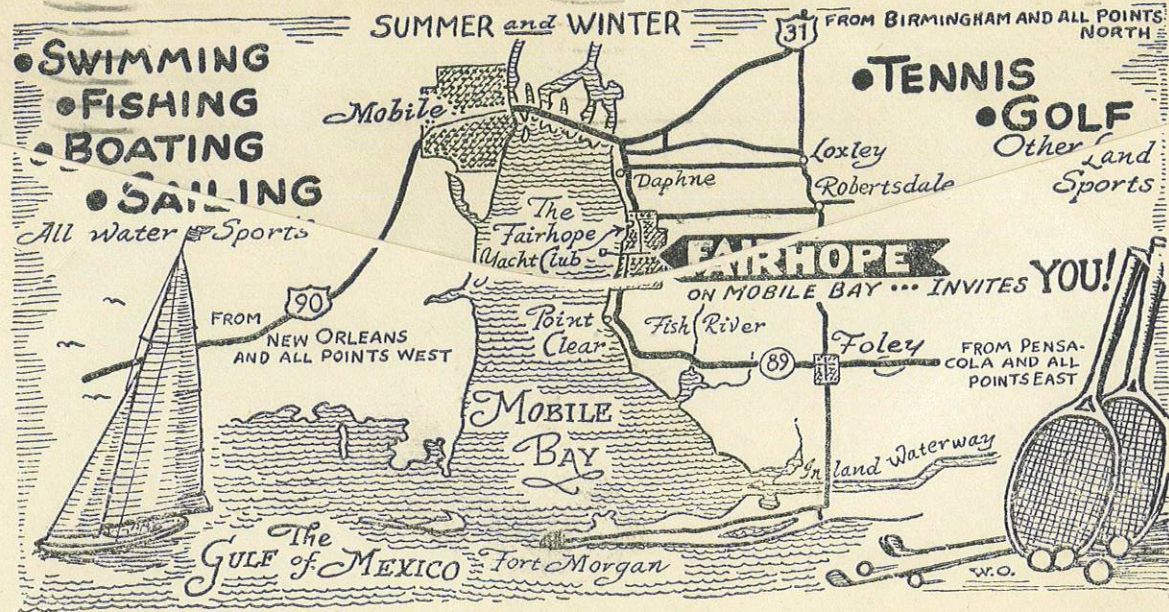
E. B. GASTON ESTATE, PUBLISHER

FAIRHOPE, ALABAMA



Hon. W. R. Stuart  
Judge of Probate Court  
Bay Minette, Ala.





Marian V. Flavin

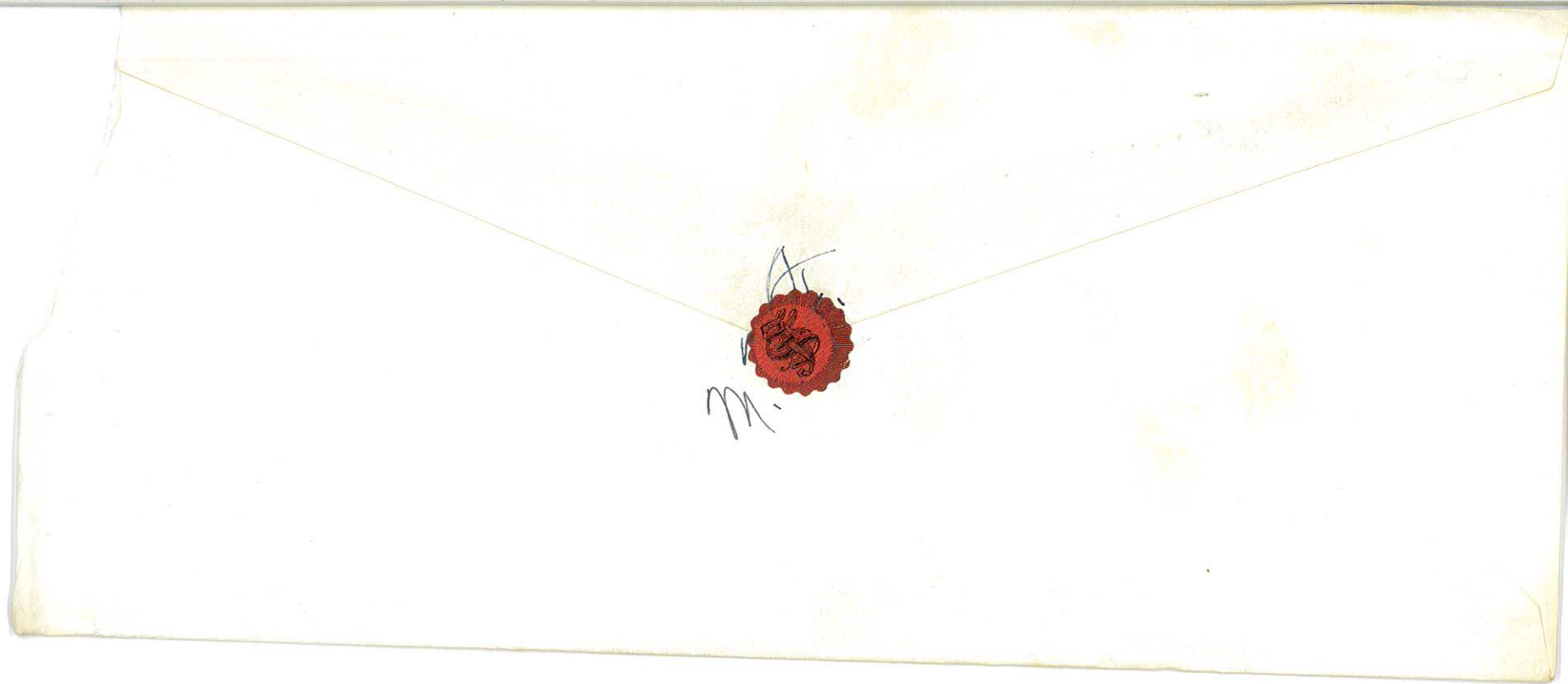
~~JESSE A. ANDRE~~

~~WYCKOFF~~

39 MAIN STREET

NORTHAMPTON, MASSACHUSETTS

Honorable W. R. Stuart,  
Judge of Probate,  
Bay Minette, Alabama.



Will Inty & Camm  
mailed by Registered Mail  
to Miss Marian V. Flavin  
of Jase A. G. Andre, atty  
39 Main St.  
Northampton, Mass



RECEIPT FOR REGISTERED ARTICLE No. 384

Fee paid 25 (Date) 10-27-50

Class postage paid 1

Return receipt fee 05  
Special delivery fee

Declared value, \$ Papers

Surcharge paid, \$

Restricted delivery  
(Accepting employee will place initials in proper space)  
in person  
or order  
Fee paid

From Probate Judge

(Street and number)

(Sender)

Addressed to Miss Marion T. Chapin

(Addressee)

10 Jesse A. P. Andrews

(Street and number)

(Post office and State)

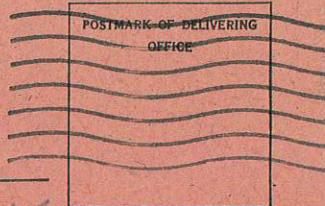
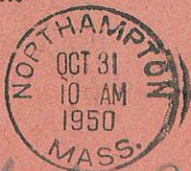
Postmaster, per



GPO c9-16-12666-5

Post Office Department  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300  
(GPO)



Return to *Prabate Judge*  
(NAME OF SENDER)

Street and Number,  
or Post Office Box, }

REGISTERED ARTICLE

No. *384* Post Office *Bay Minette, Ala.*

INSURED PARCEL

No. \_\_\_\_\_ State \_\_\_\_\_

10-12421



## RETURN RECEIPT

*Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.*

1 Marian V. Flavin  
(Signature or name of addressee)

2 Helen Chausse  
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery Oct. 30, 1940